

Public Document Pack

MEETING:	Cabinet
DATE:	Wednesday 2 November 2022
TIME:	10.00 am
VENUE:	Council Chamber, Barnsley Town Hall
PUBLIC WEB LINK:	https://barnsley.public-i.tv/core/portal/webcasts

AGENDA

1. Declaration of pecuniary and non-pecuniary interests
2. Leader - Call-in of Cabinet decisions

Minutes

3. Minutes of the previous meeting held on 19 October 2022 (Cab.2.11.2022/3)
(Pages 3 - 6)

Items for Noting

4. Decisions of Cabinet Spokespersons (Cab.2.11.2022/4)

Petitions

5. Petitions received under Standing Order 44 (Cab.2.11.2022/5) (Pages 7 - 10)

Items for Decision/Recommendation to Council

Children's Spokesperson

6. Strengthening Children's Services (Cab.2.11.2022/6) (Pages 11 - 60)

Regeneration and Culture Spokesperson

7. First Homes - Affordable Home Ownership Scheme (Cab.2.11.2022/7)
(Pages 61 - 100)
8. Local Plan Review (Cab.2.11.2022/8) (Pages 101 - 146)
RECOMMENDATION TO FULL COUNCIL ON 24 NOVEMBER 2022
9. Sustainable Construction and Climate Change Adaptation Draft SPD
(Cab.2.11.2022/9) (Pages 147 - 174)
10. Youth Employment Programme – Progress Update (Cab.2.11.2022/10)
(Pages 175 - 204)

11. Exclusion of Public and Press
Appendix A to agenda item 12 is exempt. Therefore, if necessary when considering that item, the Chair will move the following resolution:-

That under Section 100(A) 4 of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of such Act indicated, as now amended by the Local Government (Access to Information) (Variation) Order 2006.

Regeneration and Culture Spokesperson

12. City Region Sustainable Transport Settlement – Revenue Funding
(Cab.2.11.2022/12) (Pages 205 - 216)
Reason restricted:
Paragraph (3) Information relating to the financial or business affairs of any particular person (including the authority holding that information)

To: Chair and Members of Cabinet:-

Councillors Houghton CBE (Chair), T. Cave, Frost, Gardiner, Higginbottom, Howard, Lamb, Makinson and Platts

Cabinet Support Members:

Councillors Cain, Cherryholme, Eastwood, Franklin, Newing, Osborne and Risebury

Chair of Overview and Scrutiny Committee
Chair of Audit Committee

Sarah Norman, Chief Executive
Carly Speechley, Executive Director Children's Services
Wendy Lowder, Executive Director Place Health and Adult Social Care for Barnsley
Shokat Lal, Executive Director Core Services
Matt O'Neill, Executive Director Growth and Sustainability
Julia Burrows, Executive Director Public Health and Communities
Neil Copley, Service Director Financial Services (Section 151 Officer)
Sukdave Ghuman, Service Director Law and Governance (Monitoring Officer)
Michael Potter, Service Director Business Improvement, HR and Communications
Katie Rogers, Head of Communications and Marketing
Anna Marshall, Scrutiny Officer
Jason Field, Head of Legal Services (Deputy Monitoring Officer)

Corporate Communications and Marketing

Please contact Sukdave Ghuman by email governance@barnsley.gov.uk

Tuesday 25 October 2022



MEETING:	Cabinet
DATE:	Wednesday 19 October 2022
TIME:	10.00 am
VENUE:	Council Chamber, Barnsley Town Hall

MINUTES

Present: Councillors Houghton CBE (Chair), T. Cave, Frost, Higginbottom, Lamb, Makinson and Platts

Members in Attendance: Councillors Cain, Cherryholme, Eastwood, Franklin, Newing and Osborne

100. Declaration of pecuniary and non-pecuniary interests

There were no declarations of pecuniary or non-pecuniary interests.

101. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 5 October 2022 had been called in.

102. Minutes of the previous meeting held on 5 October 2022 (Cab.19.10.2022/3)

The minutes of the meeting held on on 5 October 2022 were taken as read and signed by the Chair as a correct record.

103. Decisions of Cabinet Spokespersons (Cab.19.10.2022/4)

There were no Records of Decisions by Cabinet Spokespersons under delegated powers to report.

104. Petitions received under Standing Order 44 (Cab.19.10.2022/5)

It was reported that no petitions had been received under Standing Order 44.

105. Children and Young People's Early Help Strategy (2022-27) (Cab.19.10.2022/6)

RESOLVED that Cabinet:-

1. Notes the contents of the Children and Young People's Early Help Strategy;
2. Endorses the strategy and its publication via the Council Website; and
3. Supports governance arrangements for the delivery of the strategy through community based Early Help Delivery groups within localities.

106. Joint Targeted Area Inspection of the Multi-agency response to the identification of initial need and risk among vulnerable children: Draft Written Statement of Action (Cab.19.10.2022/7)

RESOLVED that the draft Written Statement of Response to the recent findings of the Joint Targeted Area Inspection, concerning the multi-agency response to the identification of initial need and risk among vulnerable children, be approved for submission to OFSTED by the deadline of 25 October 2022.

107. Barnsley Council Annual Customer Complaints and Compliments Report - April 2021 to March 2022 (Cab.19.10.2022/8)

RESOLVED that Cabinet receives and notes the information contained within the Barnsley Council Annual Customer Complaints report.

108. Household Support Grant - October 2022 to March 2023 (Cab.19.10.2022/9)

RESOLVED that Cabinet:-

1. Notes the grant conditions associated with the use of the Household Support Grant, as set out in section 2.1 to 2.4 of the report;
2. Agrees to the proposed spending plan set out in section 2.5 of the report;
3. Agrees to proceed with the priority schemes as outlined in 2.5.3 of the report; and
4. That the Service Director Finance S151 Officer make any necessary changes to the scheme following receipt of final guidance and funding allocation.

109. Affordable Warmth Charter (Cab.19.10.2022/10)

RESOLVED that Cabinet:-

1. Endorses the Affordable Warmth Charter as a measure of commitment for achieving affordable warmth across the borough; and
2. Agrees to the sign-up process for the Affordable Warmth Charter.

110. Exclusion of Public and Press

RESOLVED that the public and press be excluded from the meeting during consideration of the following items, because of the likely disclosure of exempt information as described by the specific paragraphs of Part I of Schedule 12A of the Local Government Act 1972 as amended, as follows:-

<u>Item Number</u>	<u>Type of Information Likely to be Disclosed</u>
12	Paragraph 3
13	Paragraph 3

111. Barnsley Property Investment Fund 3 - Scheme Approval (Cab.19.10.2022/12)

RESOLVED that Cabinet:-

1. Agrees to release the capital funds earmarked to deliver a third phase of the property investment fund scheme as detailed in this report;
2. Notes the outcomes achieved through the Property Investment Fund to date and the ongoing economic need and demand for commercial development within Barnsley;
3. Approves the recommendation on how to proceed with the proposal to support a further three schemes set out in the report;
4. Approves the release of capital reserves in the form of grant payments to support the proposals outlined in the report;
5. Delegates authority to the Service Director, Regeneration and Culture to take the decisions on the applications and enter into grant agreements to give effect to those decisions subject to the financial envelope set out in the report, and any necessary consultation with legal and finance.

112. Social Housing Decarbonisation Fund - Wave 2.1 Proposal (Cab.19.10.2022/13)

RESOLVED that Cabinet approves:-

1. The proposal to submit a funding bid via a partnership agreement with the Local Energy Hub Consortium to install energy efficiency measures in up to 150 council properties; and
2. The preferred procurement route to enter into a managed services agreement with a Provider to manage and deliver this programme if the bid is successful, delegating contract negotiations to Executive Director Growth and Sustainability.

.....
Chair

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BARNSELY METROPOLITAN BOROUGH COUNCIL

Report of the Chief Executive

Petitions received under Standing Order 44

1. Purpose of Report

To consider action in respect of petitions received by the Chief Executive under Standing Order 44.

2. Recommendations

2.1 That Cabinet agree the action to be taken in response to the petitions referred to in the report in line with the Council's Petitions Scheme.

3. Background

3.1 The Council's Standing Order 44 requires that "All petitions relating to a matter over which the Council ... has authority or which affects the Borough shall be presented to the Chief Executive who shall refer them to the relevant officer for investigation."

3.2 The Petitions Scheme, which was revised in April, 2013, requires petitions to be reported into Cabinet. This report sets out recent petitions received and the recommended response.

3.3 Whilst the report of petitions to Cabinet fulfils this duty requirement, Cabinet may wish to consider further action, such as referring any petition to the relevant Area Council.

4. Details of Petitions Received

4.1 Details of the petitions received up to this meeting of Cabinet are set out in the appendix attached, including a recommendation of the action to be taken for consideration. Members should note that individual petitions will not be the subject of further reports to Cabinet unless this is specifically requested at the meeting when the petition is reported.

5. List of Appendices

5.1 Details of Petitions received.

6. Background Papers

Petitions presented to the Chief Executive. Available for inspection in the Council Governance Unit, Town Hall, Barnsley, except where the petitions contain Exempt Information.

Officer Contact: Carol Tague **Email:** governance@barnsley.gov.uk **Date:** October 2022

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Petitions received under Standing Order 44 - Cabinet – 19 October 2022

Issue	No. of Signatories	Date Received	Action recommended under the Petitions Scheme
Bus service provided to Higham from Barnsley Interchange and the return services.	35 signatories	01/09/2022	That the petitioner is informed of the response from SYMCA/Globe and details of the door to door service provided.

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BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR (CHILDREN'S SERVICES)

TITLE: STRENGTHENING CHILDREN'S SERVICES

REPORT TO:	CABINET
Date of Meeting	2 November 2022
Cabinet Member Portfolio	Children's Services
Key Decision	No
Public or Private	Public

Purpose of report

The report aims to support political and organisational leaders' understanding of how well Barnsley Council's Children's Services are performing in response to statutory duties and to establish how we successfully strengthen our services to impact our children, young people and families positively.

Council Plan priority

This report primarily supports the Council Priorities of a **Healthy Barnsley** by ensuring children and young people are safeguarded from harm and can maintain their health and wellbeing, together with a **Learning Barnsley** through ensuring children and young people obtain a good start in life, maintain a good level of development in the range of outcomes and thereby achieve their aspirations and potential.

Recommendations

That Cabinet:

1. Acknowledges and notes the outcomes of the review of children's services in Barnsley.
2. Supports the proposal outlined in section 4 of this report and the actions within the development plan. This will include submitting quarterly children's services performance and financial reports for Cabinet's consideration.
3. Agree to the required investment to support the development and improvement of the service, noted particularly in section 5 of the report.

1. INTRODUCTION

- 1.1 Barnsley is a place that is ambitious for its children and young people. There is both political and organisational commitment to providing the best services to children and their families and a will to make Barnsley a Place of Possibilities for them.
- 1.2. Delivering safe and effective children's services is a key challenge for councils across the country. This challenge is exacerbated by a significant workforce crisis, a slow recovery from a global pandemic and a cost-of-living crisis that will see many more people parenting and caring in adverse circumstances.
- 1.3 Barnsley had a full inspection in 2018. Since then, there have been significant changes in the national context, not least the recent Independent Review of Children's Social Care, which recommends a fundamental shift in how the social care system operates. Our Children's Services have a new Director of Children's Services and a new leadership team for social care.
- 1.4 Barnsley has historically been a low spender on Childrens services. According to the 20/21 s251 return to CIPFA Barnsley spends £735 per capita on its services to children and young people. In contrast the average spend for statistical neighbours is £1197, for Yorkshire and Humber it is £875 and for England it is £834.
- 1.5 Irrespective of these challenges, we're committed to continuing to deliver against our statutory and legal duties so that children are provided with a proportionate help and protection service. We anticipate that Ofsted will be returning imminently to inspect how successful we have been in upholding these responsibilities.
- 1.5 For the above reasons, the Leader and Cabinet Member for Children's Services have asked for a review of our current operation.
- 1.6 This report will seek to identify strengths to build on and areas for development, all of which will be captured in a development plan.

2. Scope of Review

- 2.1 To achieve a comprehensive understanding of the current operation, we gathered evidence from a range of sources.
 - Feedback from our workforce.
 - A review of data not currently included within the Children's social care performance framework.
 - External case sampling has been completed using the Ofsted methodology by a former Ofsted HMI Inspector.
 - Findings from Spring Lane children's home inspection
 - Findings from the recent Joint targeted area inspection

3. Findings

The following sections are an overview of the key findings from each strand of the review.

3.1 Feedback from our Workforce

Our employees are committed and loyal to Barnsley. They work hard to make sure that children, young people and families receive the support and help they need.

We're having real challenges with recruiting and retaining a children's service workforce. This is a national issue and one from which Barnsley is not immune.

These current workforce challenges are making it difficult to meet demand across services.

This means some employees have higher caseloads and workloads than we would want, and there are fewer opportunities to build relationships with families and undertake direct work with children and young people.

These issues, combined with the absence of an embedded practice model and a comprehensive learning and development offer, are leading to inconsistencies in practice.

The pressure that this creates is, at times, affecting employees' well-being.

3.2 Caseloads and Workloads

There have been enduring concerns regarding caseloads, which are restated within this review through a review of current data. Despite the organisations best efforts caseloads are still being impacted as a result of vacancies within the system and difficulties in recruiting and retaining staff, alongside high sickness levels.

3.3 A review of data not currently included within the Children's social care performance framework

Our current performance against the indicators within the existing framework is strong. Several gaps within it mean we don't have complete oversight of all the necessary measures. When we review the framework further and look at data we do not currently report, we find that compliance and quality need strengthening. We must develop a more comprehensive framework to improve our internal assurance arrangements and make sure senior officers and the cabinet spokesperson have an effective line of sight to practice.

3.4 External case sampling has been completed using the Ofsted methodology by a former Ofsted HMI Inspector

We commissioned an independent consultant with significant experience as an HMI for Ofsted to test out the quality of our practice through the lens of the inspections of local authority children's services framework.

This is a summary of the general findings and is what Ofsted would currently find if they were to notify us of an inspection:

- There is some variability of practice.
- Some children are not consistently receiving timely support.
- High caseloads are leading to less time for direct work with families.
- Spans of control for managers are too broad, resulting in insufficient management oversight.
- The child's voice needs strengthening.
- Thresholds are not fully understood by some partners and are not consistently applied.
- Due to a lack of sufficient placements for children in care, we have some children in placements that aren't fully meeting their needs.

3.5 Findings from Spring Lane Children's Home Inspection

The Spring Lane children's home reinspection in July 2022 was judged inadequate. The inspectors identified weaknesses in each of the three judgement areas as follows:

- **The overall experiences and progress of children** – This included the quality of care not sufficiently consistent with the Homes Statement of Purpose, young people's education not consistent with their needs and greater scrutiny over the matching of young people in the home.
- **How well children are helped and protected** – This included young people are to be better supported with their emotions and de-escalation and the need to ensure regular supervision for employees.
- **The effectiveness of leaders and managers** – This included the Interim Residential Manager being too dismissive of risk and understanding the level of concern, insufficient evidence of management oversight following serious incidents and the lack of a permanent registered Residential Manager.

While this inspection was specifically related to a children's home, it also identified areas for development in care planning, including oversight from the Independent Reviewing Officers.

3.6 Findings from our Joint Targeted Area Inspection

A number of key strengths were identified in the Joint Targeted Area Inspection, which has been covered in other reports. These are the development areas which we are addressing:

- The quality and consistency of all agencies' gathering, recording and responding to the expressed wishes and feelings of children with whom they work.
- The consistent application of thresholds for children stepping down to early help services.
- The availability of and the quality of the emergency duty team's (EDT) response to children and partner agencies. The out-of-hours service (EDT) is not sufficient to meet demand. There are too many gaps in EDT's case recordings, so the audit trail of decisions is unavailable for daytime social work staff to provide continuity.

4 PROPOSAL

It is clear from the findings that we need to take corrective action to strengthen services under considerable pressure. We propose the creation of a development plan to be overseen by robust governance.

Development Plan

We will have a focused and structured approach to improvement for the whole of children's services. The development plan will contain a range of actions with clear timescales and measures. The plan will address the following key areas:

a. Capacity

We have confirmed that our funded establishment for social care services is sufficient. This includes the following services: Screening and Assessment, children and young people's teams, Disabled Children's Teams, and Children in Care teams. However, caseloads across these services are too high and unmanageable. This is due to vacancies, difficulties with recruitment and retention and sickness levels. To address this, we propose to:

- Continue to support employees absent from work due to sickness back into the workplace
- Use agency staff to fill the gaps in our capacity short term while delivering a longer-term plan to fill all vacant posts permanently, including the use of project teams
- Recruit a cohort of Team Managers so that line management and practice overview improve.

b. Leadership

Children's services have been subject to a complete change of leadership team, including a new Executive Director, Director of Social Care and several members of the extended leadership team.

Findings from all reviews show that practice compliance and quality of practice need strengthening. The senior management and Cabinet Members' line of sight on our performance needs to be improved.

Investment in the current Safeguarding and Quality Assurance service means we will have sufficient capacity to develop and embed robust quality and performance frameworks. We better support our employees with effective inductions, training and development. We can accurately and regularly audit and monitor practice quality, compliance and outcomes for children. To address this, we propose to:

- Establish a Development Board with an Independent Chair
- Develop a Practice Hub in children's services
- Invest in and recruit to specific Quality Assurance roles that will make sure our practice is quality assured and performance improves
- Develop a workforce, recruitment, retention and development strategy and plan
- Invest in a system-wide practice model to make sure our practice and risk management are consistent
- Redesign our performance framework and monitoring arrangements.

c. Early Help

As a result of increasing demand, targeted early help services are also under significant pressure. Given the cost-of-living crisis and the adverse circumstances in which many people are now parenting and caring, we expect this demand to continue to increase.

Currently caseloads in this service consist of families and not children and as stated earlier our family support workers are often working with over 50 children.

We must create conditions where effective early help services can prevent families from entering the social care system, which is much more intrusive for families and costly for the organisation. To address this, we propose to:

- invest in the number of family support workers to reduce current caseloads, enabling workers to provide impactful interventions with children and young people
- invest in additional managers to make sure we have robust and effective oversight of children.

Governance

To make sure that the development plan is delivered and positively impacts our services, we propose introducing a multi-agency Development Board with an independent chair for additional assurance.

The board will include key partners and provide strategic leadership and governance to the development programme. The board will provide regular progress reports to the Senior Management Team, Cabinet and the Barnsley Safeguarding Children Partnership.

Financial investment

To implement these proposals, we request additional financial investment, detailed in the development plan and associated business cases.

Conclusion

When considering the entirety of this information, we have to conclude that we need to strengthen the quality of our practice. When children, young people and families need services to support them, our response is sometimes not as timely or effective as it should be.

However, we know that the remaining workforce and management team are working hard and fully committed to Barnsley's children and young people and are working to do their best in this challenging environment. The most important thing we need to do is create an environment where their practice can flourish.

If we implement the proposals recommended above, we are confident we will begin to see improvements quickly. We intend to develop a comprehensive performance and quality framework to measure the impact of our plans, but in broad terms, we would expect the following result:

- A skilled workforce that is stable with Barnsley Council as an employer of choice
- Improved outcomes for children, young people and families
- Improved performance and quality of service
- Children and young people's voices central to our practice
- More children and young people placed in Barnsley and supported in our communities.

5. IMPLICATIONS OF THE DECISION

Financial and Risk

The Service Director – Finance (S151 officer) or his representative has been consulted in drafting this report. The costs of implementing the Children's Social Care Development Plan are outlined in the table below. The investment requirement has been split between:

- Proposals previously considered by our Senior Management Team

- Proposals where our Senior Management Team has requested additional information for further consideration. Please note supporting business cases have been provided to inform the review of these proposals.

	22/23 £'000	23/24 £'000	24/25 £'000	25/26 £'000
<u>Previously considered:</u>				
Capacity (agency staff)	1,860	104	-	-
Leadership	89	133	-	-
Service development	511	875	864	864
	2,460	1,112	864	864
<u>Proposals with additional information:</u>				
Practice Model	162	163	-	-
Early Help	609	1,461	1,461	1,461
LAC commissioning	26	105	105	105
Learning and Development	25	50	50	50
Retention Payment	148	-	-	-
Others*	71	93	41	41
	1,041	1,872	1,657	1,657
	3,501	2,984	2,521	2,521

The 2022-23 estimated investment (£3.5m) represents additional employee costs for the year only and excludes other cost pressures in children's social care, such as Looked After Children placements. The 22/23 overall financial position for children's social care would be presented as part of our quarter two finance report and include the above forecast.

The table below shows the breakdown of the non-recurrent and ongoing requirements. Currently, there is no funding for both the one-off and ongoing costs attached to these proposals as set out in the development plan. However, it is proposed that consideration be given to funding the non-recurrent costs (£6.5m) from reserves and for the ongoing costs (£2.5m) to be financed by the through the MTFS (from 2024/25).

	22/23 £'000	23/24 £'000	24/25 £'000	25/26 TOTAL £'000
Funding Requirement				
Reserves (non-recurrent)	3,501	2,984	0	6,485
MTFS (recurrent)	-	-	2,521	2,521
	3,501	2,984	2,521	

Along with considering the impact of this additional investment through the MTFS, there must be a commitment to undertaking the service reviews to identify savings as set out in the MTFS update report.

Proposals previously considered

Although previously considered by our Senior Management Team, formal approval is now sought for the following investment proposals:

- Agency staff capacity - represents non-recurrent spending on agency roles (including project teams) in 22/23 and 23/24 to cover social worker vacancies and absences.
- Leadership capacity – covers a fixed-term development board (independent chair, programme manager and project support) with investment profiled over 22/23 and 23/24.
- Service Development – covers a variety of additional permanent roles across the service, for example, family support workers, team and service managers and advanced practitioners.

Proposals (with additional information) for consideration

In addition, formal approval is also sought for the following proposals (see the attached business case for further details and rationale for the respective proposals):

- **Practice Model** (£0.3m non-recurrent) - to procure and implement a practice model to develop and embed practice standards across the service. Continuation of the model beyond two years would be subject to evaluation and demonstrable outcomes.
- **Early Help *Early Help*** (£1.5m recurrent) – proposal is to increase capacity across Targeted Early Help Services to ensure caseloads and spans of control are at a manageable level. It is proposed that team managers span of control be limited to 7 ftes, with caseloads for each family support worker no more than 12 families. This would require the recruitment of additional 27 fte FSWs / team managers. It is envisaged that this recurrent investment would have a positive impact in future activity levels in children social care and should result in demonstrable cash savings on spend on supporting children in need, children with protection plans and those looked after by the authority. These would be evidenced / captured as part of the agreed Transformation / Service Reviews.
- **Looked After Children commissioning capacity** (£0.1m - recurrent) - To develop Barnsley's care market so more young people can be placed and supported in our communities, we propose creating one Senior Commissioning Manager post and an additional Placement Team Contract Officer.

- **Learning and Development** (£50k – recurrent) - We acknowledge that the learning and development offered to social workers is poor and does not support practitioners with the skills they need to deliver good practice consistently. The complexity of casework has significantly impacted the need to provide more advanced specialist training that meets the increasing challenges in practice. We propose creating a training budget so the practice development team can create a learning and development offer.
- **Retention payment** (£148k – non-recurrent) – To support recruitment and retention, we propose implementing a one-off payment of £2,000 for front-line social workers in some practice areas. This discreet payment would be for people most likely to be considering leaving the council. This will complement other retention activity that is currently being undertaken. Retaining employees provides much-needed stability for young people, supports a reduction in children’s social work caseloads, and provides the capacity to respond effectively to rising demand from children and young people in need of help, protection, and care.
- **Others** (£41k – recurrent) – covers a number of additional temporary and permanent roles in SENDIASS and Spring Lane Children’s Home (to cover additional shift rota).

5.2 Legal

There are no legal implications directly emerging through the consideration of this report. The terms of reference of the proposed Children’s Services Development Board and Development Plan will support measures to close any gaps in compliance with statutory children’s services responsibilities.

5.3 Equality

There are no implications for promoting equality and eliminating unlawful discrimination emerging through this report. All services and partner organisations are subject to the Equality Act and Public Sector Equality Duty provisions. This ensures services are planned and commissioned to meet specific or additional needs, particularly for children and young people with protected characteristics.

5.4 Sustainability

There are no implications for sustainability in the borough arising through consideration of this report.

5.5 Employee

The Children’s Services Development Board and Development Plan will actively seek to address and resolve the workforce issues impacting children’s services, detailed earlier in this report. The actions to be considered will be the subject of full consultation with the Service Director for Human Resources, Business Improvement and Communications and the Service Director for Finance.

5.6 Communications

- 5.6.1 The Children's Services Development Plan will be supported by a communications strategy aimed at making sure all stakeholders are informed and are supported to own and buy into the objectives of the overall plan as part of strengthening our capacity.

6.0 CONSULTATION

- 6.1 The Senior Management Team, Trade Unions and staff have been consulted as part of the review.

7.0 ALTERNATIVE OPTIONS CONSIDERED

- 7.1 The purpose of this report is to inform Cabinet of the proposal to strengthen the capacity of Children's Services to meet the challenges we're facing. This is part of our ambition to commission and provide high-quality services for children, young people and families as we continue to recover and renew following the pandemic.

8.0 REASONS FOR RECOMMENDATIONS

- 8.1 Please see Paragraph 7.1

9.0 GLOSSARY

- 9.1 N/A

9.0 LIST OF APPENDICES

- 9.1 Main Appendix: Children's Services Development Plan: Immediate Actions (September 2022 – March 2023).
Appendix 1: CSC Development Plan - Learning and Development
Appendix 2: CSC Development Plan – Children's Social Care Practice Model
Appendix 3: CSC Development Plan - Early Help
Appendix 4: Transformation Scoping Paper (One-Off Retention Payments Business Case)
Appendix 5: CSC Development Plan – LAC Commissioning Capacity
Appendix 6: Transformation Scoping Paper (Feedback Business Case)

10.0. BACKGROUND PAPERS

- 10.1 If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made.

11. REPORT SIGN OFF

11.1

Financial consultation & sign off	Senior Financial Services officer consulted and date <i>Joshua Amahwe (19/10/2022)</i>
Legal consultation & sign off	Legal Services officer consulted and date <i>Jason Field, 20/10/22</i>

Report Author: Debbie Joyner
Post: Programme Manager (Children's Services)

Children Services

Development Plan

Immediate Actions
Nov 22 to Jan 23

Sprint & Investment Plan						
	Actions	Sponsor	One-off cost	Ongoing cost	Outcomes /outputs/ impact	Dependencies
1			Capacity			
	<p>Recruit social workers and team managers across the service to fill gaps in budgeted establishment which will reduce caseloads levels for workers and spans of control for managers to manageable levels</p> <p>Short term vacancies will be filled with agency workers longer term to be filled permanently</p> <p>Retention Payments</p>	<p>Nina Sleight / Sophie Wales</p>	<p>£1.964M</p>	<p>£0</p>	<ul style="list-style-type: none"> • Caseloads hit aspired levels <ul style="list-style-type: none"> ○ Social Worker caseloads - 20 (children) ○ ASYE caseloads - 12 (children) ○ Advanced Practitioner Caseloads- 14 (children) ○ Targeted Family Support Worker Caseloads -12 (families) • Team manager spans of control at 7 staff 	<p>Caseload aspirations dependent upon</p> <ul style="list-style-type: none"> • The recruitment market • Effective recruitment, retention, and development retention strategy
			<p>£0.148M</p>	<p>£0</p>	<ul style="list-style-type: none"> • Quality of practice improved • Staff workforce stabilising • Staff morale improved • Retention rates improving • Case supervision rates improving • Compliance improving against performance framework • Sickness rates declining • Number of vacancies reducing • Improved audit outcomes 	

	Actions	Sponsor	One-off cost	Ongoing cost	Outcomes /outputs/ impact	Dependencies
2			Leadership			
	<p>Establish a Development Board to support, challenge and drive the improvement agenda for Children Services in Barnsley</p> <ul style="list-style-type: none"> • Independent chair (?) • Programme Manager (18) Months) • Project Manager (12) months 	Sarah Norman	£0.222M	£0	<ul style="list-style-type: none"> • Committed Board in place and meeting regularly – providing strategic leadership and governance to the development programme • Development Plan in place and monitored – barriers to rapid improvement removed • Risks managed effectively • Provide regular updates and manage plans • Over time - improving trajectory of performance due to dedicated management, scrutiny, and challenge across the Development Programme 	<p>To ensure all progress can be effectively managed there is a requirement for</p> <ul style="list-style-type: none"> • Key performance data in place that provides performance trajectory and spot data • Financial investment and monitoring in place • Commitment and attendance of multi-agency board members

	Actions	Sponsor	One-off cost	Ongoing cost	Outcomes /outputs/ impact	Dependencies
3	Service Development					
	Develop a Children's Service Practice Hub <ul style="list-style-type: none"> • Practice model • Manager training • IRO & LADO • Bright spots • Principal social worker G12 • 4 x advance practitioners • 1 x Service manager • CYPT area • 2 x upgrade from SW to Advanced Practitioners • Learning & Development 	Sophie Wales	£1.949M	£0.955M	<ul style="list-style-type: none"> • Workforce Strategy in place that covers Recruitment & Retention / Learning and Development. • Procurement of practice model. Commencement of implementation • Practice Standards in place (whole service) • QA framework in place • Performance framework in place • Improved supervision and support to ASYE's including co working to allow for those workers to carry more complex cases • A single point for onboarding of staff • Children's Integrated Children's System (Mosaic) implemented and embedded • Induction programme in place for all staff Improved compliance • Improved quality or practice • Consistent application of social work practice for children's young people and families and Workers • Speedier recruitment of staff both agency and permanent • Better evidence of voice of the children visible in audits and performance framework • Improved practice on the back of feedback from CIC and CL 	Dependent upon <ul style="list-style-type: none"> • effective recruitment to specific roles that will underpin the structure, monitoring and challenge around practice and compliance • effective recruitment, retention, and development retention strategy • financial investment

	Actions	Sponsor	One-off cost	Ongoing cost	Outcomes /outputs/ impact	Dependencies
4	Early Help					
	Increase Capacity across Targeted Early Help Services to ensure caseloads and spans of control are at a manageable levels	Nina Sleight / Sophie Wales	£2.070M	£1.461M	<ul style="list-style-type: none"> • 27 x Additional Family support workers in post • 6.5 Additional Family Support Manager • 2 x additional Development workers in post • Spans of control at 7 for Family Support Managers • Caseloads for workers at 12 (families) • Staff capacity sufficient to meet demand • Length of time families need intervention reduced due to impact of effective • Referrals into social care reducing • Improved measurable outcomes for children and young people • Number of re-referrals into social care reducing • % Of requests for service NFA reduce • Improved number / % of Early Help audits at good or outstanding • improved quality, compliance and effectiveness of early help practice • reduced risk of harm - issues addressed or deescalated • reduced length of intervention 	<p>Dependent upon</p> <ul style="list-style-type: none"> • Recruitment to roles • Financial investment

	Actions	Sponsor	One-off cost	Ongoing cost	Outcomes /outputs/ impact	Dependencies
					<ul style="list-style-type: none"> • prevention of escalation to children’s social care – reduction in demand for statutory services • sustainable step down to universal services • improved outcomes for children and families across a range of indicators including education and health. • strengthened resilience in families and improved levels self-efficacy • consistent, effective and regular case/reflective supervision, performance and development reviews • improved line of sight to practice • long term sustainable children’s services and system • culture of high support, high challenge, reflective and enabling 	
	Sufficiency commissioning					
	Develop commissioning capacity to address placement sufficiency needs	Nina Sleight /Sophie Wales	£0.131M	£0.105M	<ul style="list-style-type: none"> • Sufficiency strategy developed • Improved compliance quality and outcomes for children and families receiving our services. • Improved line of sight to practice • More children living within Barnsley • Improved placement stability • Reduction in unit cost for placements through development of the local 	Dependent upon <ul style="list-style-type: none"> • Recruitment to roles • Financial investment



					market, including exploration of creation of new local provision	
	TOTAL INVESTMENTS		£6.485M	£2.521M		

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CSC Development Plan Learning & Development

Lead Contact:	Keeley Boud
Directorate:	Children's Services
Service Area:	Safeguarding and Quality Assurance

1. TRANSFORMATION OVERVIEW

Background

Our recent evaluation of practice has led to an acknowledgement that the learning and development offer for social workers is poor and is not supporting practitioners across all service areas to have the skills they need to deliver consistently good practice.

Changes to the workforce demographic requires training to be delivered on a continuous basis, able to respond and adapt to new practice initiatives, research and learning from audit, practice reviews and complaints to ensure basic practice requirements are understood and embedded.

Additionally, the complexity of case work has significantly impacted upon the need to provide more specialist advanced training that meets the increasing challenges in practice. The roles in children's social work and the nature of the work is varied and the training offer needs to be robust and significant to capture the needs across all specialist service areas. This offer for example would need to include specialist training such as, front line management training, Working with persons posing a sexual/violent risk, specialist residential training, contextual safeguarding to name a few.

Summary of Proposal

The practice development team require a training budget to enable this to be achieved this should be set at £50,000. This figure takes account of the low starting position and the extent of the training required to achieve the standards required.

For example specialist training (these might change as service needs and priorities change):

This includes specialist training:

PAM's Training for 12 social workers costs with licence fees/ workbooks approx. 16K
 Decision making in S47's for managers and AP's x60 social workers approx. 3k

Person Posing Risk Training (Lucy faithful Foundation) x12 social workers approx. 4k
 Assessing non abusing parents (linked to PPR) x 12 social workers approx. 4k
 Reflective supervision x 50 managers/AP's approx. 3k
 Typologies of domestica abuse and assessment x 80 approx 4k
 Attachment /trauma x 80 practitioners approx. 4 k
 Restorative practice approx. x 80 practitioners 4k
 Contextual safeguarding x80 practitioners 3k
 Together or Apart x20 2k
 Assessing substance misuse x80 practitioners 3k

Alternative Options

The alternative is that practitioners continue to receive piecemeal training that is delivered internally by practitioners who are not necessarily skilled in the areas required

Links to Corporate Priorities

Supports the learning and growing of our staff and enables them to support the children and families of Barnsley to achieve their potential.

Links to our People strategy as t supports and enables:

- having effective leadership, values and culture
- maximising our organisational capacity and capability
- supporting staff to have a great employee experience.

Anticipated Objectives & Benefits

Having a workforce with the necessary up to date training and professional knowledge will ensure children and their families have the right support at the right time.

It will reduce drift and delay because practitioners will have the tools, knowledge, and skills to make the right decisions that deliver good outcomes for children and their families at the earliest point.

It will ensure timely skilled responses from practitioners who are supported to have the expert knowledge to be confident in their roles, getting it right the first time. Good practice costs less in the long term.

- Outcomes will improve for children and will be evidenced by timely intervention and support by practitioners with the necessary expertise
- Social work staff will be able to articulate what good practice looks like, will have up to date knowledge and skills that are evidenced in their practice
- Practitioners will be more autonomous and confident in practice and will share this learning in teams strengthening practice further
- Audit of case work will evidence consistently good practice and positive outcomes for children and their families

- A good quality training offer will support retention and continuous professional development

Implications

Our current review of practice evidences that practice is inconsistent, that practitioners do not have the necessary skills, knowledge and expertise to deliver good practice.

A failure to invest in the training and development of practitioners will risk a further decline in this position. This will result in poorer outcomes for children and their families and risk reputational damage to the council. A comprehensive continuous professional development offer with associated training is a basic expectation of professional social workers and a failure to provide this, risks a further deterioration in retention of experienced practitioners

2. PROJECT SCHEDULE

What are the provisional milestones / timescales?

Key Milestone	Start Date	Completion Date
Training programme to be identified and delivered	November 2022	Will need to be annually updated to reflect identified ongoing need

3. RESOURCES

Provide details of any anticipated resources required (IT support, office space, Project Manager, Project Team, specific skills, investment etc.)

Resources	Cost £	Recurrent?
Training Budget	£50,000	recurrently

4. EFFICIENCIES

What efficiency with the transformation deliver – minimum expected is 10%

Efficiency	Estimates (£)	

5. ADDITIONAL INFORMATION

The learning and development offer will be implemented by the Practice development team

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CSC Development Plan Practice Model

Lead Contact:	Sophie Wales
Directorate:	Children's Services
Service Area:	Investment in a Practice Model

1. TRANSFORMATION OVERVIEW

Background

Delivering children's services safely and effectively is a key challenge across local government.

Since our last inspection in 2018, nationally and locally communities are recovering from the Covid Pandemic and are living in the midst of a cost-of-living crisis, all of which will see many more adults parenting in adverse circumstances and further impact on Children's Services in Barnsley

A recent review of the Children's Social care and Early Help has highlighted significant workforce pressures and some variability in the quality of practice.

To support the service through a journey of improvement, a Development Programme will be put in place that will identify short term and longer-term activities to drive sustainable change, improve quality of practice and compliance and keep children and young people safe and supported.

Summary of Proposal

Although Barnsley developed a practice model a number of years ago, this was not well known or understood or used to effectively support practice.

The approach taken had been to take a number of recognised theories and roll them into one approach. This locally developed model quickly fell into disuse and was difficult for staff to articulate let alone practice within.

High turnover of staff and managers compounded this issue, and it now lacks credibility among remaining staff and managers.

We have recognised that implementing a recognised practice model that is well regarded and understood is fundamental to our recruitment and retention activity, as it will form a key part of our overall offer to staff and will be attractive to those seeking to work in an authority that is ambitious for both its children and staff.

An effective practice model provides a framework for practice and ensures both a consistent approach to practice and the provision of help and support across the system. It is well understood that a practice model provides a lens through which we deliver our social work theory in order to effect positive and sustainable change with the children and families we work with.

This will require an investment in the region of £300K; meetings are scheduled with the SOS Provider for w/c 24 October and a ballpark figure has been provided by them for this business case.

As we implement our preferred model, we will also be focussing on supporting our existing managers through a comprehensive training and development offer and focussing their role through the framework of this model. This will strengthen the implementation and maintenance of the model and approach.

In order to ensure our workforce are skilled and supported and also to achieve greater consistency in our practice across early help and children's social care the proposal is to: -

Procure and implement a 'Signs of Safety' model of practice that will enable all workers, from Early Help to Social Care to practice in the same way, ensuring a consistent experience for children and their families.

This is an evidenced based intervention that builds on family strengths, working with families to identify risks and develop safety plans. It has had significant success nationally and internationally and is compatible with other edge of care programs such as Family Group Conferencing (FGC), which Barnsley are also actively considering.

The model requires a focussed way of working across the whole system so will require buy in from Partner agencies. In order to roll this out there will need to be investment in initial training and on-going commitment to maintain the model and implement the practice.

The implementation of a researched based intervention across the whole system based on family strengths and managing will supports children to safely remain within families and gives clarity to all involved in the plan as to their roles and responsibilities to achieve the identified outcomes.

It will complement the introduction of a Development Hub in Barnsley and will enhance workers and partners skills in working with our most vulnerable children and family in a strength based way

Signs of Safety is a nationally recognised social work intervention and meets all requirements for continuous professional development of practitioners. There will also be benefits for those partners and non-social work qualified practitioners in respect of their portfolios to support their personal and professional development.

The project will enable us to ensure that children's outcomes are promoted, and they are safe and protected

Signs of Safety is used in both neighbouring and wider authorities and will support the effective and speedy induction of new staff into Barnsley if they have previously used the model elsewhere.

Alternative Options

The service could continue with no recognised model of evidenced based practice. This would not support the improvement in practice required across the service and identified through the recent review. Signs of Safety is a practice model that can be used across the whole of children's services and wider.

The current lack of an evidenced based approach may be contributing to increasing numbers of children entering the Looked After System and preventing them exiting at the most appropriate stage for them and their families.

This is having negative outcomes for them as well as creating additional financial pressures on the authority.

Links to Corporate Priorities

- Healthy Barnsley - People can access all the care and support they need, at the right time and in the right place.
- Enabling Barnsley - Our council is modern, inclusive, efficient, productive, and high performing

Anticipated Objectives & Benefits

- Consistent approach, practice and methodology used for children and families across all children's services and with partners
- Develops a language that the service recognises, focusing on families' strengths and resilience, and reduced reliance on services in the future.
- Reduced risk for children and supporting them to safely remain with their families and improving outcomes.
- Support consistent decisions around threshold for services
- Reduce demand by keeping children protected within their families through safety plans that all partners are agreed to.
- Reduction in the length of time children remain Looked After, as decisions as to future plans will be evidenced based, reduce drift and enabling timely decisions on to future permanence options.
- Improve audit outcomes and overall understanding of the effectiveness of the service.

Implications

- Requires Partner buy-in to extend the scope of this evidenced based practice through all services to children

2. PROJECT SCHEDULE

What are the provisional milestones / timescales?

Key Milestone	Start Date	Completion Date
Procurement	Nov 22	Jan 23
Leadership Commitments	Jan 23	Feb 23
Communication / briefing sessions	Feb 23	April 22
Training	Feb 23	June 23
Alignment of practice processes	June 23	

3. RESOURCES

Provide details of any anticipated resources required (IT support, office space, Project Manager, Project Team, specific skills, investment etc.)

Resources	Why Required	When Required
Training rooms	To enable face to face training to be delivered	Feb 23 to June 23 and onward
Financial investment	£0.362M Bespoke nationally recognised Practice Model	2 Years – subject to evaluation
Partner commitment	To expand scope of strength-based practice model across other services to children and families	Through out

4. EFFICIENCIES

What efficiency with the transformation deliver – minimum expected is 10%

Efficiency	Estimates (£)	
<ul style="list-style-type: none"> • Reduction in admission to care • Increase in exit from care • Reduction in demand for CSC • Reduction in re-referrals • Reduced reliance on agency staff as staff are attracted to permanent roles and staff remain with BMBC. 		

5. ADDITIONAL INFORMATION

Provide any further summary information regarding urgency, dependencies, constraints, enablers, assumptions.

As we enter discussion with the Provider, we will have a more precise understanding of the cost of implementation and roll out. This is a priority for our development journey and will underpin our culture and approach to working with families and partners. This will be the cornerstone on which we base our social work practice, and it will require everyone to sign up to these new ways of working.

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CSC Development Plan (Early Help)

Lead Contact:	Nina Sleight
Directorate:	Children's Services
Service Area:	Early Help

1. TRANSFORMATION OVERVIEW

Background

Barnsley's last full inspection was in 2018. Since then, the national context has changed. There is a significant workforce crisis, a slow recovery from a global pandemic and a cost-of-living crisis, all of which is having an impact on Barnsley's ability to deliver services to children safely and effectively. These changing circumstances are resulting in many more adults parenting in adverse circumstances.

With this context in mind, the newly formed leadership team and a new executive Director, with the full support of Organisational and Political leaders, commissioned a full review of children's services, including, external case sampling using Ofsted Methodology, obtaining feedback from front line staff and managers about how it feels to work for Barnsley, a review of data not currently included within the Children's Services performance framework, findings from the recent JTAI Inspection and findings from the recent Childrens Home inspection

The findings provided a full and thorough understanding of the impact of high demand and high caseloads on the quality and impact of practice and how well the service is performing. In the area of early help, it was found that our targeted early help service is significantly impact by demand levels outstripping our ability to respond in a safe and impactful way. The impact on workforce is significant and unsustainable. Caseloads are too high to deliver timely, effective and impactful targeted early help.

Effective Early Help services prevents families from entering the statutory social care system. This links intrinsically with the pressures also presenting within social care as when capacity is insufficient to address needs at the lowest level of the threshold of interventions this pushes families up into specialist and statutory services as needs and complexity of the requirements escalate over time if support is not provided on a responsive basis. Demand therefore needs to be addressed at all levels of the threshold of intervention in order to reduce pressure on statutory services and improve long term outcomes for children and families. In addition to the impact that this has on families, education and health providers and the wider community, early help falls within the ILACs framework and therefore presents an inspection risk to the Local Authority.

Summary of Proposal

The review found that Family Support Workers (FSW) have high caseloads so their work is consistently highly pressured. Too many children, young people and their families experience delay accessing the Early Help service they need. This means they do not always have the time they need to undertake planned direct work with families. Although there are examples of families receiving timely targeted support some of which is good, many families are not visited frequently enough and they experience drift and delay. The unmet needs of families escalate with examples of re-referrals to Children's Social Care which could have been avoided through effective early help and step down from CSC. Some families have their case worker re-allocated to other FSWs so they experience a start again service which hinders the progress made by many families.

There is insufficient frontline management capacity to demonstrate a firm grip on case work. This is compounded by poor data capture, retrieval and reporting arrangements so managers do not know what performance is in too many key areas of Early Help service output. Frontline and middle managers span of control is too wide so they also experience consistently highly pressured workload.

In order to address this, we need to create a safe level of caseload and reduce the span of control for managers.

Current family support caseloads (October 2022) equate to an average of 24 families and 53 children per worker. Some workers have up to 105 children on their caseload depending on the size of families allocated to them. Benchmarks across the region indicate that the average caseload is 10-12 families. From a total of 30 FTEs in Early Help Services no one held cases at 12 and the regional benchmark. 30% of workers held cases between 13 to 19 and the remaining 70% are carrying over 20 cases. Therefore, a worker holding between 20 to 25 cases could be working with between 75 to 100 children.

Family Support Managers provide direct line management and supervision for between 12 to 14 people. This exceeds the council's guideline of no more than 6 direct reports per manager.

The proposal is to agree a new operating model of no more than 12 families per worker to ensure a safe caseload. The proposed staffing model would ensure a management span of no more than 7 FTEs and increase workforce capacity by 27 FTE Family Support Workers , 6.5 FTE Family Support Managers, and 2 FTE Development Workers (G7)

Alternative Options

Do Nothing: The review findings set out that the current operating environment for early help is not adequate. High, complex caseloads with inadequate levels of management oversight is leading to drift, delay and escalation to the threshold for statutory social care. Whilst the workforce is committed the Local Authority is not providing adequate levels of staffing to ensure that practice is safe or effective.

Partial increase in capacity: see above. The level of capacity required would not be met.

Links to Corporate Priorities

As we approach 2030, our overall vision for Barnsley is for it to become a “Place of Possibilities” This means a place in which all people can live in good health, feel protected and to go on and achieve their potential through quality education institutions, transport and connectivity, access to skills and sustainable employment. The proposal is central to the following priorities:

- A Healthier Barnsley – in which (a) everyone is able to enjoy their lives in good physical and mental health (b) where fewer people experience poverty and (c) people can access the right support at the right time and place
- A Learning Barnsley – where all children and young people can aim high and achieve their full potential with more people being able to access higher education and higher-level skills than ever before
- Enabling Barnsley - Our council is modern, inclusive, efficient, productive, and high performing

Anticipated Objectives & Benefits

The proposal will achieve the following objectives and benefits:

- improved quality, compliance and effectiveness of early help practice
- reduced risk of harm - issues addressed or deescalated
- reduced length of intervention
- prevention of escalation to children’s social care – reduction in demand for statutory services
- sustainable step down to universal services
- improved outcomes for children and families across a range of indicators including education and health.
- strengthened resilience in families and improved levels self-efficacy
- consistent, effective and regular case/reflective supervision, performance and development reviews
- improved line of sight to practice
- long term sustainable children’s services and system
- culture of high support, high challenge, reflective and enabling

Implications

- Management/staff time to create the new structure, recruit and induct new members of staff
- HR/Recruitment support to expedite process effectively
- Finance support to expedite process effectively

2. PROJECT SCHEDULE

Key Milestone	Start Date	Completion Date
Cabinet Approval	October 2022	November 2022
Delegated Report	November 2022	November 2022
Commence Recruitment	November 2022	March 2023
Induct Members of Staff	January 2023	June 2023

3. RESOURCES

Resources	Why Required	When Required
Staffing Costs	£2.922M	Non-recurrently (Nov 2022 – Oct 2024)
HR	Recruitment	November 2022
Finance	New structure and ongoing monitoring, check and challenge	November 2022
IT/Office Space	Additional staffing	December/January 2023

4. EFFICIENCIES

Efficiency	Estimates (£)	
Timely interventions to families preventing escalation and re-referral	TBD through MTFS Transformation Review	
Reduced length of time of intervention therefore increasing the opportunity to work with more families at early help	TBD through MTFS Transformation Review	

5. ADDITIONAL INFORMATION

- Impact of covid and post pandemic working cannot be underestimated. This operating model is only possible with the correct staffing ratios and working conditions.
- Local and national reviews of services for children affect workforce recruitment and retention
- Statutory requirements and regulatory frameworks continue to change and requirements broaden
- Local political pressures in relation to the areas of work/activities

Transformation Scoping Paper

Lead Contact:	Sophie Wales
Directorate:	Children's Services
Service Area:	Retention payment to retain Children's SWs

1. TRANSFORMATION OVERVIEW

Background

Delivering children's services safely and effectively is a key challenge across local government.

Since our last inspection in 2018, nationally and locally communities are recovering from the Covid Pandemic and are living in the midst of a cost-of-living crisis, all of which will see many more adults parenting in adverse circumstances and further impact on Children's Services in Barnsley

A recent review of the Children's Social care and Early Help has highlighted significant workforce pressures and some variability in the quality of practice.

To support the service through a journey of improvement, a Development Programme will be put in place that will identify short term and longer-term activities to drive sustainable change, improve quality of practice and compliance and keep children and young people safe and supported.

Summary of Proposal

In July 2021 a paper was presented to Cabinet seeking the endorsement of additional temporary staffing capacity for children's social care, whilst a review of children's social workers caseloads took place by senior leaders.

In December 2021 a subsequent paper was submitted to SMT seeking agreement for both a welcome payment and one-off retention payment to children's social workers. This was as part of a workforce recruitment and retention proposal for front line children's social workers and was proposed as part of the workforce strategy approach to both attract new staff and retain existing staff. It was anticipated that this would in

turn address high caseloads, caused in part by high social worker turn over and staff absence.

The decision by SMT was to endorse a welcome payment for all new staff however the request for a one-off retention payment was rejected based on equity among all staff, including adult services social workers, and affordability.

To compound issues, staff were made aware that a proposed one-off payment was to be requested at SMT and when this was refused it further reinforced staff feeling undervalued and demoralised. Recovering from this has been difficult and is still revisited by staff now in discussions with managers as they reflect over the last 12 months of working in Barnsley.

This paper seeks to revisit this decision within the context of continued workforce challenges in some key areas of front-line practice, poor morale among children's social workers, and as a result of this, the ongoing risk of poor social work delivery as a result.

Approval is sought to implement a one-off retention payment of £2,000 for front line social workers in some areas of front-line practice. This discreet payment would be for those staff who currently present a significant flight risk. This will complement other retention activity that is currently being undertaken with children's social workers in the borough.

Retaining staff will provide much needed stability for children, support to reduce children's social work caseloads, and provide capacity to respond effectively to rising demand from children and young people in need of help or protection and care.

RECOMMENDATIONS

That the approach to retain key staff in the Joint investigation and Assessment Teams, Children and Young People's Service including Disabled Children's Service and Children in Care Teams is approved through the incentivisation of a one-off retention payment of £2,000, these being child and family social workers in areas of highest pressure.

INTRODUCTION

Senior Leaders are familiar with the current staffing crisis in the children's social workforce. This has been fuelled by a post pandemic and cost of living crisis which has seen a rise in complexity and demand for help. This is both a regional and national issue. With less social workers entering the profession and more exiting, we are currently experiencing a chronic work force crisis.

Data published by the DfE in May 2022 shows that of the 3,630 social workers nationally that left permanent local authority social work roles in 2021, 77% left children's social work altogether and 23% moved to agency roles.

In Barnsley, between May 2020 and July 2022, 106 of the 249 members of staff in children’s social care left work, of whom, 83 resigned their posts altogether.

In a very recent staff survey 44 Respondents (51%) responded “yes” or “maybe” to the question asking whether they were considering leaving in the next 12 months and better pay and conditions was the number one reason cited (16, 31%) followed by workload (9,17.6%).

Table 1 below demonstrates the turnover and churn of social work staff. There are currently 149 social work roles in Barnsley of which 74 staff are in front line social work roles i.e., Assessment (9) Children and Young People’s Services (45) and Disabled Children’s Team (12) and Children in Care (8)

It is clear the highest leavers are in front line practice.

Table 1

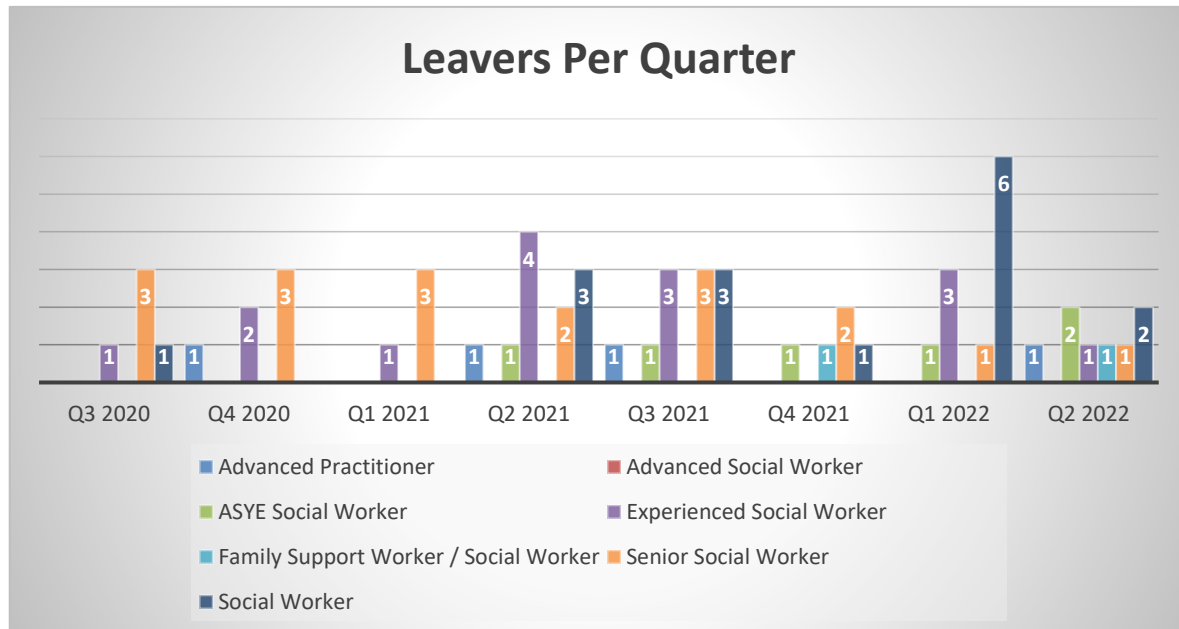
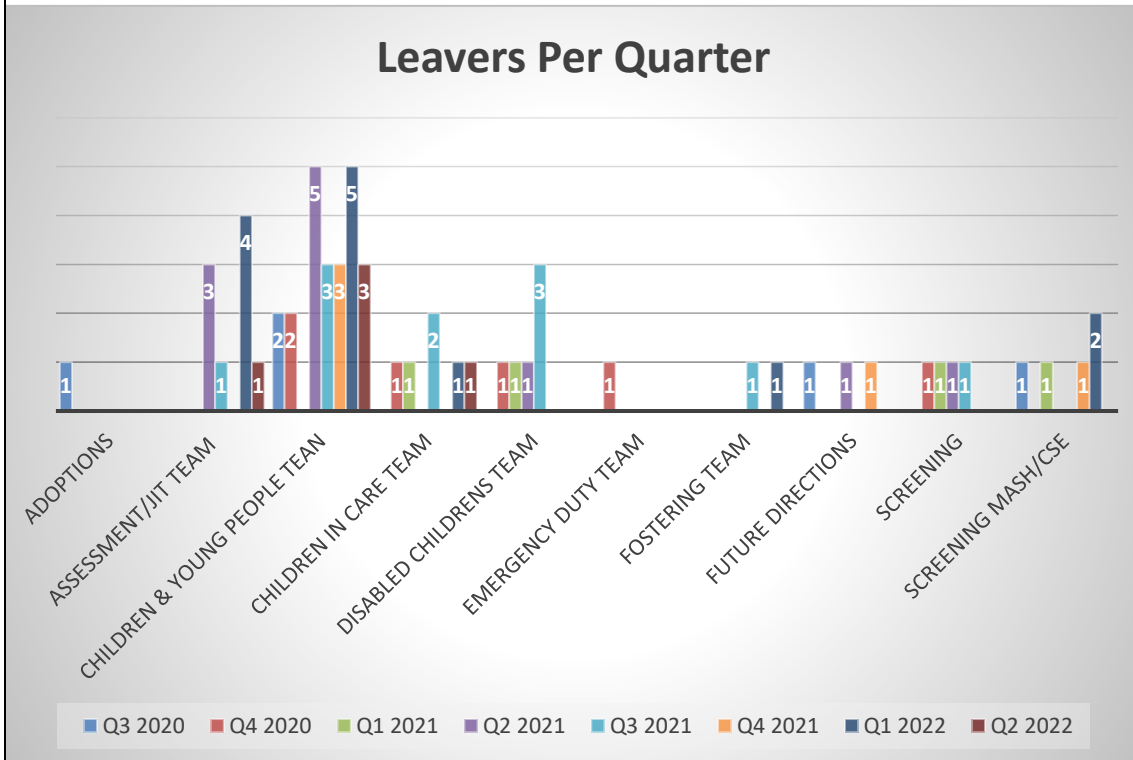


Table 2.



There are a number of factors that are compounding the pressures in children’s social work at this time. These include:

- High Caseloads: recent case load data (September 2022) confirms 5 workers have caseloads of between 30 to 33 and 21 staff have between 25 to 29 cases. Of note, average caseloads across the region are 18.
- The absence of a well-articulated and effective practice model or practice standards has meant staff have been working with no established framework for practice leading to inconsistency and uncertainty.
- Staff have all too often experienced poor induction and poor-quality supervision due to the current pressures and availability of managers. As a result, staff have not felt sufficiently valued or sufficiently invested in.
- High sickness levels as a result of the current issues in the CSC workforce; it is unsurprising that sickness absence across the service has been high with the top three reasons for long-term sick leave between January 2020 - August 2022 being anxiety, stress and depression (41 staff members)

Creating the conditions for success is now critical. Significant attempts are being made to recruit social workers into the service. We continue to offer a “Golden Hello” payment of £3,000 to all new social workers recruited. This policy is showing early signs of gaining traction and is currently unique in the region. We can evidence that since the introduction of the Golden Hello we have recruited 17 new permanent staff.

We recover any payment made where staff who receive this then leave; this applies to 3 of these 17 staff and is in line with our recruitment and retention policy.

PROPOSAL AND JUSTIFICATION

Barnsley Council and the Children's Social Care and Safeguarding Service has been historically an attractive employer for any qualified or newly qualified children's social workers.

The growth of the agency market, which currently remains unchecked and unchallenged, has often meant social workers are working alongside colleagues who are paid at a significantly higher hourly rate than themselves. The current hourly rate for an experienced BMBC children's social worker is £19.58 compared to an agency worker paid at £35.00.

Whilst we recognise the need for agency staff at the moment it comes with an inherent risk of alienating existing staff in key roles.

Existing non-funded retention activity that is underway includes:

1. Increasing face to face contact and visibility between front line staff and Senior Leaders to ensure staff feel listened to and valued
2. Roll out of our revised supervision model and practice standards
3. Galvanising senior leaders and Member support for Strengthening Children's Services through additional staffing, new Practice Model, training and development programme and new Development Hub, alongside ASYE academy
4. Strengthened pathway to swift emotional and mental health support for any staff through the Wellbeing offer
5. Recommissioned OHU service that can act swiftly for all staff
6. Continued commitment to the Barnsley Social Work Apprenticeship Scheme to enable some of Barnsley's current cohort of family support workers to enter social work practice directly

Options to retain Children's Social Workers

Existing permanent, qualified, frontline case-holding children's social workers will receive a one-off payment of £2,000. This scheme will ensure relevant, permanent front-line children's social workers based in social work teams, have received the payment, to support their retention and create stability.

This will be repayable should those that receive the payment leave within two years of receiving the payment in line with the recruitment and retention policy.

Alternative Options

The current level of children's social work caseloads, together with conditions in the employment market have made it imperative that further action is now taken to ensure a safe and optimal level of caseloads for social workers to ensure that children are adequately safeguarded.

From the viewpoint of our statutory responsibilities, to do nothing in relation to this issue would not constitute a sustainable option for supporting and protecting vulnerable children and young people, including looked after children.

Links to Corporate Priorities

- Healthy Barnsley - People can access all the care and support they need, at the right time and in the right place.
- Enabling Barnsley - Our council is modern, inclusive, efficient, productive, and high performing

Anticipated Objectives & Benefits

- Retention of social workers in key roles
- Increased stability
- Positive reputational impact and staff morale

Implications

- Potential negative response from other social workers in less demanding areas

2. PROJECT SCHEDULE

What are the provisional milestones / timescales?

Key Milestone	Start Date	Completion Date
Payments to be made once the full staff team have been scoped	Payment to have been made by December 2022	

3. RESOURCES

Provide details of any anticipated resources required (IT support, office space, Project Manager, Project Team, specific skills, investment etc.)

Resources	Why Required	When Required
Project / HR	To map eligible staff	
Comms	Comms to all staff to advise of this decision including unions	

4. EFFICIENCIES

What efficiency with the transformation deliver – minimum expected is 10%

Efficiency	Estimates (£)	
Reduced agency costs due to low turnover of staff		

5. ADDITIONAL INFORMATION

Provide any further summary information regarding urgency, dependencies, constraints, enablers, assumptions.

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CSC Development Plan

LAC commissioning capacity

Lead Contact:	Nina Sleight
Directorate:	Children's Services
Service Area:	Investment in commissioning capacity

1. TRANSFORMATION OVERVIEW

Background

A recent review of the Children's Social care operation highlighted a lack of placement availability and choice for looked after children. As a result, we have some children placed in homes that aren't fully meeting their needs and in a small number of cases, we have children that aren't placed in regulated placements.

In addition, we have insufficient capacity to monitor the quality of placements or contractual compliance with providers.

This is set within the context of a placement sufficiency challenge nationally as highlighted in the recently commissioned Care Review which includes a report from the Competitions Market Authority

Summary of Proposal

In order to develop the market locally in Barnsley to ensure placement choice within the borough we are proposing the creation of one Senior Commissioning Manager post and an additional Placement Team Contract Officer

Collectively these posts will:

- Urgently review all children in unregulated settings
- Urgently review all children placed out of borough
- Work with social workers and IRO to review performance plans for these children
- Review our foster carers offer including payments and support to ensure we are competitive within the market.
- Review and refresh Sufficiency Strategy focusing on prevention, local market development and improved moving on options for care leavers
- Strengthen our contracting and Quality Assurance arrangements for placements to ensure that our children are receiving the care and support that we are paying for.

Alternative Options

- As is – the current operating model does not meet statutory and demand pressures.

Links to Corporate Priorities

- Healthy Barnsley - People can access all the care and support they need, at the right time and in the right place.
- Enabling Barnsley - Our council is modern, inclusive, efficient, productive, and high performing

Anticipated Objectives & Benefits

- Improved compliance quality and outcomes for children and families receiving our services.
- Improved line of sight to practice
- More children living within Barnsley
- Improved placement stability
- Reduction in unit cost for placements through development of the local market, including exploration of creation of new local provision

Implications

Likely to need corporate support including IT, HR, Performance

2. PROJECT SCHEDULE

What are the provisional milestones / timescales?

Key Milestone	Start Date	Completion Date
Service review, formal proposal and any consultation period (18 month review period)	Qtr 3 Sept-Dec 2022/23	Qtr 2 23/24

3. RESOURCES

Provide details of any anticipated resources required (IT support, office space, Project Manager, Project Team, specific skills, investment etc.)

Resources	Expected cost	When Required
1 X commissioning manager	£58,270	
1 X Placements team officer	£47,239	

4. EFFICIENCIES

What efficiency with the transformation deliver – minimum expected is 10%

Efficiency	Estimates (£)	
10% on current out of borough placements		

5. ADDITIONAL INFORMATION

Provide any further summary information regarding urgency, dependencies, constraints, enablers, assumptions.

- Further increases in Looked After Children numbers
- Statutory requirements and regulatory framework changes

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Transformation Scoping Paper

Lead Contact:	Sophie Wales
Directorate:	Children's Services
Service Area:	Investment in 'Bright Spots' anonymous online surveys for Children in Care and Care Leavers

1. TRANSFORMATION OVERVIEW

Background

Barnsley last full inspection was in 2018. Since then, the national context has changed, There is a significant workforce crisis, a slow recovery from a global pandemic and a cost-of-living crisis, all of which is having an impact on Barnsley's ability to deliver services to children safely and effectively. These changing circumstances are resulting in many more adults parenting in adverse circumstances.

With this context in mind, the newly formed leadership team and a new Executive Director, with the full support of Organisational and Political leaders, commissioned a full review of children's services including external case sampling using Ofsted Methodology, obtaining feedback from frontline staff and managers about how it feels to work for Barnsley, a review of data not currently included within the Children's social care performance framework, findings from the recent JTAI Inspection and finding from the recent Childrens Home inspection.

The findings provided a full and thorough understanding of how staff were feeling, the pressures of their workloads and the current quality of practice and how well the service is performing.

Summary of Proposal

It's clear from the findings that there was variable evidence of the 'child's voice' recorded about their lives and in their plans for their future, as a result of too little time for direct work with children and young people.

Improvements in this area are now a key part of the development plan and should improve as capacity across the workforce increases, and performance improves.

Unfortunately our data locally and national only provide a partial picture of the lives of children in care and care leavers, as it focuses on adult perspectives, objective outcome measures and education. None of this tells us about young peoples' own viewpoints e.g. are they happy, do they feel safe and feel they are doing well?

Our proposal is to commission 'Bright Spots' as it will help the service to address these gaps and to help us systematically listen to children in care and care leavers about the things that are important to them.

Bright Spots:-

- Is delivered in partnership with Coram Voice and Oxford University.
- Is an anonymous online survey delivered twice per year to children in care (aged 4 to 18) and care leavers (age 16 to 25).
- Is co-produced with children and young people and based on what children say is important to them.
- Is evidenced-based, developed over 9 years of research.
- Is a platform that enables us to understand our children and young people and compare them with others their age across the county and to the general population.
- Is a conduit that helps us improve our practice from children's feedback evidencing clearly that we listen to them.
- Will help us evidence our commitment to listening to children with our corporate parenting board and Ofsted during external reviews.
- Provide full report and summary of all findings.
- Will enable Barnsley children services to understand the experience of our children and young people in care and care leavers, compared with the general population.

All findings will be shared across the organisation and with partners and will enable the service to introduce changes to practice but more importantly let our children and young people know that we listened to them

Alternative Options

- Do not commission 'Bright Spots': this option would not give us a fully anonymous view of what our children and young people really feel about the care we provide or feedback that can drive practice improvements.

Links to Corporate Priorities

- Healthy Barnsley - People can access all the care and support they need, at the right time and in the right place.
- Enabling Barnsley - Our Council is modern, inclusive, efficient, productive and high performing

Anticipated Objectives & Benefits

- Improved services to children, young people and families
- Improved outcomes for children
- Improved quality and compliance of practice.
- Improved line of sight to practice.
- Recognised evidenced based feedback that can be shared with Staff, Organisation, Partners, Ofsted etc.
- Developed culture of encouraging, challenging and reflective.

Implications

- Cost of £15,000 for two years.
- Commitment and time of managers and staff.

2. PROJECT SCHEDULE

What are the provisional milestones / timescales?

Key Milestone	Start Date	Completion Date
Preparation 1 st survey	Nov 22	March 23
First Survey	April 23	May 23
Prep 2 nd Survey	Jun 23	August 23
2 nd Survey	Sept 23	Oct 24
Feedback	Jan 24	March 24

3. RESOURCES

Provide details of any anticipated resources required (IT support, office space, Project Manager, Project Team, specific skills, investment etc.)

Resources	Why Required	When Required
Current existing staff and mananager support	To ensure all children and young people accessible and notified	Commencement of survey prep Nov 22
Additional £15,000 funding	To pay for the surveys	Nov 22

4. EFFICIENCIES

What efficiency with the transformation deliver – minimum expected is 10%

Efficiency	Estimates (£)	
N/A		

5. ADDITIONAL INFORMATION

Provide any further summary information regarding urgency, dependencies, constraints, enablers, assumptions.

- Direct work with children is essential to ensure that they build relationships with worker and are encourage to talk about how they feel, any concerns they may have and what they want for the future.
- Bright Spots is an additional framework to help us to understand how our children and young people feel about their care and what they want, it cannot be done independently and the service and workers need to ensure they continue to talk and listen to the children and young people when they are undertaking assessments, visiting and developing plans for their future.
- Children services must have the correct staffing capacity in place across the service to ensure caseloads are manageable and so that workers can spend time working directly with children and their families. Without this, limited and sustainable improvements cannot be made.

BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR GROWTH & SUSTAINABILITY

TITLE: FIRST HOMES – AFFORDABLE HOME OWNERSHIP SCHEME

REPORT TO:	Cabinet
Date of Meeting	2nd November 2022
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Public

Purpose of report

Following the publication of the Written Ministerial Statement introducing First Homes and update to the Planning Practice Guidance in 2021, this report provides an update on the implementation of First Homes in Barnsley, including the Homes England ‘First Homes Early Delivery Programme’.

Council Plan priority

The project will directly contribute to the Council’s 2030 Vision of Growing Barnsley: delivering safe, warm, and sustainable homes. It will directly contribute to Housing Growth Targets (EC28) and the delivery of new affordable housing (EC29).

Recommendations

That Cabinet:-

- Approves the publication of the First Homes Technical Note (including local connection criteria) as an appendix to the Affordable Housing Supplementary Planning Document (SPD) 2022.
- Approves the implementation of a fee charging system to cover administration costs for initial and subsequent sale of First Homes.
- Delegates authority to the Head of Strategic Housing, Sustainability and Climate Change, and Group Leader Strategic Housing and Growth to approve First Homes sales, and review and adjust local eligibility criteria as required.

1. INTRODUCTION

- 1.1 In a written ministerial statement, issued on 24th May 2021, the government set out its First Homes requirement which promotes home ownership by offering discounted homes for sale for first time buyers. The intention is for First Homes to be delivered at scale through the planning system via Section 106 agreements.
- 1.2 As Barnsley Council has an adopted Local Plan (2019), the policy applies in principle to planning applications made on or after 28th December 2021.

2. PROPOSAL

First Homes Technical Note

- 2.1 The Affordable Housing Supplementary Planning Document was approved at Full Council on 28th July 2022 (Cab.27.6.2022/8). Paragraph 2.11 set out that a separate First Homes Technical Note would be published. A draft First Homes Technical Note is located at Appendix 1. The note sets out:
 - What are First Homes
 - How many First Homes are required – including a tenure split table for each Local Plan policy sub-market area
 - Eligibility Criteria (including local connection criteria (see below))
 - First Homes Exception Sites
 - Securing Developer Contributions
 - Further Information
- 2.2 The main national criteria for First Homes are:
 - They are sold with a minimum 30% discount which is kept in perpetuity (managed by a restriction on the property title)
 - The sale price (after discount applied) is capped at £250,000.00 for the first sale
 - They should be indistinguishable from full market sale properties on the site
 - The scheme is only for first time buyers.
 - Gross household income must be less than £80,000.00
 - Buyers must have a mortgage covering at least 50% of the discounted purchase price
 - First Homes must be used as the buyers main residence
- 2.3 In Barnsley, it is recommended that local connection criteria be applied as per the local connection requirements set out in the Councils Lettings Policy (7a(ii)). The local eligibility criteria, however, will only apply for three months from the date that the First Home is advertised for sale. If the First Home is not reserved within this timescale, the local connection criteria can be removed but the national eligibility criteria will still be applicable. Local eligibility criteria will be amended as necessary to be consistent with any changes to the Councils Lettings Policy.
- 2.4 The Strategic Housing Market Assessment (SHMA) 2021 sets out the tenure split requirements for affordable housing provision on new housing developments. Overall the SHMA suggests that a borough-wide target of 60% affordable rent

and 40% affordable home ownership should be applied. Government guidance sets out that First Homes should account for at least 25% of all affordable housing units delivered by developers through planning obligations. First Homes falls under the category ‘affordable home ownership’ and can therefore be delivered in line with the SHMA recommended tenure split for affordable housing provision. It is acknowledged that First Homes will significantly reduce the number of shared ownership properties delivered on new housing developments, however First Homes are affordable in perpetuity and therefore offer an acceptable alternative type of affordable home ownership. The number of First Homes on each new development site will be negotiated at the planning application stage.

Fee Charging System

2.5 The Homes England Early Delivery Programme (paragraph 2.6) requires developers to pay local authorities £150 per First Homes application. Participation in the pilot scheme has allowed the Strategic Housing and Growth Team to gauge the amount of officer time required to review and process First Homes applications. It is proposed that the Council will seek a financial contribution from the developer to administer the First Homes scheme, secured in the Section 106 Agreement. The Financial Contribution will be in line with other local authorities in South Yorkshire.

Homes England Early Delivery Programme

2.6 An early delivery programme, managed by Homes England, is currently underway and will deliver up to 1,500 First Homes across the country. In Barnsley, three pilot schemes were identified and the latest position is set out in Table 1.

Table 1: Early Delivery Programme in Barnsley

Developer	Site	Total Number First Homes Proposed	Deed of Variation Approved	Applications received to (date)	Number of Approvals to Proceed issued
Keepmoat Homes	Willow Heights, Thurnscoe	10	Y	5	5
		2	In progress	0	0
Keepmoat Homes	Kestrel Gardens, Carlton	5	Y	4	4
Gleesons	Barnburgh View, Goldthorpe	3	In progress	0	0
Total		20		9	9¹

2.7 Keepmoat has confirmed that 9 out of 11 applicants would not have been able

¹ Position at 16/08/22

to proceed to purchase a new home if the First Homes discount was not applied. The other 2 applicants could have accessed home ownership via Help to Buy, applications for which close on 31st October 2022 following which this loan scheme will close. The First Homes pilot scheme demonstrates that this type of affordable home ownership is popular within two areas of Barnsley and is allowing people to access home ownership who would have previously been unable to do so. Officers are working with BMBC Communications, Keepmoat and Homes England to develop a press release that will be issued upon completion of the Early Delivery Programme First Homes pilots and will include case studies (including photographs of new homeowners where possible) to demonstrate the success of the scheme.

- 2.8 In terms of benchmarking against other South Yorkshire authorities, Table 2 shows how many First Homes are being delivered, Barnsley is delivering 40% of all pilot First Homes across South Yorkshire.

Table 2: Homes England Early Delivery Programme - South Yorkshire

Local Authority	No. of sites	No. of First Homes
Barnsley	3	20
Doncaster	4	27
Rotherham	2	3
Sheffield	0	0
Total	9	50²

Delegation of Authority

- 2.9 The administration of the First Homes Scheme requires officers to check all documentation is completed correctly and confirm that the evidence provided is satisfactory. Following these checks a senior officer can sign and issue the 'Approval to Proceed' and 'Approval to Exchange' documentation (at the respective stages). It is therefore requested that authority is delegated to the Head of Strategic Housing, Sustainability and Climate Change, and Group Leader Strategic Housing and Growth to approve First Homes sales.

3. IMPLICATIONS OF THE DECISION

3.1 Financial Implications

- 3.1.1 BMBC are administering the first homes eligibility criteria determined by central government.
- 3.1.2 We are charging a fee for the administration to applicants applying to buy discounted homes.
- 3.1.3 No financial risk or responsibility of the authority in terms of the developments.

- 3.2 **Risks** – The delivery of First Homes would lead to a decrease in the number of

² Information from Homes England 06/09/22

shared ownership properties delivered on new housing developments. However, as set out above, First Homes represent affordable housing provision in perpetuity and address affordable home ownership needs as set out in the 2021 SHMA.

- 3.3 **Legal** – Input will be required from Legal and Planning colleagues in the processing of Deeds of Variations should developers with existing planning consents seek to vary the approved affordable housing provision to include First Homes. Note that each request to vary existing planning consents will be considered on its own merits and developers are encouraged to engage with the Strategic Housing and Growth Team at an early stage.
- 3.4 **Equality** - EIA attached at Appendix B.
- 3.5 **Sustainability** - First Homes will replace properties that would have otherwise been delivered as Shared Ownership units, or another type of affordable home ownership product. Therefore, the proposals would have no impact on the environmental impact themes set out in the Sustainability Decision Wheel.
- 3.6 **Employee** - Administration of First Homes applications will be managed in the Strategic Housing and Growth Team with support from officers in the Planning and Legal teams. Upon completion of First Homes sales through the Early Delivery Programme, the internal procedures will be reviewed to identify efficiencies.
- 3.7 **Communications** - House builders/developers will be responsible for all marketing of First Homes on their sites.
- 3.7.1 General information and a link to the Gov.uk First Homes website will be added to the council's affordable housing webpages.
- 3.7.2 Updates on the publication of the Affordable Housing SPD and First Homes Technical Note will be given at the Housing Developers and Registered Providers Forum on 28th September 2022.

4. **CONSULTATION**

- 4.1 Consultation has taken place with:
- Planning – Consultation with Head of Planning, Policy and Building Control. Development Management Officers will be briefed at a Team Meeting prior to publication of the First Homes Technical Note.
 - Governance – To ensure appropriate data protection measures for sharing and storing personal information with house builders/developers.
 - Equality and Inclusion Officer – To complete EIA.
 - Audit – To check that internal processes are robust and that all evidence is adequately stored in line with GDPR.
 - Homes England – Regular meetings are held with the Early Delivery Programme regional lead.
 - Early Delivery Programme house builders – To agree protocols for sharing data and processing applications.
 - Berneslai Homes Lettings Team – To ensure fair and correct application of

the local connection criteria set out in the Lettings Policy.

5. ALTERNATIVE OPTIONS CONSIDERED

Option 1 - Do not allow First Homes

- 5.1 First Homes are the government's preferred discounted market tenure. As Barnsley has an approved Local Plan, all new planning applications will be expected to include 25% First Homes as part of the affordable housing offer. ARC4 (SHMA 2021 authors/consultant) have confirmed that First Homes will address the affordable home ownership need identified in the recent SHMA and does not compromise the percentage of affordable homes for rent across new housing development, for which there is the greatest need. On this basis Option 1 has been discounted as there is no justification for not allowing First Homes.

Option 2 - Implement First Homes using national eligibility criteria

- 5.2 The government has set national criteria for First Homes (see paragraph 2.2). The national eligibility criteria does not give any priority for local residents or offer a way for the local authority to address local affordable housing needs. On this basis, Option 2 has been discounted.

Option 3 - Implement First Homes with national and local eligibility criteria

- 5.3 Local authorities can apply additional criteria through Section 106 agreements. In Barnsley, the recommendation is to include local connection criteria to ensure that people can get on the housing ladder in their local area.
- 5.4 The criteria used will be the same as applies in the Councils Lettings Policy (7a(ii)), and will be updated to reflect any future changes to the Lettings Policy. The Policy sets out that a person has a local connection in the following circumstances:
- They have lived for 3 out of the last 5 years in Barnsley or have lived in Barnsley for 6 months out of the last 12 months.
 - They are currently employed in the Barnsley area.
 - They have close family who have lived in Barnsley for 3 out of the last 5 years or have lived in Barnsley for 6 months out of the last 12 months. Close family are parents, grandparents, sons and daughters and siblings
 - Members of the Armed Forces and former service personnel, where the application is made within five years of discharge from HM Forces.
 - Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or civil partner
 - Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability which is wholly or partly attributable to their military service.
 - They have other special circumstances that connect them to Barnsley.
 - They have been deemed to have a local connection under current homelessness law.

6. REASONS FOR RECOMMENDATIONS

6.1 It is recommended that Option 3 is implemented to allow the delivery of First Homes in line with government guidance whilst ensuring that First Homes are available to Barnsley residents to address local housing needs.

6.2 It is recommended that Cabinet:

- Approves the publication of the First Homes Technical Note (including local connection criteria) as an appendix to the Affordable Housing Supplementary Planning Document (SPD) 2022.
- Approves the implementation of a fee charging system to cover administration costs for initial and subsequent sale of First Homes.
- Delegates authority to the Head of Strategic Housing, Sustainability and Climate Change, and Group Leader Strategic Housing and Growth to approve First Homes sales, and review and adjust local eligibility criteria as required.

7. GLOSSARY

N/A

8. LIST OF APPENDICES

Appendix A: First Homes Technical Note

Appendix B: EIA

Appendix C: DPIA

9. BACKGROUND PAPERS

DLUHC - First Homes Guidance <https://www.gov.uk/guidance/first-homes>

10. REPORT SIGN OFF

Financial consultation & sign off	Phil Danforth 07/09/2022
Legal consultation & sign off	Bob Power, Team Leader 06/09/2022

Report Author: Alison Dalton

Post: Group Leader Strategic Housing and Growth

Date: 06/09/2022

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FIRST HOMES TECHNICAL NOTE

About this Guidance

This guidance note seeks to summarise and explain the changes brought in by the introduction of First Homes and how this applies in Barnsley. It should be read in conjunction with the Affordable Housing Supplementary Planning Document (SPD) 2022.

Introduction

The Written Ministerial Statement (WMS) published 24 May 2021, and updates to Planning Practice Guidance made significant changes to the delivery of affordable housing by introducing a new affordable housing tenure; First Homes. It is the Government's latest and preferred scheme to provide discounted homes for sale to first time buyers.

The new policy came into effect on 28 June 2021 with transitional arrangements for full implementation. As Barnsley Council has an adopted Local Plan (2019), the policy applies to planning applications made on or after 28th December 2021.

If applicants wish to amend an existing planning application to include First Homes, the request will be given due consideration.

What are First Homes?

A home which meets the criteria of a First Home will be considered to meet the definition of 'affordable housing' for planning purposes.

First Homes are required to account for at least 25% of all affordable housing units delivered by developers through planning obligations.

A First Home must:

- a) be discounted by a minimum of 30%¹ against the Market Value²;
- b) be sold to a person or persons meeting the First Homes eligibility criteria;
- c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and
- d) after the discount has been applied, the first sale must be priced no higher than £250,000.

Council's and Neighbourhood Planning groups can apply eligibility criteria in addition to the national criteria.

¹ Guidance on First Homes explains that councils and Neighbourhood Planning groups have the discretion to apply a higher minimum discount if they can demonstrate a need for this. Unless changes are made through Policy or another mechanism, the discount level shall remain 30%.

² Open market value should be established in accordance with paragraph 006 of the Planning Practice Guidance on First Homes

How many First Homes are required?

The current tenure split for affordable housing as set out in the Affordable Housing SPD (2022) are set out in Table 1.

Table 1: Affordable Homes Tenure Split

Area	Local Plan Policy Requirement	Affordable Housing Tenure Split
<ul style="list-style-type: none"> • Penistone and Dodworth • Rural West 	30%	70% affordable homes for rent
		25% First Homes
		5% other affordable home ownership
<ul style="list-style-type: none"> • Darton and Barugh 	20%	70% affordable homes for rent
		25% First Homes
		5% other affordable home ownership
<ul style="list-style-type: none"> • Bolton, Goldthorpe and Thurnscoe • Hoyland, • Wombwell and Darfield, North Barnsley and Royston, • South Barnsley and Worsbrough • Rural East 	10%	60% affordable homes for rent
		25% First Homes
		15% other affordable home ownership

Eligibility Criteria

Purchase of First Homes must meet the following criteria³, and should apply to all subsequent sales of a First Home property:

- a) They should be a first-time buyer⁴
- b) whether individuals, couples or group purchasers, they should have a combined annual household income not exceeding £80,000 in the tax year immediately preceding the year of purchase.

³ Para 008, First Homes, Planning Practice Guidance, available from <https://www.gov.uk/guidance/first-homes>

⁴ as defined in paragraph 6 of schedule 6ZA of the Finance Act 2003 for the purposes of Stamp Duty Relief for first-time buyers.

- c) A purchaser of a First Home should have a mortgage or home purchase plan (if required to comply with Islamic law) to fund a minimum of 50% of the discounted purchase price.⁵
- d) Demonstrate a Local Connection

Local Connection

Purchasers will be required to demonstrate a local connection in line with the Councils Lettings Policy. A person has a local connection in the following circumstances:

- They have lived for 3 out of the last 5 years in Barnsley or have lived in Barnsley for 6 months out of the last 12 months.
- They are currently employed in the Barnsley area.
- They have close family⁶ who have lived in Barnsley for 3 out of the last 5 years or have lived in Barnsley for 6 months out of the last 12 months.
- Members of the Armed Forces and former service personnel, where the application is made within five years of discharge from HM Forces.
- Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or civil partner
- Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability which is wholly or partly attributable to their military service.
- They have other special circumstances that connect them to Barnsley.

Any local eligibility criteria will apply for a maximum of 3 months from when a home is first marketed. If a suitable buyer has not reserved a home after 3 months, the eligibility criteria (including income caps) will revert to the national criteria set out above, to widen the consumer base.

First Homes Exception Sites

A First Homes exception site is an exception site (that is, a housing development that comes forward outside of local or neighbourhood plan allocations to deliver affordable housing) that delivers primarily First Homes. First Homes exception sites can come forward on unallocated land outside of a development plan. They cannot come forward in areas designated as Green Belt, or designated rural areas as defined in Annex 2 of the National Planning Policy Framework.

Securing Developer Contributions

Section 106 agreements should be entered into that secures the delivery of first homes and ensures that a legal restriction is registered onto a First Home's title on its first sale. The government has stated its intention to publish template planning obligations for this purpose, which the local planning authority can use as a basis for agreements prepared locally. Once available, this document will be updated to signpost to these.

⁵ See Paragraph: 007 Reference ID: 70-007-20210524 <https://www.gov.uk/guidance/first-homes>

⁶ Close family are parents, grandparents, sons and daughters and siblings

When a First Home is sold by the developer to the first owner, a restriction is to be entered onto the title register identifying the unit as a First Home. This restriction should ensure that the title cannot be transferred to another owner unless the relevant local authority certifies to HM Land Registry that the First Homes criteria and eligibility criteria have been met, including the discounted sale price.

In accordance with paragraph 62 of the NPPF⁷, affordable housing is expected to be delivered on-site unless off-site provision or a financial contribution in lieu can be robustly justified, and the agreed approach contributes to the objective of creating mixed and balanced communities. Where cash contributions for affordable housing are secured instead of on-site units, a minimum of 25% of these contributions should be used to secure First Homes. Where a mixture of cash contributions towards affordable housing and on-site units are secured, 25% of the overall value of affordable housing contributions should be applied to First Homes.

Fee for processing First Homes applications

The Council will seek a financial contribution from the developer to administer the First Homes scheme, secured in the Section 106 Agreement.

Further Information

For further information on First Homes in Barnsley, please contact the Strategic Housing and Growth Team:

Email: FirstHomes@barnsley.gov.uk

Phone: **INSERT**

⁷ Available from
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

Equality Impact Assessment

FIRST HOMES – home ownership scheme

Stage 1 Details of the proposal

Name of service	Strategic Housing and Growth
Directorate	Strategic Housing, Sustainability and Climate Change Team Growth and Sustainability Directorate
Name of officer responsible for EIA	Sara Scholes
Name of senior sponsor	Alison Dalton
Description / purpose of proposal	Implementation of the Governments First Homes policy – an affordable home ownership scheme.
Date EIA started	4 th August 2022
Assessment Review date	January 2023

Stage 2 - About the proposal

What is being proposed?	Adoption and Implementation of the Government's First Homes policy. First Homes promotes home ownership by offering discounted homes for sale for first time buyers.
Why is the proposal required?	The Council must fulfil its administrative and monitoring obligations relating to the First Homes scheme. The policy will be delivered at scale through the planning system via Section 106 agreements. In the

meantime, BMBC are involved in a pilot, early delivery scheme that started in July 2022.

The Council should aim to make the best use of the policy to meet its housing targets.

The Council has a role to work with developers to ensure their marketing reaches as many eligible applicants as possible to make them aware of the opportunities available to them .

What will this proposal mean for customers?

A limited number of First Homes will be made available on new housing developments across the Borough.

First Homes will be offered on a first come first served basis to first time buyers who meet the scheme's national and local criteria.

Stage 3 - Preliminary screening process

Use the Preliminary screening questions (found in the guidance) to decide whether a full EIA is required

- Yes - EIA required (go to next section)
- No – EIA not required (provide rationale below including name of E&I Officer consulted with)

Stage 4 - Scoping exercise - What do we know?

Data: Generic demographics

What generic data do you know?

This is a new scheme to Barnsley and there is limited data available to date.

First Homes are available for applicants, on a first come/first served basis who meet the following national criteria :

- First time buyer
- Combined gross household income less than £80,000 / year
- Have a mortgage or home purchase plan to fund a minimum of 50% of discounted price

There is also an option for each local authority to include a local connection criteria. In Barnsley, this has been added as

- Local connection – as outlined in the Council’s lettings policy

Data: Service data / feedback

What equalities knowledge do you already know about the service/location/policy/contract?

The Ministry of Housing, Communities and Local Government published their EIA in September 2020 (copy attached) .

The EIA focussed on

Age;

Ethnicity;

Sex; and

Disability.

Page 7:

As a whole, when we consider only the additional discounted housing delivered through this policy, more households from ethnic minority groups, and female led households stand to benefit from access to First Homes than are displaced from other affordable tenures. However, more households over 55 are likely to be affected by the reduction in delivery of other tenures than are positively affected by accessing First Homes. When we also take account of access to market housing, households over 55 still have reduced access to housing overall, but the other three groups have increased access to housing overall.

Data: Previous / similar EIA’s

Has there already been an EIA on all or part of this before, or something related? If so, what were the main issues and actions it identified?

Not applicable

Data: Formal consultation

What information has been gathered from formal consultation?

External consultation with potential applicants for the scheme has not been carried out. The policy has been introduced by the Government and the local authority role is to ensure that it fulfils its administrative and approval obligations relating to the policy. Consultation has, therefore, been limited to the Council’s Governance and Audit teams as well as the Senior policy and Equalities officer. .

As the council is involved in a pilot scheme, regular meetings are held with Homes England to monitor implementation of the policy and feedback on any areas of concern.

An initial discussion has also been held with one of the developers included in the pilot scheme to discuss their implementation of the Policy. This included questions about how they deal with applicants with additional needs including help if English is not their first language.

Stage 5 - Potential impact on different groups

Considering the evidence above, state the likely impact the proposal will have on people with different protected characteristics

(state if negative impact is substantial and highlight with **red text**)

Negative (and potentially positive) impacts identified will need to form part of your action plan.

Protected characteristic	Negative '-'	Positive '+'	No impact	Don't know	Details
Sex				✓	
Age	✓				Over 55s - potentially less likely to be a first-time buyer May be limits to amount of mortgage lending available to older applicants - scheme requires a mortgage of at least 50% of discounted purchase price.
Disabled <i>Learning disability, Physical disability, Sensory Impairment, Deaf People, invisible illness, Mental Health etc</i>	✓				Properties available through the pilot scheme are general needs housing
Race			✓		
Religion & Belief			✓		Finance requirement includes reference to mortgage and "home purchase plan (if required to comply with Islamic law)"
Sexual orientation			✓		
Gender Reassignment			✓		
Marriage / civil partnership		N/A			
Pregnancy / maternity			✓		

Other groups you may want to consider					
	Negative	Positive	No impact	Don't know	Details
Ex services		✓			Council's Local connection criteria includes: <ul style="list-style-type: none"> • Members of the Armed Forces and former service personnel, where the application is made within five years of discharge from HM Forces. • Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or civil partner
Lower socio-economic					
Other ...					

Stage 6 - BMBC Minimum access standards

If the proposal relates to the delivery of a new service, please refer to the Customer minimum access standards self-assessment ([found at](#))

If not, move to Stage 7.

Please use the action plan to be taken to ensure the new service complies with the minimum access standards. Reasonable adjustments for disabled people.

Not yet live

The proposal will meet the minimum access standards.

The proposal will not meet the minimum access standards. –provide rationale below.

Stage 7 – Action plan

To improve your knowledge about the equality impact . . .

Actions could include: community engagement with affected groups, analysis of performance data, service equality monitoring, stakeholder focus group etc.

Action we will take:	Lead Officer	Completion date
Speak to developers at the start of each First Homes scheme about their marketing and options to increase their reach to all eligible groups.	Alison Dalton / Sara Scholes	
Public information – add summary of First Homes and relevant links to the Council’s housing webpages	Sara Scholes	31st August 22
Equality monitoring – ask developers to encourage applicants to complete voluntary screening section of the First Homes application pack.	Sara Scholes	31 st August 22

To improve or mitigate the equality impact . . .

Actions could include: altering the policy to protect affected group, limiting scope of proposed change, reviewing actual impact in future, phasing-in changes over period of time, monitor service provider performance indicators, etc.

Action we will take:	Lead Officer	Completion date
Review pilot feedback from developers and Homes England	Sara Scholes	Review at end of pilot scheme
Meet with developers at the start of all new schemes to discuss marketing, targeting and best practice.	Officer from Strategic Housing and Growth Team	Ongoing

To meet the minimum access standards . . .(if relevant)

Actions could include: running focus group with disability forum, amend tender specification, amend business plan to request extra ‘accessibility’ funding, produce separate MAS action plan, etc.

Action we will take:	Completion date
Not yet live	

Stage 8 – Assessment findings

Please summarise how different protected groups are likely to be affected

Summary of equality impact

The Government's own assessment suggests that the First Homes scheme will impact several groups protected under the Equality Act 2020. This will depend on the number of homes delivered through the scheme and whether they are delivered via the s106 route (replacing other affordable tenures) or through exception sites (additional affordable housing).

Summary of next steps

Monitor available data and review at the end of the First Homes pilot schemes.

Signature (officer responsible for EIA) Date

Sara Scholes

10/8/22

**** EIA now complete ****

Stage 9 – Assessment Review

(This is the post implementation review of the EIA based on date in Stage 1 if applicable)

What information did you obtain and what does that tell us about equality of outcomes for different groups?

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Data Protection Impact Assessment Guidance and Template

Data Protection Impact Assessment

A Data Protection Impact Assessment (DPIA) is a **mandated** process designed to enable an organisation to analyse how a particular project or system will affect the privacy of the individuals involved. Risks can be identified and addressed at an early stage by analysing how the proposed uses of personal information and technology will work in practice.

Any person who is responsible for introducing new or revised service or changes to a system, process or information asset is responsible for ensuring the completion of a DPIA.

A DPIA is suitable for a variety of situations which involve the processing of personal data, or to any other activity which could have an impact on people's privacy, the list below is not exhaustive but provides some examples.

Processing is any operation or set of operations which is performed on personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, restriction, erasure or destruction.

- A new IT system for processing personal data
- A data sharing initiative where two or more organisations seek to pool or link sets of personal data
- A proposal to identify people in a particular group or demographic and initiate a course of action
- Using existing data for a new and unexpected or more intrusive purpose
- A new surveillance system (especially one which monitors members of the public) or the application of new technology to an existing system (for example adding Automatic number plate recognition capabilities to existing CCTV)
- A new database which consolidates information held by separate parts of an organisation
- Legislation, policy or strategies which will impact on privacy through the collection of use of information, or through surveillance or other monitoring
- A commissioned service who are processing data on the Council's behalf
- A renewal of any of the above, either by contract extension or via a waiver, where a DPIA was not previously completed

When is a DPIA not required?

A DPIA will not be required if the processing is 'not likely to result in a risk to privacy'. These are circumstances where no personal¹ or special category data² is being processed.

To help you to identify whether a DPIA needs to be completed please answer the screening questions below. Once you reach a question where your answer indicates that a DPIA is not required, or for you to complete one or more of the stages, you do not need to answer the remaining screening questions.

If you require advice and guidance please contact the Information Governance Team via the DigITal hub [here](#).

Screening Questions

¹ Personal data includes: name, address, identification number; location data; and an online identifier, DOB, phone number, Email Address, post code

² Special category data includes: race, ethnicity, religion, health data, political opinions, genetic data, biometric, trade union membership, sexual orientation

Project Name: First Homes
Project description: First Homes is a government policy to promote home ownership where private developers offer new homes at a discounted sale price. The scheme requires sharing - between the housing developer and the Council - of personal data about the potential purchasers.
Information Asset Owner: Alison Dalton Group Leader Strategic Housing and Growth

Screening Guidance:

- Read each question carefully and compare your project against the examples provided to see if it sounds similar.
- Once you have answered YES to a question, you do not need to complete the remaining screening questions, the fourth column will tell you what to do next.
- Remember to sign and date the screening at the bottom of the list.

Question	Context	Yes/No	DPIA?
1. Are you procuring goods, equipment or software* where you will not be processing personal or special category data? OR Procuring or delivering a service that would not involve processing personal or special category data?	For example: procuring laptops, supply of goods e.g. food supplies, refurbishment of buildings, replacement goods e.g. fencing, maintenance e.g. water coolers, acquiring additional licenses for an existing system. *If the software is web-based it is likely user data will be processed as a minimum, if this is the case please continue with the screening questions	NO	If YES - no requirement for DPIA. Do not complete the remaining questions, sign below and submit to IG If NO - continue to next question
2. Are you procuring a commissioned service? OR Grant application	Also known as Outsourcing, this is where the Council commission another organisation to undertake the work on the Council's behalf. The organisation is the one who is collecting and processing the data on the Council's behalf (the Council may only receive auditing/aggregated data), however the Council needs assurance that appropriate technical and security measures are in place. To be a commissioned service the third party would act independently from the Council, and the council would not provide the third party with any personal data to assist them with the works.	NO	If YES complete stages 1, 3 and 4 If NO - continue to next question

	<p>Example services: family time supervised contact, child protection advocacy, young people/carer support, maternity stop smoking scheme, sub misuse service, child protection advocacy.</p>		
<p>3. Are you collecting / processing³ new personal, special category, criminal or data about people that could identify them?</p> <p>Does the initiative involve processing personal data on a large scale?</p>	<p>This means if the information you are processing can distinguish an individual from other individuals, that individual will be identified. Personal includes name, address, identification number; location data; and an online identifier, DOB, phone number, Email Address, post code. Vulnerable may include children, employees, people with mental illness, asylum seekers, or the elderly etc. Special category data includes race, ethnicity, religion, health data, political opinions, genetic data, biometric, trade union membership, sexual orientation.</p> <p>There is no specific definition of 'large scale' but the following should be considered: The number of individuals affected. The volume of personal data. The range of personal data. The duration or permanence of the processing activity. The geographical extent of the processing activity. Example implementing new customer / service user system.</p>	<p>YES</p> <p>but not large scale</p>	<p>If YES complete stages 1, 2 and 4</p> <p>If NO – continue to next question</p>
<p>4. Does the initiative involve the procurement of a new system or software that is web-based?</p>	<p>This means that the system or software you are intending to use will be web-based (accessed via a web browser) and likely utilises cloud storage. Access to the system is likely to be granted via a username and password which would mean, as a minimum, user data is stored.</p>		<p>If YES complete stages 1, 3 and 4</p> <p>If NO continue to the next question</p>

³ Processing includes: collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, restriction, erasure or destruction

<p>5. Does the initiative involve evaluating or scoring individuals (including profiling and predicting) or does the initiative involve systematic monitoring, or Does the initiative involve the use or application of innovative technological or organisational solutions? OR Does the initiative involve direct marketing?</p>	<p>Building behavioural or marketing profiles of individuals based on their web activity. Personal data processing used to observe, monitor or control individuals. Processing used to observe, monitor or control individuals - Installing a CCTV system, tracking location (online and offline), consider mobile apps which monitor. Using fingerprint recognition technology to control access to a building. Contacting individuals in a way they may find intrusive. For example emailing or telephoning without prior consent.</p>	<p>No</p>	<p>If YES complete stages 1, 2 and 4</p> <p>If NO – continue to next question</p>
<p>6. Are you using information about individuals for a purpose it is not currently used for, or in a way not currently used? OR Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?</p>	<p>For example, data originating from two or more data processing operations performed for different purposes and/or by different data controllers in a way that would exceed the reasonable expectations of the data subject</p> <p>For example, processing of health data of residents in a joint project with another authority/organisation, new projects or a new service, or, delivering a service and commissioning an external partner to assist sharing data with them that they would not routinely have access to.</p>		<p>If YES complete stages 1, 2 and 4</p> <p>If NO – continue to next question</p>
<p>7. Does the initiative involve automated decision-making that may have a significant effect on an individual?</p>	<p>Asking an individual to submit personal data that is then analysed by a computer system, with the result that the individual's request to use a service is either accepted or refused with no 'human' input, similarly to how most online credit card applications are processed.</p>		<p>If YES complete stages 1, 2 and 4</p> <p>If NO – continue to next question</p>
<p>8. Does the initiative involve datasets that are to be matched or combined?</p>	<p>This relates to combining personal data originating from two or more personal data processing operations performed for different purposes or by different data controllers in a way that would exceed the reasonable expectations. Matching Council personal data against personal data held by a third party for profiling purposes.</p>		<p>If YES complete stages 1, 2 and 4</p> <p>If NO – continue to next question</p>
<p>9. Does the initiative involve the transfer or storage of personal data in another country?</p>	<p>Sending or storing personal data to countries outside of the UK. For example, utilising a cloud storage service where the servers are hosted in the EU or USA.</p>		<p>If YES complete stages 1, 2 and 4</p>

			If NO to all please contact IG
<p>Disclaimer - If the answers indicate that there is no requirement to complete a DPIA you are taking responsibility for the decision. Forward to the IG Team via the DigITal hub who will store the document.</p> <p>If the answers indicate a DPIA is required please proceed to complete the relevant stages below. Forward to the Information Governance Team via the DigITal hub who will assist in the review of the DPIA.</p>			
<p>Name of completing officer: Sara Scholes</p>			<p>Date: 29/7/22</p>

DATA PROTECTION IMPACT ASSESSMENT TEMPLATE

Stage 1 – Full project details

Stage 1a: project detail (please provide as much detail as possible). If there are any documents e.g. business case that would assist IG to understand the project please attach

Who is the Project Owner?

Sarah Cartwright
Head of Strategic Housing, Sustainability and Climate Change

Who is the Information Asset Owner?

Alison Dalton
Group Leader Strategic Housing and Growth

Explain what the project aims to achieve

First Homes is a government policy to promote home ownership. Private developers offer new homes at a discounted sale price. The scheme requires sharing - between the housing developer and the Council - of personal data about the potential purchasers to confirm that all applicants meet the eligibility criteria. Eligibility criteria that must be proved includes; income, local connection and first time buyer status.

Explain what the benefits will be to the organisation

The Council is working with private developers to implement a new government policy.

Explain what the benefits will be to individuals and to any other parties affected

Successful applicants to the First Homes scheme will benefit from a discounted sale price. First Homes are sold with a minimum 30% discount, kept in perpetuity .

Does the project involve processing personal information?

Yes – to meet the criteria of the First Homes scheme, applicants are required to provide personal information including proof of income, first time buyer status and local connection.

Stage 1b: objectives

Tick as many as applicable

- Existing information to be used for a different purpose
- New information sharing arrangement with an external company/organisation
- New project involving collection and processing of people's information
- New system/database
- Other: [Click here to enter text.](#)

Now complete the key questions below

Stage 2 - key questions

	Question	Response
Consultation requirements		
1.	Internal consultation Explain what practical steps you will take to ensure that you identify and address privacy risks. Who should be consulted, internally and externally? How will you carry out the consultation?	Already consulted with : Governance and Compliance – DPIA and storage of data Internal Audit – internal controls, storage of data Legal – responsible for completing some key documents

	Question	Response
2.	<p>External consultation / engagement</p> <p>You should consider external stakeholder consultation. Outline timescales and method of seeking individuals' views or explain why it is not appropriate to do so. <i>External eg views of public)</i></p>	<p>Has stakeholder engagement taken place: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, which stakeholder and how have any issues identified by stakeholders been considered?</p> <p>Homes England First Homes team – managing the early delivery First Homes pilot schemes in Barnsley. Provided templates for key documents and holding regular update meetings</p> <p>Keepmoat and Gleesons – Private developers signed up for pilot scheme. Other LAs – information shared with other councils on good practice</p> <p>If no, explain why it was not appropriate to do so? (Professionals, union representatives service users etc are useful to consult with or ask their opinion on the privacy implications of a project. You should put yourself in the individuals' shoes and envisage privacy implications.) Click here to enter text.</p>
Data Items		
3.	<p>Please tick the information being used / collected</p> <p>Personal</p> <p>Special categories of data</p> <p>Quick Reference Guide to Personal & Special and/or Quick Reference Guide to Pseudonymisation</p>	<p>Who does the data relate to:</p> <p><input type="checkbox"/> Service User <input checked="" type="checkbox"/> Member of Public <input type="checkbox"/> Staff <input type="checkbox"/> Other, please state:</p> <p><input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Address <input checked="" type="checkbox"/> Phone number <input checked="" type="checkbox"/> Email Address <input checked="" type="checkbox"/> Post Code <input checked="" type="checkbox"/> Date of Birth <input type="checkbox"/> Pseudonymised Data <input type="checkbox"/> Date of Death <input type="checkbox"/> Unique Identifying Number <input checked="" type="checkbox"/> NI Number <input type="checkbox"/> Passport Number <input type="checkbox"/> GP Practice <input type="checkbox"/> Online Identifiers (e.g. IP Number, Mobile Device ID)</p> <p><input type="checkbox"/> Health Data <input type="checkbox"/> Trade Union membership <input type="checkbox"/> Political opinions <input type="checkbox"/> Religion <input type="checkbox"/> Racial or Ethnic Origin <input type="checkbox"/> Genetic Data <input type="checkbox"/> Biometric Data <input type="checkbox"/> Sex life / sexual orientation</p> <p><input checked="" type="checkbox"/> Other: Income</p> <p>Please consider data minimisation to ensure you are only collecting relevant information and not being excessive.</p>
4.	<p>Please state reason for processing the information</p> <p>For example, providing a service, research, audit, evaluation.</p>	<p>To qualify to buy a First Home, applicants must prove they meet the criteria which includes: First</p> <p>Time Buyer status, household income <£80,000 , Mortgage covering at least 50% of discounted purchase price, local connection to Barnsley</p>

	Question	Response
5.	Is this information being used for a different purpose than it was originally collected for?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please state why and what legal basis you have for doing this: Click here to enter text.
6.	Approximately how many individuals' information will be collected?	15 applications included in the pilot scheme . Less than 100 applications expected per year for future years
7.	Are you processing Children's data? Quick Reference Guide to Processing Childrens Data	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Data processing		
8.	Will another organisation outside the Council be processing the information?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes complete Q9 and Q10. If no, please go Q11
9.	Third party data processing	Has a DPIA been completed by the organisation, if so please attach Requested Explain who in that organisation will have access to your data? Housing Developer – sales, legal and conveyancing teams What security arrangements do they have in place? tbc How does the processor demonstrate their compliance with GDPR? tbc If third party access is required to the BMBC network you are required to complete a Third Party Access agreement . If required, please copy the link to the entry in the register below: Click here to enter text. <input checked="" type="checkbox"/> Not Applicable
10.	Is the organisation registered with the Information Commissioners Office?	<input type="checkbox"/> Yes <input type="checkbox"/> No Company name and Data Protection Reg Number: Information requested
Information Security		
11.	Describe who will have access to the information/system - internal and external?	Limited number of BMBC Strategic Housing and Growth staff, BMBC Legal team
12.	Is there a useable audit trail in place? For example, to identify who has accessed a record/system?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable If yes, please outline the details: Click here to enter text.

	Question	Response
13.	<p>Detail where will the information will be kept/stored/transferred</p> <p>Please outline what data will be stored, where, and the use of any cloud storage</p>	<p>Information received from Housing Developers will be stored on BMBC sharepoint – access to the relevant folders will be restricted to a limited number of staff. An excel spreadsheet (password protected) will be used to monitor applications through the approval process. The monitoring spreadsheet is also filed in Sharepoint</p>
14.	<p>Please indicate all methods in which will be transferred</p> <p>Quick Reference Guide to Transporting Information Quick Reference Guide to Secure Email</p>	<p><input type="checkbox"/> Fax <input type="checkbox"/> Email (Unsecure/Personal) <input checked="" type="checkbox"/> Email (Secure) <input type="checkbox"/> Internet (unsecure e.g. http) <input type="checkbox"/> Telephone <input type="checkbox"/> Internet (secure e.g. https) <input type="checkbox"/> By hand <input type="checkbox"/> Courier <input type="checkbox"/> Post – normal <input type="checkbox"/> Post – track/traceable <input type="checkbox"/> Automatic System Transfer <input type="checkbox"/> Other: Click here to enter text.</p>
15.	<p>If you are transporting information, have you completed a Transporting Information Risk Assessment?</p> <p>E.g. if you are transporting data between the office and a service user’s property. This data can be physical (printed copies) or digital (stored on a USB device or laptop hard drive).</p>	<p><input type="checkbox"/> Yes, please attach <input type="checkbox"/> No <input checked="" type="checkbox"/> Not applicable</p>
16.	<p>Does the application/software have enhanced security?</p> <p>E.g. new forms of encryption; 2 factor authentication, pseudonymisation.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, please give details: Sharepoint – access restricted to a limited number of staff</p>
Confidentiality		
17.	<p>Please outline how individuals will be informed and kept informed about how their information will be processed</p> <p>e.g. Application Forms, Privacy Notices, Correspondence.</p> <p>A copy of the privacy notice / link and/or leaflets must be provided.</p> <p>Quick Reference Guide to Privacy Notices, Service Specific Privacy Notice and Quick Reference Guide to Individual Rights</p>	<p>Extract from First Homes Application form – see below – clearly states that data will be passed on to 3rd parties.</p> <p>c. The homebuyer acknowledges that in order to process and administer your application [Developer] and the proposed First Homes Owner(s) mortgage advisor will pass over information you have provided over to 3rd parties the: [Local Authority], conveyancers, other government departments and agencies applicable for the purposes of processing this application and conducting statistical surveys and analysis of First Homes.</p>

	Question	Response
18.	<p>Please select Lawful Basis for processing PERSONAL data.</p> <p>Please consult IG if considering selecting basis marked with *</p> <p>Quick Reference Guide to Legal Basis This interactive tool can help you to decide: https://ico.org.uk/for-organisations/gdpr-resources/lawful-basis-interactive-guidance-tool/</p> <p>Quick Reference Guide to Consent</p>	<p> <input type="checkbox"/> Contractual Obligation <input type="checkbox"/> Public Interest <input type="checkbox"/> Legal Obligation <input type="checkbox"/> Vital Interest* <input type="checkbox"/> Legitimate Interests* <input checked="" type="checkbox"/> Consent (if yes – provide details below) Is the consent explicit? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes how will consent be obtained and recorded? Consent and permission to contact prospective buyers is included in the First Homes Application Form. Consent will be obtained from the Housing Developer as part of the First Homes application process. </p>
19.	<p>Please select Lawful Basis for processing SPECIAL category data.</p> <p>You may need to consult with BMBC Legal Dept</p> <p>Quick Reference Guide to Legal Basis Quick Reference Guide to Consent</p>	<p> <input type="checkbox"/> Carrying out Obligations <input type="checkbox"/> Data made public by data subject <input type="checkbox"/> Protect Vital Interests <input type="checkbox"/> Legal Claim <input type="checkbox"/> Non-for-profit Body <input type="checkbox"/> Archiving <input type="checkbox"/> Substantial Public Interest <input type="checkbox"/> Occupational Medicine (SOCIAL CARE) <input type="checkbox"/> Public Health <input type="checkbox"/> Explicit Consent (if yes provide details below) If yes how will consent be obtained and recorded? Consent and permission to contact prospective buyers is included in the First Homes Application Form. Consent will be obtained from the Housing Developer as part of the First Homes application process. Not Applicable </p>
20.	<p>Will the processing of data involve means of automated decision making? E.g. Asking an individual to submit personal data that is then analysed by a computer system, with the result that the individual's request to use a service is either accepted or refused</p>	<p> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please outline what arrangements are available to enable the individual access and to extract data (in a standard file format). Click here to enter text. Please also detail any profiling that may take place as part of the automated processing: Click here to enter text. </p>

	Question	Response
21.	<p>How will people’s rights be managed e.g. if a request was made to erase data, restrict processing etc.</p> <p>Quick Reference Guide to Individual Rights</p>	<p>Requests can be made by First Homes applicants to either the Housing Developer or the Council. If a request is made before the verification procedure is complete, the Council will stop the process and advise the applicant that their First Homes application would be cancelled, and all personal information deleted.</p>
Data Sharing		
22.	<p>Does the project involve any new information sharing between the Council and another organisation?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, please describe: Information will be shared between the Council and any Housing Developers who are offering First Homes on their housing schemes.</p>
23.	<p>Does the data sharing have any privacy enhancing technologies?</p> <p>New forms of encryption; 2 factor authentication, pseudonymisation.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please give details: Click here to enter text.</p>
Privacy and Electronic Communications Regulations		
24.	<p>Will the project involve the sending of marketing messages electronically such as telephone, fax, email or text?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, what communications will be sent? Click here to enter text.</p> <p>Will consent be sought prior to this? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, please explain why consent is not being sought first: Click here to enter text.</p>
Records Management		
25.	<p>What are the specific retention periods for the information?</p> <p>Please refer to the Records Management Data Retention Schedule and list the retention period for datasets.</p> <p>Retention Schedules</p>	<p>Suggested - Current + 12 years (based on RTB retention dates)</p>
26.	<p>Will the information be securely destroyed or returned to the Council when it is no longer required?</p> <p>Dependent upon the contractual agreement</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes detail method of destruction OR return to Council: Click here to enter text.</p> <p>If no, please detail: Click here to enter text.</p>
Information Assets and Data Flows		

	Question	Response
27.	<p>Who is the information asset owner (IAO)?</p> <p>Note it is the responsibility of the IAO to own the process/project and any risks identified.</p> <p>The IAO should be an individual who is aware of, and/or ultimately responsible for the process/project.</p>	<p>Name of IAO: Alison Dalton</p> <p>Does this project constitute a change to existing Information Asset(s) or is this a new Information Asset?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p><input checked="" type="checkbox"/> Advise IAO to add to their Information Asset Register</p>
28.	<p>A process flow map is required for all processing of personal information. Does a process flow map require completing or does an existing flow map need reviewing/amending?</p>	<p>Does a new process flow map need completing?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Does an existing process flow map require reviewing/updating?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Provided by Homes England for pilot scheme – will need to be reviewed at the end of the pilot.</p>
Publication of data		
29.	<p>Will identifiable information be released in to the public domain?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please describe: Click here to enter text.</p>
Data Processing Outside of the UK		
30.	<p>Will any personal and/or special data be transferred to a country outside the UK?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, what data and to which country?</p> <p>Click here to enter text.</p>

Stage 3 - key questions for commissioned services, grant application or web-based systems/software.

Note: Some answers will not be able to be completed until the service has been commissioned

Note: Only complete this section if you answered 'yes' to screening question 2 or 4

Note: Do not complete this section if you have completed Stage 2, only one of Stages 2 and 3 should be completed.

	Question	Response
Consultation requirements		
1	<p>Has the external organisation/system host completed a DPIA?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, why has one not been completed</p> <p>If yes, please attach for review</p>

	Question	Response
2	Detail what information will be collected and where it will be kept/stored/transferred	Click here to enter text.
3	Please indicate all methods in which personal information will be transferred to the Council	<input type="checkbox"/> Fax <input type="checkbox"/> Email (Unsecure/Personal) <input type="checkbox"/> Email (Secure) <input type="checkbox"/> Internet (unsecure e.g. http) <input type="checkbox"/> Telephone <input type="checkbox"/> Internet (secure e.g. https) <input type="checkbox"/> By hand <input type="checkbox"/> Courier <input type="checkbox"/> Post – normal <input type="checkbox"/> Post – track/traceable <input type="checkbox"/> Automatic System Transfer <input type="checkbox"/> Other: <input type="checkbox"/> No personal information transferred to the council
4	Please detail all relevant policies that are in place to support GDPR	Click here to enter text.
5	Is a signed contract or service level agreement in place to cover GDPR clauses? Note: this is a legal requirement	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please attach for review. If no, when will it be completed (an agreement must be in place) Click here to enter text.
6	Please detail any certifications the provider holds e.g. ISO27001, Cyber Essentials Please detail the ICO registration number and name of organisation registered	Click here to enter text. Click here to enter text.
7	Is any data processed or transferred outside of the UK?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, what data and to which country? Click here to enter text.
Now please complete sections 4		

Stage 4: identify the privacy risks and solutions

A key part of the DPIA process is looking at risk and solutions, recording and identifying solutions to mitigate or reduce the risk. Appendix A can be used to identify the risks to individuals, corporate and compliance risks. Appendix B can be used to help identify the Data Protection related risks. You should think of solutions to reduce risks wherever possible. The result should be that the risk is either eliminated or reduced to an acceptable level of risk which the IAO is prepared to accept.

If you identify a high risk that cannot be mitigated, this DPIA must be sent to the ICO for consultation before starting the processing. Please liaise with the Information Governance Team who will be able to offer advice on this.

Please outline risks and solutions below. Risks identified should also be recorded and monitored on the appropriate risk register. Then using the 'severity of impact' table make an objective assessment of the risks. Consider the potential impact on individuals and any harm or damage the processing may cause – whether physical, emotional or material.

Risk	Solution	Approved by	Indicator of risk H/L/M
Information is shared too widely or used for different purposes	Information initially shared by email – a new inbox has been set up with restricted access for named staff. Information will not be shared with other council teams for any purpose other than validation of a First Homes application. Security measures for documents and storage files to reduce risk of inappropriate use.		Low
Lost or misplaced information	First Homes inbox to ensure all emails are in one location Sharepoint files set up with restricted access for staff working on the scheme		Low
Sharing of personal information not required for the First Homes application	Discussion with Developers providing personal information of what is required to meet the criteria of the scheme. Excess information deleted and not filed.		Low
Personal data kept on file in perpetuity	Retention period established		Low

Severity of impact	Serious harm	Low risk	High risk	High risk
	Some impact	Low risk	Medium risk	High risk
	Minimal impact	Low risk	Low risk	Low risk
		Remote	Reasonable possibility	More likely than not
		Likelihood of harm		

Stage 5: review and approval

DPIA reviewed by Information Asset Owner (IAO) /Service Director / Head Of Service:	
<i>Note: it is the responsibility of the approving officer to own this process and to manage and monitor any risks identified within the DPIA</i>	
Name: ALISON DALTON	Title: Group Leader Strategic Housing and Growth
Signed: <i>ADalton</i>	Date: 01/08/22
DPIA reviewed by Data Protection Officer (DPO) if required (IG will advise):	
Name:	Title:
Signed:	Date:
Summary of DPO advice:	
Review Date* <input checked="" type="checkbox"/> 6 months <input type="checkbox"/> 12 months Date Click here to enter text.	

*You should not view a DPIA as a one-off exercise to file away. A DPIA is a 'living' process to help you manage and review the risks of the processing and the measures you've put in place on an ongoing basis. You need to keep it under review and reassess if anything changes. In particular, if you make any significant changes to how or why you process personal data, or to the amount of data you collect, you need to show that your DPIA assesses any new risks. An external change to the wider context of the processing should also prompt you to review your DPIA. For example, if a new security flaw is identified, new technology is made available, or a new public concern is raised over the type of processing you do or the vulnerability of a particular group of data subjects.

Appendix A

Risks to individuals

- The context in which information is used or disclosed can change over time, leading to it being used for different purposes without people's knowledge.
- New surveillance methods may be an unjustified intrusion on their privacy.
- Measures taken against individuals as a result of collecting information about them might be seen as intrusive.
- The sharing and merging of datasets can allow organisations to collect a much wider set of information than individuals might expect.
- Identifiers might be collected and linked which prevent people from using a service anonymously.

- Vulnerable people may be particularly concerned about the risks of identification or the disclosure of information.
- Collecting information and linking identifiers might mean that an organisation is no longer using information which is safely anonymised.
- Information which is collected and stored unnecessarily, or is not properly managed so that duplicate records are created, presents a greater security risk.
- If a retention period is not established information might be used for longer than necessary.

Corporate risks

- Non-compliance with data protection or other legislation can lead to sanctions, fines and reputational damage.
- Problems which are only identified after the project has launched are more likely to require expensive fixes.
- The use of biometric information or potentially intrusive tracking technologies may cause increased concern and cause people to avoid engaging with the organisation.
- Information which is collected and stored unnecessarily, or is not properly managed so that duplicate records are created, is less useful to the business.
- Public distrust about how information is used can damage an organisation's reputation and lead to loss of business.
- Data losses which damage individuals could lead to claims for compensation.

Compliance risks – Appendix B can also be used to help organisations identify data protection compliance

- Non-compliance with data protection.
- Non-compliance with the Privacy and Electronic Communications Regulations (PECR).
- Non-compliance with sector specific legislation or standards.
- Non-compliance with human rights legislation.

Reducing Privacy Risk

There are many different steps which can be taken to reduce a privacy risk. This list is not exhaustive however some of the more likely measures include:

- Deciding not to collect or store particular types of information.
- Devising retention periods which only keep information for as long as necessary and planning secure destruction of information.
- Implementing appropriate technological security measures.
- Ensuring that staff are properly trained and are aware of potential privacy risks.
- Developing ways to safely anonymise the information when it is possible to do so.
- Producing guidance for staff on how to use new systems and how to share data if appropriate.
- Using systems which allow individuals to access their information more easily and make it simpler to respond to subject access requests.
- Taking steps to ensure that individuals are fully aware of how their information is used and can contact the organisation for assistance if necessary.
- Selecting data processors that will provide a greater degree of security and ensuring that agreements are in place to protect the information which is processed on an organisation's behalf.
- Producing data sharing agreements which make clear what information will be shared, how it will be shared and who it will be shared with.

- Would the signing of a Non Disclosure Agreement (NDA) provide a solution to any potential data protection risks?

Linking the DPIA to the 6 Data Protection Principles

Answering these questions during the DPIA process will help you to identify where there is a risk that the project will fail to comply with Data Protection or other relevant legislation, for example the Human Rights Act.

Principle 1

Personal data shall be processed lawfully, fairly and in a transparent manner in relation to individuals:

You must have a valid lawful basis in order to process personal data. Please see Information Commissioner's Guidance for further details [Here](#)

Have you identified the purpose of the project?

How will individuals be told about the use of their personal data?

Do you need to amend your privacy notices?

Have you established which conditions for processing apply?

If you are relying on consent to process personal data, how will this be collected and what will you do if it is withheld or withdrawn?

If your organisation is subject to the Human Rights Act, you also need to consider:

Will your actions interfere with the right to privacy under Article 8?

Have you identified the social need and aims of the project?

Are your actions a proportionate response to the social need?

Principle 2

Personal data shall only be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;

Does your project plan cover all of the purposes for processing personal data?

Have potential new purposes been identified as the scope of the project expands?

Principle 3

Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed

Is the information you are using of good enough quality for the purposes it is used for?

Which personal data could you not use, without compromising the needs of the project?

Principle 4

Personal data shall be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay

If you are procuring new software does it allow you to amend data when necessary?

How are you ensuring that personal data obtained from individuals or other organisations is accurate?

Principle 5

Personal data processed for any purpose or purposes shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals

What retention periods are suitable for the personal data you will be processing?

Are you procuring software which will allow you to delete information in line with your retention periods?

Principle 6

Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures

Do any new systems provide protection against the security risks you have identified?

What training and instructions are necessary to ensure that staff know how to operate a new system securely?

BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR OF GROWTH & SUSTAINABILITY

TITLE: LOCAL PLAN REVIEW

REPORT TO:	CABINET
Date of Meeting	2 November 2022
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Public

Purpose of report

This report seeks endorsement of the Local Plan Review.

Council Plan priority

Sustainable Barnsley

Recommendations

That Cabinet:-

Refers this report to Full Council to endorse the Local Plan Review. This is to retain the Local Plan in its current form until a further review is undertaken prior to the end of 2027.

1. INTRODUCTION

1.1 This report seeks endorsement of the Local Plan Review.

1.2 Government regulations¹ require local planning authorities to review their Local Plans at least once every 5 years from their adoption date, to ensure that policies remain relevant and effectively address the needs of the local community. By the 3rd January 2024, we must have assessed our policies and set out our intention and timescale for any proposed updates, or publish our evidence to support no changes should we be of the view that the Local Plan remains fit for purpose.

1.3 The review process is a method to ensure that a plan and the policies within

¹ regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

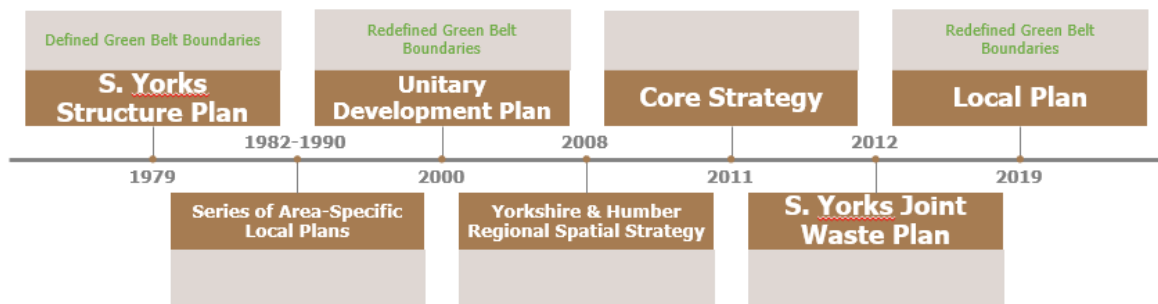
remains effective. The review process is initially a technical internal exercise undertaken by Council officers using proportionate, relevant and up-to-date evidence (such as annual monitoring data) to ascertain if the plan or any sections of it require updating. In Barnsley this has been supplemented by independent challenge by an independent, critical friend. Following the outcome of that process, should either a full or partial update be deemed necessary, the Council would then undertake public and stakeholder consultation as per Local Planning Regulations.

Plan Making in Barnsley

1.4 The Local Plan was adopted on 3rd January 2019. The Local Plan replaced the Core Strategy, which was adopted in 2011 and included a new suite of strategy and development management policies. It also superseded parts of the Unitary Development Plan (adopted in 2000) that had not been replaced when the Core Strategy was adopted. This included the proposals map showing site allocations and defining the Green Belt boundaries. Prior to the Unitary Development Plan, the development plan for the borough consisted of:

- The South Yorkshire Structure Plan, which was adopted in 1979 and showed the general extent of the Barnsley Green Belt
- A series of Local Plans covering areas of the borough that were adopted between 1982 and 1990.

Figure 1



1.5 The timeline in Figure 1 shows the various documents that have comprised the development plan for the borough up to and include the Local Plan. It also identifies the plans which established and then redefined the Barnsley Green Belt boundaries, which were the South Yorkshire Structure Plan (1979), the Unitary Development Plan (2000) and the Local Plan (2019). This demonstrates that Green Belt boundaries have generally endured for around two decades.

1.6 Since the Local Plan was adopted, three neighbourhood plans have been adopted and also now form part of the development plan for the borough. These are:

- Penistone Neighbourhood Plan, adopted 2019
- Oxspring Neighbourhood Plan, adopted 2019
- Cawthorne Neighbourhood Plan, adopted 2021

- 1.7 The Local Plan is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed use sites). The Council has also since adopted a series of Supplementary Planning Documents which build upon and provide more detailed advice or guidance on specific policies in the Local Plan.
- 1.8 Since the plan was adopted there have been significant achievements. Examples of these are significant progress made in the Town Centre with the completion of the Glassworks scheme, closure of the Jumble Lane level crossing and construction of a new bridge as well as planning applications to develop Courthouse Campus (The Seam) and the Eastern Fringe (proposed Youth Zone) site allocations. Key infrastructure that was identified in the Infrastructure Delivery Plan has also been delivered to address longstanding issues and facilitate the delivery of sites allocated for development consistent with the socio economic objectives of the plan. The Dearne Valley Wetlands have been designated as a Site of Special Scientific Interest and there have been a number of new and updated listings and scheduled ancient monuments designated at and around Elsecar Heritage Centre, reflecting some of the plans environmental objectives.

National Planning Reform - Levelling Up and Regeneration Bill

- 1.9 The Government has prepared the Levelling Up and Regeneration Bill which is currently going through Parliament. This proposes several significant changes to the planning system including the following:
- the option for groups of Local Planning Authorities (LPAs) to prepare joint spatial strategies
 - restriction to one local plan per LPA
 - a requirement to publish a timetable for plan preparation, with an expectation that it will take less than 30 months
 - the introduction of “supplementary plans”, to replace SPDs
 - repeal of the duty to cooperate, allied to a new soundness test
 - data standards for plan making
 - national development management policies
 - environmental outcome reports to replace SEA, EIA and sustainability appraisal
 - gateway checks by an independent person at prescribed stages
 - design codes to be prepared for entire LPA areas
 - neighbourhood priorities statements as an input into local plans
 - greater weight for local plans and national DMT policies in decision making
- 1.10 The Bill also proposes the replacement of the Community Infrastructure Levy by a new Infrastructure Levy, which will be mandatory for all local planning authorities.

- 1.11 The Bill also contains extensive powers for the Secretary of State to make regulations, which it is suggested could include coverage of the scope, content and form of local plans. Progress with the Bill is uncertain given that a number of recent proposed planning reforms (e.g. zonal system) have not proceeded and this is heightened by a change in the Prime Minister and Secretary of State..

Review of the Local Plan

- 1.12 The Planning & Building Control Service has completed a Planning Advisory Service (PAS) Toolkit (Appendix 1) as a basis for establishing which topic areas and policies of the Local Plan may require updating. PAS are funded by the Department for Levelling Up, Housing & Communities to help get local plans up-to-date and to improve decision-making, as well as running event series on topical issues. They were originally set up in 2005 by the then Office of the Deputy Prime Minister to help councils respond to the significant changes initiated by the 2004 Planning Act. Since then their focus has always been on helping Local Government play their part in an effective planning system. Their Toolkit is therefore specifically designed to enable Local Planning Authorities to undertake a Local Plan review, project plan, manage and carry out any update of a Local Plan.
- 1.13 As well as using the PAS Toolkit, Planning Officer Society Enterprises were appointed as a critical friend to advise on our Local Plan Review, using the PAS toolkit as a basis for their advice. They provide expert advisory support and training, and are passionate about promoting best practice and achieving better planning outcomes. Their associates are eminent specialists in their fields, and come from senior positions in local government.
- 1.14 The appointment of a critical friend is reflective of the desire for constructive challenge and feedback to help ensure that the review is robust. This is particularly so given the likely interest from communities, landowners/ promoters and developers who, for varying reasons, may prefer the Council to pursue one of the alternative options.

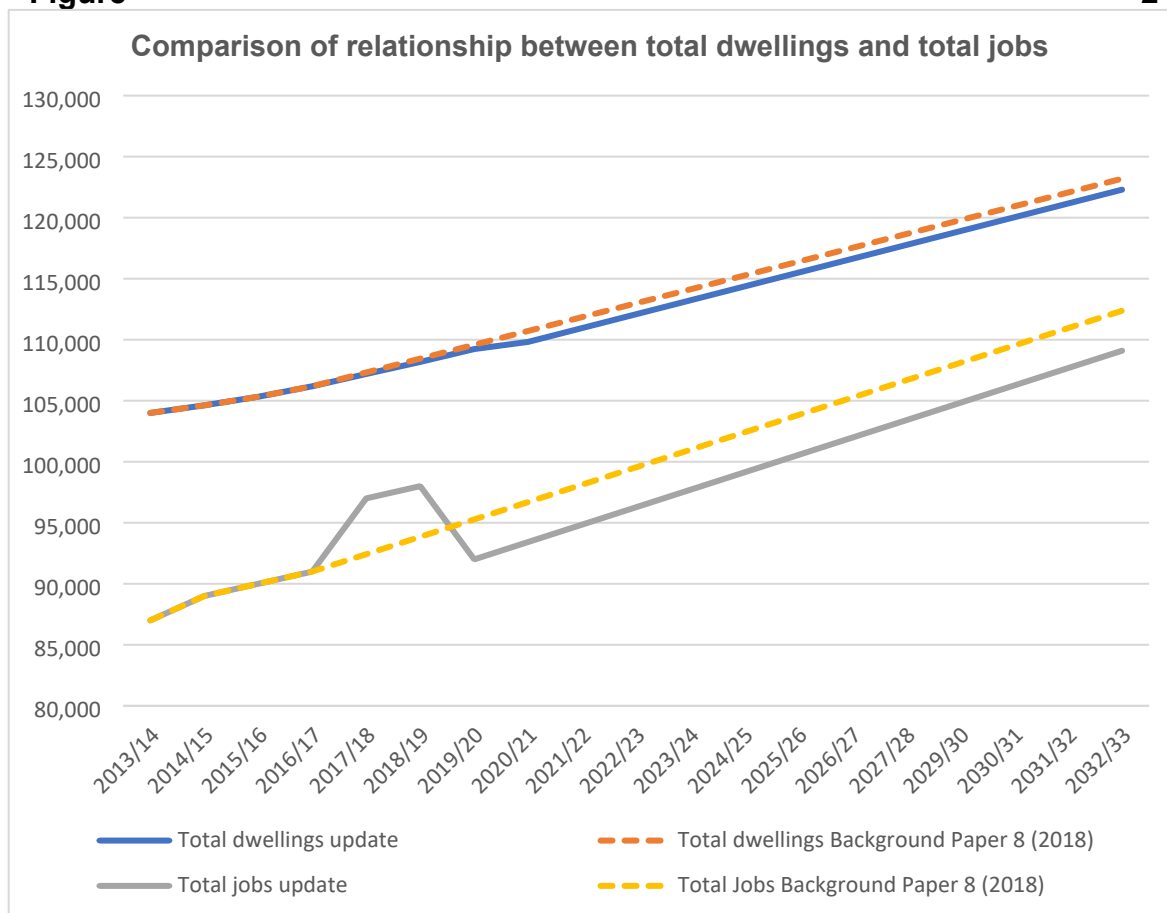
2. PROPOSAL

- 2.1 It is proposed that, as the policies of the Local Plan are still fit for purpose, no update is required until 2027 or earlier if circumstances, including fundamental changes to the Local Plan system, require it.
- 2.2 It is proposed that we look at alternative ways to deal with new issues and those not addressed in detail in the Local Plan. The issues considered in the toolkit are taken in turn below.

Housing Need

- 2.3 The National Planning Practice Guidance says (in effect) at paragraph 065 of the plan-making section that a reason a plan update may be required would be where there has been a change in the local housing need.

- 2.4 The Local Plan housing requirement was based on the Council's own Objective assessment of housing need (OAHN). Through the Local Plan examination process, the OAHN of 1134 dwellings per annum (dpa) was agreed upon with the Inspector, who noted that the indicative base figure for housing need, as defined in the Government's standard method, was 898 dpa. The 1134 dpa figure was deemed necessary to align with our economic growth aspirations, which seek to significantly increase the number of jobs in the borough during the plan period.
- 2.5 The toolkit notes that the standard method gives a lower figure than the local plan housing target. However, this is by no means unusual and hence National Planning Practice Guidance says that the figure arrived at using the standard method is a minimum starting point, and it remains necessary to consider whether actual housing need is higher than the standard method indicates, e.g. to align with an employment growth strategy.
- 2.6 The Council remains committed to enhancing the local economy through promoting growth in the amount and quality of employment. As and when we bring forward a full update of the local plan, we will need to review employment growth and land targets and consider whether the housing need figure given by the standard method at that time (which may be revised from the present formula) is in balance with the employment proposals or should be subject to an uplift. Without undertaking a considerable amount of work on employment and housing policy, including examination, we cannot say at this time whether the housing need figure which would emerge will be higher or lower than the current OAHN in the local plan. What can be said is that because the minimum starting point given by the standard method is well below the OAHN figure, there is no prime facie case that local housing need is higher.
- 2.7 Figure 2 below demonstrates the current relationship between projected job and housing numbers. It compares this to figure 3 from the Local Plan Examination Background Paper 8, prepared in 2018 which showed a reduction in the gap between the total number of dwellings and jobs in the borough, in accordance with our objective to increase job density. It is inevitable that jobs and dwelling growth will not precisely follow the projections with years where delivery will be lower and years where it will increase but it does nonetheless show that even where the job numbers increased between 2017 and 2019, there was still significantly more dwellings than jobs, and that is anticipated to continue to the end of the plan period. Therefore, it is considered that the alignment between jobs and homes is projected to continue to be satisfactory. A future full local plan update would consider the relationship between these figures, including any implications for employment land arising from new ways of working such as working from home.



*Source 2013/14 estimated amount on graph in background paper 8 and then additional net dwellings from 5 year supply report to 2020/21, and then annual increase of 1134 as per agreed OAN from 2021/22

**Source ONS data via Nomis 2013/14 - 2019/20) then an additional 1425pa as per REM Policy On figure

- 2.8 Should at any point it be considered that the Local Plan is not delivering the housing, rather than updating the plan it may be more effective to intervene in other ways. This reflects the situation where a local planning authority which is not meeting the Housing Delivery Test is required to prepare an action plan, with a view to bringing forward actions which will assist improvement of the supply. The critical friend has advised that we should reflect the reasoning in the PAS toolkit.
- 2.9 The response to A2 in the Local Plan Toolkit notes that a challenge with updating the plan now and in particular the objectively assessed housing need would be the lack of certainty regarding the 2021 census data. At present there appears to be contradictions between Census data and our monitoring data.

5-year supply of housing land

- 2.10 The toolkit notes that the latest 5-year supply note indicates a supply of 5.6 years. It is of course possible that circumstances will lead to the Council being short of a 5-year supply at some future date, but circumstances might also change to improve the supply. Should the supply fall below 5 years at a particular date, the Council would need to ask whether the evidence suggests that this will continue, or that the supply is likely to increase again. As referred to in paragraph 2.7 above there are a number of ways local planning authorities can seek to improve their housing supply, as demonstrated by Housing Delivery Test action plans. The Council will need to keep its 5-year supply evidence up to date as part of annual monitoring. The critical friend concludes that as of now it is proper to record that the current evidence does show a 5-year supply.

Changes in economic conditions

- 2.11 The draft toolkit answered “Agree in part” to Plan Review Factor A6, referring to the effects of the pandemic, the impacts of Brexit being unknown, and the possibility that global issues impacting rising cost of fuel etc will impact on local businesses. It is certainly correct to consider such factors, but the draft review says that there is no evidence that large sites will not be developed.
- 2.12 The critical friend advises that the Office for Budget Responsibility has estimated that the long-term effect of Brexit will be a 4% reduction in productivity, and that of Covid 2%. It is too soon to say what the longer-term effects of the Ukraine war will be. Moreover, it is in the nature of the economy to experience swings over time – which is why there is an inherent degree of uncertainty in economic forecasting. However, whilst the wider economy may be affected, as of now the council has no evidence of the effects locally, and as noted large sites continue to progress.
- 2.13 It is therefore advised that the review acknowledges that there are uncertainties about future economic conditions, but records the current evidence that sites continue to be delivered.

Development viability

- 2.14 In relation to the viability of development the draft toolkit referred to the rising costs nationally potentially having an impact on viability. The critical friend considered this response to be speculative as we have no evidence of this at present. If there is evidence that viability considerations are reducing the amount of affordable housing secured, or that developers have paused development on sites for viability reasons, that would impact upon the answer to this factor. But a view would need to be taken, based on evidence, as to whether this is a transitory situation or likely to be ongoing.
- 2.15 Moreover, in relation to a particular development project, it is available to the developer to present evidence that the viability conditions for the project present particular issues, and that the approach to assessment of viability prepared for the local plan is therefore not fully valid in that instance. This would need to be dealt with on a case-by-case basis. Therefore it is advised to note that rising costs nationally may impact, and that this will be monitored.

National planning policy

- 2.16 The critical friend notes that it is an unavoidable feature of the planning system that once local plans have been adopted, aspects of national planning policy or guidance, or related regimes change, and need to be taken into account in decision making. It is of course impracticable to update a local plan every time there is a change in national policy or guidance. Rather the long-established practice is to take account of such changes by considering them as material considerations in decision making.
- 2.17 The issue is therefore whether changes have taken place since the plan was adopted which either on their own (because of their fundamental nature), or cumulatively mean that the local plan should be updated or replaced.
- 2.18 The toolkit lists a number of matters where national policy has changed, or new policy would be desirable. The critical friend agrees that none of the matters identified have changed so fundamentally as to make the local plan significantly out of date.
- 2.19 Apart from treating changes since the plan was adopted as material considerations in decision making, it is useful to consider whether there are other means of taking some of them on board.
- 2.20 The toolkit draft review refers to matters arising from the Environment Act, including the local nature recovery strategy and biodiversity net gain. The local nature recovery strategy will be prepared under separate legislation, and will not be part of the development plan, though appropriate connections may be desirable. As for biodiversity net gain, whilst the regime makes changes to how planning applications will be dealt with, including the requirement for the applicant to submit a “biodiversity gain plan”, the mechanisms will be set by the Environment Act and Regulations. A draft of the latter was the subject of consultation from January to April this year. It is not easy to see what more a local plan can say as policy, given that the biodiversity net gain regime is set out in some detail, and is mandatory.
- 2.21 In relation to First Homes, the policy context is set out quite fully in the new section of the NPPG added in December 2021. Moreover, the guidance says that where a local planning authority wishes to set local criteria different from the standard scheme, they may do so through an interim policy statement.
- 2.22 For other areas of change, particularly in relation to Climate Change we could consider whether there is sufficient clarity in the NPPF and NPPG to assist decision making; or whether some other means is required. One possibility would be the preparation of a supplementary planning document or documents (albeit recognising that they cannot introduce new planning policy). In recognition of the Council’s Climate Emergency Declaration and the associated Zero 40 and Zero 45 targets, it is proposed that a Supplementary Planning Document is approved for consultation setting out further detail regarding sustainable construction and climate change adaptation issues. This draft SPD is the subject of a separate cabinet report and would be prepared and adopted in line with current regulations. Further explanation for this approach is set out in the Sustainability Implications section of this report.

Conclusions

- 2.23 The review of the Local Plan through the toolkit concludes that the Local Plan remains fit for purpose and is adequately delivering its objectives and these findings have been endorsed by POS, who were appointed as critical friend. It is therefore proposed that formally we publish this decision. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. A further review will take place in 2027 or earlier if circumstances, including fundamental changes to the Local Plan system, require it.
- 2.24 Those issues that can be dealt with under existing Local Plan policies, for example those relating to sustainable construction and climate change, will be the subject of a Supplementary Planning Document prepared under the current SPD regulations.
- 2.25 In respect of Local Nature Recovery Strategies and Biodiversity Net Gain, these requirements are made clear in the Environment Act. We may wish to consider a planning advisory note to clarify those requirements.

3 IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

- 3.1.1 Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).
- 3.1.2 There are no direct financial implications arising from this report. There are future implications arising from preparing a full Local Plan update in respect of a budget required for evidence base, consultation and examination.

3.2 Legal

- 3.2.1 Consultation has been carried out with legal regarding this review. They advise that the approach recommended is within the legitimate legal powers of the Council and takes proper account of the material factors affecting the decision.

3.3 Equality

- 3.3.1 A full Equality Impact Assessment was completed to support publication and submission of the Local Plan. This summarised the equality impact as “*All policies and proposals apply to all sectors of the community equally. The policies make provision for a range of housing types to meet differing needs for example affordable housing etc. The Design policy D1 seeks to ensure development is designed to be accessible to all.*” Consultation was carried out in accordance with the Statement of Community Involvement which acknowledges that some support or reasonable adjustments may have been necessary for some groups such as preparing information in accessible formats or meeting people face to face in small groups. We liaised with the Equality Forums at each consultation stage of Local Plan preparation.

3.4 Sustainability

3.4.1 To be found sound by the independent Planning Inspector appointed by the Secretary of State to examine the Local Plan, it had to be deemed to contribute to the achievement of sustainable development. The version of the National Planning Policy Framework (NPPF) against which the plan was examined identified three dimensions of sustainable development, these being:

- *an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
- *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*
- *an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy*

3.4.2 Paragraphs 8 and 9 then went onto state:

8. These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.

9. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life, including (but not limited to):

- *making it easier for jobs to be created in cities, towns and villages;*
- *moving from a net loss of bio-diversity to achieving net gains for nature;*
- *replacing poor design with better design;*
- *improving the conditions in which people live, work, travel and take leisure; and*
- *widening the choice of high quality homes.*

3.4.3 The objectives in the Local Plan, as set out below, were therefore closely aligned with those in the NPPF:

- Provide opportunities for the creation of new jobs and protection of existing jobs
- Improve the conditions in which people live, work, travel and take leisure
- Widen the choice of high quality homes
- Improve the design of development
- Protect and enhance Barnsley's natural assets and achieve net gains in biodiversity

3.4.4 Although the NPPF has been updated since the plan was adopted and these sustainability “roles” are now referred to as “objectives”, they remain substantially similar (as does related text).

3.4.5 As well as considering the over-riding question of whether the Local Plan contributed towards the “achievement of sustainable development”, the Inspector also had to consider the tests of soundness, which were set out in paragraph 182 of the NPPF:

182. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

- *Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*
- *Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- *Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and*
- *Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework*

3.4.6 In respect of whether or not the plan was justified when considered against reasonable alternatives, to establish this, Sustainability appraisals were carried out at all stages of the Local Plan process. In considering the sustainability of the Local Plan the Inspector noted the following in her report: *“Throughout the documents, a consistent framework of eighteen objectives which were developed following scoping and consultation have been used to assess the plan. They are appropriate to its circumstances and to the national and local context. SA of the plan’s policies and allocations has been undertaken at the same level of detail as that of the reasonable alternatives and the reasons for selecting particular*

policy approaches and site allocations and rejecting others are clear. Specific representations on the SA work conducted during the examination are dealt with in the relevant sections of this report. Overall, I conclude that the SA work undertaken in connection with the plan is adequate.”

- 3.4.7 The whole Local Plan process, including the tests of soundness and associated substantial scrutiny by an independent planning inspector, is therefore geared towards ensuring a plan is sustainable (economically, socially and environmentally). By definition, it is therefore unlikely there would be any adverse sustainability implications arising from the recommendation in the report.
- 3.4.8 Before reaching any such conclusion, it is important to highlight some legislative changes since the plan was adopted and to remind members that since the Local Plan was adopted the Council has declared a climate emergency and adopted its Zero 40 and Zero 45 targets.
- 3.4.9 In relation to legislation, the Environment Act has introduced mandatory 10% biodiversity net gain (BNG). However, this can be taken into account in decision making without having to resort to updating the wording of specific policies in the Local Plan. Indeed, prior to the Environment Act coming into force, we had required 10% BNG in most of the Masterplan Frameworks.
- 3.4.10 In relation to climate change, there has been progress nationally in respect of Climate Change adaptation and sustainable construction whereby recent changes to Building Regulations have been mandated to secure higher standards for both commercial and residential buildings. These include updated regulations for ventilation and conservation of fuel and power meaning that since June 2022 all new homes are required to produce 30% less carbon dioxide emissions than previous standards and there are also new standards to reduce energy use and carbon emissions during home improvements. New regulations have also been introduced relating to overheating of buildings as well as provision of electric charging points.
- 3.4.11 The Department for Levelling Up, Housing and Communities (DHLUC) believes the new regulations will help the UK to meet its net zero target, and marks a stepping stone towards the introduction of the Future Homes Standard in 2025, which will ban use of fossil fuels in new homes for heating and cooking. Given the future homes standard is only 3 years away and having regard to the timelines that would likely be involved in updating or partially updating the Local Plan, there would be little to be gained in seeking to change the existing policies relating to climate change adaptation and sustainable construction. Instead, more meaningful progress can be made in relation to whole life or embodied carbon (i.e. the emissions involved in the manufacturing, transport, construction, refurbishment and demolition of buildings). A separate report is therefore being presented to Cabinet seeking authority to consult on a draft supplementary planning document relating to Sustainable Construction and Climate Change Adaptation which will provide developers with up to date guidance, that can be treated as a material planning consideration when determining planning applications.

3.4.12 Having regard to all of the above, it is deemed that retaining the plan in its current form, alongside the introduction of a new Supplementary Planning Document covering Sustainable Construction and Climate Change Adaptation, will ensure there are no adverse sustainability implications. It also means the Council remains consistent with position nationally whereby the mandatory 10% biodiversity net gain can be applied to decision making and developers will be required to work to the updated standards set out in the building regulations.



3.5 Employee

3.5.1 There are no employee implications arising from this report.

3.6 Communications

3.6.1 The decision and supporting PAS toolkit will be publicised and made available on the Local Plan webpage.

4. CONSULTATION

4.1 The Local Plan was subject to extensive consultation throughout its preparation and during the examination in public. This led to over 3,000 individuals/groups submitting representations as well as public participation during the 4 hearing stages, which resulted in the plan being modified as necessary by the Council. This included formal public consultation exercises in 2014, 2015, 2016, 2017 and 2018. Similar, extensive exercises were undertaken in 2019, 2020, and 2021 in relation to the seven Masterplan Frameworks. The Supplementary Planning Documents and Neighbourhood Plans that have since been adopted were also consulted upon. Planning applications are also subject to statutory consultation requirements meaning the interested parties have and will continue to have the opportunity to comment on all stages of the planning process.

4.2 In contrast, Local Plan Regulations do not require consultation to be undertaken as part of the review process – it would only be necessary if the plan was proposed to be updated. As we have concluded that the plan and its policies remain fit for purpose and given the advice from our critical friend, the plan is not proposed to be updated and there will be no such public consultation but we will nonetheless publicise our decision and update relevant webpages.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 The two alternatives to the recommendation were to either

- Partially review the plan, focusing on specific policies that were deemed to be out of date or
- To embark on writing a brand new plan.

5.2 In relation to a brand new plan, given that the Local Plan covers the period up to 2033, that nothing has fundamentally changed nationally or locally since the plan was adopted and that the plan was subject to such extensive scrutiny in order to be found sound by the independent Planning Inspector (including consideration of reasonable alternatives), the existing plan undoubtedly remains fit for purpose in terms of its aims and objectives, the spatial strategy, the suite of policies and the site allocations. The critical friend has also understandably advised against the pursuit of a new plan until national changes to the planning system come into force and bed in. Accordingly, this was deemed to be the least justifiable and favourable of the two alternative options considered.

5.3 The NPPG at paragraph 069 of the section on plan-making says “*A local planning authority can review specific policies on an individual basis*”. This is commonly referred to as ‘partial review’. This has also been dismissed principally because the existing plan remains fit for purpose but the critical friend also advises caution with a partial review and considers that an update of specific policies would pose significant risks associated with partial review of any policy which is fundamental to the strategy of a plan. That is because changes to such a policy could be expected to have knock-on effects on other aspects of the plan. In other words, it could prove difficult to retain the narrow focus of the plan review, without finding that wider changes were necessary which could make the review process more akin to a full plan update. Partial reviews are therefore most suitable for self-contained policies (or current policy gaps) which can safely be addressed in isolation from other aspects of the plan.

5.4 The preparation of a partial review must follow the same processes and stages as the preparation of a new plan or a full plan update. Whilst the way matters are dealt with can be proportionate to the nature of the changes proposed, the amount of work, cost and resources involved in a partial review should not be under-estimated. The critical friend has received comment from one authority that carried out a partial review, that the benefit gained was nowhere near worth the time and cost involved.

5.5 The focus of the Planning Service therefore remains on achieving the aims and objectives within the existing Local Plan by using the existing policies and guidance to determine planning applications in line with the spatial strategy for the borough. The uncertainty created by a proposed partial review would make this more difficult to do and could lead to confusion for applicants and interested parties alike. Accordingly, the option of a partial review has also been discounted.

6. REASONS FOR RECOMMENDATIONS

6.1 The reasons for recommendation to not update the Local Plan are in part covered within the earlier text, particularly within the introduction, the section explaining the proposal, the sustainability implications of the decision and in the consideration of alternative options. These are in turn derived from the monitoring data which informed the toolkit and the advice from the critical friend. In addition to these, it is worth signposting members to other extracts from the Inspector’s report that are particularly relevant to the recommendation within the report:

<i>Para</i>	<i>Text</i>
36	The demand for industrial floorspace particularly logistics and warehousing in South Yorkshire is more buoyant. Barnsley’s strategic location on the M1, the availability of a local labour supply in the Borough and the Council’s education and skills strategy represent realistic opportunities to secure a greater proportion of jobs in that sector.
43	The plan’s strategy for employment and the economy including the employment land requirement is soundly based.
56	I have had regard to arguments that the Objectively Assessed Housing Need should be higher and lower than 21,546 but I consider that the figure is based on robust evidence and a reasonable set of assumptions in accordance with the Planning Practice Guidance and is justified having regard to the circumstances of the Borough.
72	The plan’s strategy for housing including the OAHN, housing requirement and delivering an appropriate choice and mix of homes is based on a robust and objective assessment of needs and is soundly based.
75	The identification of Urban Barnsley as a single category within the settlement hierarchy is a logical and coherent approach. Whilst it encompasses different settlements and communities with distinct identities, it constitutes the main built up area around the town centre with opportunities to accommodate development in sustainable locations
76	The Principal Towns include separate settlements with their own identity and characteristics. However, in recognition of the links between them and to support existing services and facilities, their inclusion within the Principal Towns is appropriate and justified. Hence the inclusion of Hoyland Common within Hoyland Principal Town is soundly based as is the inclusion of

	Darfield within Wombwell and there is no justification for them to be listed as separate locations within the settlement hierarchy
85	The Sustainability Appraisal (SA) of the submitted plan tested reasonable alternatives for the spatial strategy against the SA objectives, including options for dispersing new development more widely across the Borough and a new settlement. The settlement pattern within the Borough, the location of rail and road networks, public transport and environmental constraints all limit the number of reasonable alternative strategies.
90	The plan's vision and objectives are justified and appropriate to the circumstances of the plan area and the spatial strategy, settlement hierarchy and distribution of development are soundly based.
91	Currently, approximately 77% of the Borough is within the South Yorkshire Green Belt. Its functions include maintaining the separation between settlements within Urban Barnsley and between the town and surrounding Principal Towns, protecting the Borough's wider countryside and focusing development within more sustainable locations. However, the current boundary is tightly drawn around the existing settlements which are identified as a priority for development in Policy LG2. Together with the overall extent of the Green Belt within the Borough, this means that the supply and suitability of land to meet longer term development needs outside the Green Belt is restricted.
94	One of the Green Belt purposes set out in the NPPF is to assist urban regeneration by encouraging the recycling of derelict and urban land. The supply of previously developed land has diminished as former colliery and associated sites have been progressively restored and redeveloped... The evidence demonstrates that the plan has sought to maximise the use of previously developed land.
96	Drawing matters together, there is a compelling case in principle to release land from the Green Belt to meet the objectively assessed need for development.
101	The Green Belt Review is fit for purpose and provides an appropriate basis for sites to be identified for removal for more detailed consideration through the employment and housing site selection methodologies
111	The NPPF indicates that where necessary (my emphasis) areas of safeguarded land between the urban area and the Green Belt can be identified to meet longer term development needs stretching well beyond the plan period. It also indicates that safeguarded land is not allocated for development and that planning permission for permanent development should only be granted following a LP review.
112	Having regard to the extent of the Green Belt and the boundaries around Urban Barnsley and the Principal Towns which are the more sustainable locations for development, the identification of safeguarded land is appropriate to the circumstances of the plan area and necessary in the terms of the NPPF. The identification of safeguarded land will help to ensure

	that Green Belt boundaries will remain permanent and will not need to be altered in the long term.
118	I conclude that there is a compelling case in principle for the release of land from the Green Belt to meet the objectively assessed need for employment and housing and for additional safeguarded land.
119	The employment and housing site selection methodologies are based on comprehensive, logical and robust criteria that are consistent with the Sustainability Appraisal (SA) objectives.
120	The process has been informed by relevant technical evidence, SA and the need to locate development in sustainable locations in accordance with the spatial strategy in Policy LG2... I am satisfied that the reasons for selecting allocated sites and rejecting others are clear and the conclusions reached are reasonable ones.
252	Consistent with the NPPF, Policy TC1 directs new retail and town centre development to the town centre and the six District Centres serving the Principal Towns. Smaller Local Centres will be the focus for shops and services serving more localised catchments. This is a soundly based and sustainable approach, focusing retail and other town centre development to support the vitality and viability of existing locations that are served by public transport and with the potential for the redevelopment of previously developed land.
264	The plan's retail and other policies for Barnsley town centre and the District and Local Centres represent a positively prepared strategy which will contribute to their vitality and viability
279	I conclude that the plan provides a soundly based approach to safeguard and enhance landscape character, the natural and built environment and to reduce the causes of climate change.
280	Ongoing dialogue between the Council and key infrastructure providers in plan preparation is evidenced in the Infrastructure Delivery Plan which provides an up to date and comprehensive assessment of existing and future capacity across the key infrastructure items and services needed to support the plan's proposals. The delivery programme makes clear the requirements including in relation to transport, education, utilities, telecommunications, flood risk and drainage, climate change and renewables, green infrastructure, leisure, sports and community facilities and health services.
292	The plan is based on a robust assessment of the necessary infrastructure requirements and there is a realistic prospect that they can be delivered over the plan period and that policy requirements can be supported.
293	The plan includes a monitoring framework that will provide an effective means of monitoring plan implementation and policy outcomes and will be reported through the Annual Monitoring Report.

294	The plan does not contain any commitment to an early review. Having regard to the requirement in the PPG that plans should be reviewed every five years, I do not consider that a specific policy is necessary. The monitoring processes set out above will provide an effective mechanism to assess whether the plan is meeting its objectives and intended outcomes
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6.2 The above extracts collectively demonstrate the level of detail within the plan, which was based on substantial supporting evidence that was thoroughly tested. It also hints at the lengths the Council, working with our partners, went to in order to ensure the plan was deemed sound when it was examined by the Local Plan Inspector.

6.3 As well as setting out strategic policies relating to employment and housing growth, associated infrastructure requirements and objectives (e.g. transport priorities) and setting out the spatial strategy for the borough to inform the distribution of development, the plan includes a range of policies that are being applied to preserve the amenity of our residents and places whilst safeguarding the environment or, at the very least, ensuring adverse impacts are adequately mitigated or compensated. These include:

Policy Ref	Title	Summary
GD1	General Development	Catch all policy used to determine most planning applications – includes text seeking to avoid significant adverse effects on living standards, residential amenity, the environment and natural resources, requires waste and pollution to be minimised and mitigated and seeks to protect trees and provide adequate landscaping in new developments
E6	Rural Economy	Encourages a viable rural economy but includes criteria to control the scale of development and ensure proposals are related to the needs of the settlement whilst also protecting the best quality agricultural land.
E7	Loss of Local Services and Community Facilities in Villages	Seeks to protect local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses, places of worship, post offices and petrol stations;
H6	Housing Mix and Efficient Use of Land	Expects a broad mix of house size, type and tenure to reflect local needs and expects specified densities to be achieved.
H7	Affordable Housing	Sets requirements for affordable housing provision within residential developments
H9	Protection of Existing Larger Dwellings	Seeks to avoid the subdivision of larger dwellings, including development within their curtilage.
T2	Safeguarding of Former Railway Lines	Protects former routes so that they can either be reinstated in the future or be used for active travel and recreational purposes

T3	New Development & Sustainable Travel	Seeks to reduce the need to travel and ensure walking and cycling and public transport infrastructure are embedded within new developments whilst promoting behavioural change.
T4	New development and Transport Safety	Ensures new development is designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.
D1	High Quality Design and Place Making	Sets our overall design principles
LC1	Landscape Character	Seeks to retain and enhance the character and distinctiveness of individual Landscape Character areas.
HE1	The Historic Environment	Encourages developments which will help in the management, conservation, understanding and enjoyment of Barnsley's historic environment
HE2	Heritage Statements and general application procedures	Sets out information requirements associated with applications affecting our historic environment
HE3	Developments affecting Historic Buildings	Sets criteria to be considered when assessing proposed additions or alternations to listed or locally listed buildings
HE6	Archaeology	Where relevant, it requires developers to find out whether there are any remains on site and to show the character and extent of those remains as well as identifying potential options for reducing or avoiding damage to the remains.
TC1	Town Centres	Expects retail and town centre developments to be appropriate to the scale, role, function and character of the centres in which they are proposed and requires sequential tests and retail impact assessments to be undertaken where circumstances require them.
GI1	Green Infrastructure	Seeks to protect, maintain, enhance and create an integrated network of connected and multi functional Green Infrastructure assets and identifies five strategic green infrastructure corridors within the borough (Dearne, Dove and Don River Valleys, Dearne Valley Green Heart area and a historic landscaping corridor running from the sculpture park down through Canon Hall and Wentworth Castle).
GI2	Canals – Safeguarded Routes	Where the routes of the canals exist and have a recognised green infrastructure function, they are shown on the Policies map and safeguarded from other forms of development. The land adjacent to the safeguarded parts of the routes including the towpaths are also protected by this policy.

GS1	Green Space	Provides protection for existing, allocated green spaces and requires new green spaces or enhancements to existing ones in certain circumstances (e.g. major residential developments).
GS2	Green Ways and Public Rights of Way	Protects them from development that may affect their character and function and seeks new links or routes in certain circumstances.
BIO1	Biodiversity & Geodiversity	Seeks to conserve and enhance biodiversity and geological features of the borough.
GB1	Protection of the Green Belt	Protects the Green Belt from inappropriate development as per national planning policy.
GB2	Replacement, extension and alteration of existing buildings in the Green Belt	Sets expected standards for such proposals in the Green Belt
GB3	Changes of Use in the Green Belt	Sets expected standards for such proposals in the Green Belt
CC1	Climate Change	Seeks to reduce the causes of and adapt to the future impacts of climate change
CC2	Sustainable Design & Construction	Expects developers to minimise resource and energy consumption through the inclusion of sustainable design and construction features
CC3	Flood Risk	Requires the extent and impact of flooding to be reduced by avoiding development taking place in areas at risk of flooding and expects run off from new developments to be attenuated and reduced .
CC4	Sustainable Drainage Systems	Requires such systems to be used to manage surface water drainage on all major developments and for their use to be promoted in minor developments.
CC5	Water Resource Management	Aims to conserve and enhance the Boroughs water resources, including water quality and ecological value.
RE1	Low Carbon & Renewable Energy	Sets standards to be considered when assessing proposals for renewable energy generation and expects new developments to incorporate such energy sources
MIN4	Mineral Extraction	Prevents such proposals from having unacceptable adverse impacts on the natural and historic environment or on human health.
CL1	Contaminated & Unstable Land	Requires necessary information to establish risks and requires such any risks to be addressed through a remediation strategy.
Poll1	Pollution Control & Protection	Protects people and the natural and built environment from unacceptable levels of pollution and nuisance.
AQ1	Development in Air Quality Management	Seeks to prevent residential development in air quality management areas or, at the very least,

	Areas	requires effective mitigation.
UT2	Utilities Safeguarding	Protects existing utilities from development that will detrimentally affect them.
I1	Infrastructure & Planning Obligations	Requires necessary physical, social, economic and communications infrastructure to be provided or for developer contributions to be made as necessary.
I2	Education & Community Facilities	Supports provision of schools, education facilities and other community facilities and protects existing ones unless they are no longer required.

- 6.4 In addition to these policies, the plan includes a suite of town centre specific policies reflecting the different areas within the centre and corporate policies around the day time and evening economies.
- 6.5 Each of policy in the plan is written in such a way that it should be capable of enduring for the life of the Local Plan and particularly the ones in the table above. This is made easier because planning principles, such as the need to protect humans and the environment from unacceptable impacts, tend not to change. A number of the policies are also used as hooks for Supplementary Planning Documents (SPDs), which tend to be more prescriptive and are more likely to require updates. This is deliberately so because updates to SPDs are far less onerous to undertake and hence two of them have already been updated (Affordable Housing & Sustainable Travel) since they were originally adopted in 2019.
- 6.6 Having regard to the monitoring data, the toolkit and the advice of the critical friend, the case for not updating the Local Plan, rather than to embark on a partial update or to begin work on a brand new plan, is a compelling one. Such a decision will enable the Planning & Building Control Service to focus its attention and resources on dealing with the whole range of planning and related applications. This includes the major applications anticipated on the large local plan allocations, particularly those which benefit from adopted Masterplan Frameworks. At the same time, the Policy team will continue to closely monitor the plan and the progress made by Government in relation to planning reforms in order to determine the timing for the next review of the plan, which will have to be undertaken before the end of 2027.

7. LIST OF APPENDICES

Appendix 1 Planning Advisory Service Toolkit

Appendix 2 Critical Friend note by Planning Officers Society

8. BACKGROUND PAPERS

Levelling Up and Regeneration Bill

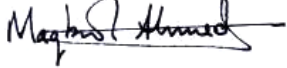
<https://publications.parliament.uk/pa/bills/cbill/58-03/0006/220006.pdf>

Barnsley's Local Plan

<https://www.barnsley.gov.uk/services/planning-and-buildings/local-planning-and-development/our-local-plan/barnsleys-local-plan/>

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

9. REPORT SIGN OFF

Financial consultation & sign off	Senior Financial Services officer consulted and date  12/10/2022
Legal consultation & sign off	Bob Power Locum planning solicitor 12/10/22

Report Author: Paula Tweed
Post: Planning Policy Group Leader
Date: 17th October 2022

PAS LOCAL PLAN ROUTE MAPPER TOOLKIT PART 1: LOCAL PLAN REVIEW ASSESSMENT

Why you should use this part of the toolkit

The following matrix will assist you in undertaking a review of policies within your plan to assess whether they need updating.

The matrix is intended to supplement the [National Planning Policy Framework](#) (NPPF) (paragraph 33 in particular) and the associated [National Planning Practice Guidance](#) on the review of policies within the plan. Completing the matrix will help you understand which policies may be out of date for the purposes of decision making or where circumstances may have changed and whether or not the policy / policies in the plan continue to be effective in addressing the specific local issues that are identified the plan. This in turn will then help you to focus on whether and to what extent, an update of your policies is required. We would recommend that you undertake this assessment even if your adopted local plan already contains a trigger for review which has already resulted in you knowing that it needs to be updated. This is because there may be other policies within the plan which should be, or would benefit from, being updated.

This part of the toolkit deals only with local plan review. Part 2 of the toolkit sets out the content requirements for a local plan as set out in the NPPF. Part 3 of the toolkit outlines the process requirements for plan preparation set out in legislation and the NPPF. Soundness and Plan Quality issues are dealt with in Part 4 of the toolkit.

How to use this part of the toolkit

Before using this assessment tool it is important that you first consider your existing plan against the key requirements for the content of local plans which are included in the [Planning and Compulsory Purchase Act 2004 \(as amended\)](#); [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#) and the most up to date [NPPF](#), [PPG](#), Written Ministerial Statements and the [National Model Design Code](#). To help you with this **Part 2 of the toolkit** provides a checklist which sets out the principal requirements for the content and form of local plans against the relevant paragraphs of the [NPPF](#). Completing **Part 2 of the toolkit** will help you determine the extent to which your current plan does or does not accord with relevant key requirements in national policy. This will assist you in completing question 1 in the assessment matrix provided below, and in deciding whether or not you need to update policies in your plan, and to what extent.

To use the matrix, consider each of the statements listed in the “requirements to consider” column against the content of your current plan. You will need to take into consideration policies in all development plan documents that make up your development plan, including any ‘made’ neighbourhood plans and/ or any adopted or emerging Strategic Development Strategy. For each statement decide whether you:

- Disagree (on the basis that your plan does not meet the requirement at all);

- Agree (on the basis that you are confident that your current plan will meet the requirement)

Some prompts are included to help you think through the issues and support your assessment. You may wish to add to these reflecting on your own context.

Complete all sections of the matrix as objectively and fully as possible. Provide justification for your conclusions with reference to relevant sources of evidence where appropriate. You will need an up to date Authority Monitoring Report, your latest Housing Delivery Test results, 5 year housing land supply position, any local design guides or codes and the latest standard methodology housing needs information. You may also need to rely on or update other sources of evidence but take a proportionate approach to this. It should be noted that any decision not to update any policies in your local plan will need to be clearly evidenced and justified.

How to use the results of this part of the toolkit

The completed assessment can also be used as the basis for, or as evidence to support, any formal decision of the council in accordance with its constitution or in the case of, for example, Joint Planning Committees, the relevant Terms of Reference in relation to the approach to formal decision-making, as to why an update to the local plan is or is not being pursued. This accords with national guidance and supports the principle of openness and transparency of decision making by public bodies.

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A	PLAN REVIEW FACTORS		
A1.	<p>The plan policies still reflect current national planning policy requirements.</p> <p>PROMPT: As set out above in the introductory text, in providing your answer to this statement consider if the policies in your plan still meet the ‘content’ requirements of the current NPPF, PPG, Written Ministerial Statements and the National Model Design Code (completing Part 2 of the toolkit will help you determine the extent to which the policies in your plan accord with relevant key requirements in national policy).</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence): The overall aims/ objectives of the Local Plan remain relevant.</p> <p>There are some discrete areas of the plan where national guidance has been updated and policies could be added/amended to reflect that:</p> <p>Climate change –In light of SEAP, Zero 45/ climate emergency. Policy support could be more explicit for:</p> <ul style="list-style-type: none"> • Retrofit • Minewater • Upgrading infrastructure such as electricity substations • Update renewables policy • Environment Act • Biodiversity Net gain / Local Nature Recovery Strategy <p>Housing –standard methodology, affordable housing to reflect First Homes, need to deal with custom/ self build, older peoples housing</p> <p>Design – Design codes, National Design Policy Reference</p> <p>Health and wellbeing – consider need for a policy</p> <p>Technical issues that have arisen/ learning from application of policies – consider further general development policy for example</p> <p>However, none of the above, either on their own or cumulatively, lead us to believe the local plan should be updated or replaced.</p> <p>In relation to climate change, the policies in the plan are aligned with the NPPF and provide policy support as appropriate. They are deliberately not too prescriptive and technologies change. It is therefore possible to instead prepare a Supplementary Planning Document to provide up to date guidance reflective of the Government’s direction of travel with the Future Homes and Future Buildings Standards. This same principle applies to design, where the policy does not preclude the preparation of design codes. Indeed some of the sites with adopted Masterplan Frameworks already have site specific design codes. Health and wellbeing is also embedded within a range of Local Plan policies and so it is not essential for a specific health and wellbeing policy to be</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>included as this would likely duplicate what is already included in these existing policies.</p> <p>The local nature recovery strategy will be prepared under separate legislation, and will not be part of the development plan, though appropriate connections may be desirable. As for biodiversity net gain, whilst the regime makes changes to how planning applications will be dealt with, including the requirement for the applicant to submit a “biodiversity gain plan”, the mechanisms will be mandatory and set by the Environment Act and Regulations. A draft of the latter was the subject of consultation from January to April this year. It is not easy to see what more a local plan can say as policy, given that the biodiversity net gain regime is set out in some detail, and is mandatory.</p> <p>In relation to First Homes, the policy context is set out quite fully in the new section of the NPPG added in December 2021. Moreover, the guidance says that where an LPA wishes to set local criteria different from the standard scheme, they may do so through an interim policy statement. We will consider whether there is sufficient clarity in the NPPF and NPPG to assist decision making, and/ or will consider other means to provide clarity and guidance.</p> <p>The Levelling UP and Regeneration Bill proposes a new type of DPDs known as supplementary plans. As the Bill is currently drafted, these would only be able to address sites or groups of nearby sites, which would appear to rule out their use for updating policy. Moreover, even if their scope should widen as the Bill progresses, it could be two years or more from now before we know whether they would be available as an instrument for policy update.</p>
A2.	<p>There has not been a <u>significant</u> change in local housing need numbers from that specified in your plan (accepting there will be some degree of flux).</p> <p>PROMPT: Look at whether your local housing need figure, using the standard methodology as a starting point, has gone up significantly (with the measure of significance based on a comparison with the housing requirement set out in your adopted local plan).</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>The standard methodology was introduced after Local Plan review. This gives us a lower housing delivery test target over a rolling 3 year period compared with the Local Plan annualised requirement over an equivalent period. Evidence shows recent delivery lower than current Local Plan target but in excess of the housing delivery test. The National Planning Practice Guidance says (in effect) at paragraph 065 of the plan-making section that a reason a</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
	<p>Consider whether your local housing need figure has gone down significantly (with the measure of significance based on a comparison with the housing requirement set out in your adopted local plan). You will need to consider if there is robust evidence to demonstrate that your current housing requirement is deliverable in terms of market capacity or if it supports, for example, growth strategies such as Housing Deals, new strategic infrastructure investment or formal agreements to meet unmet need from neighbouring authority areas.</p>		<p>plan update may be required would be where there has been a change in the local housing need.</p> <p>The Local Plan housing requirement was based on the Council’s own Objective assessment of housing need (OAHN). Through the Local Plan examination process, the OAHN of 1134 dwellings per annum (dpa) was agreed upon with the Inspector, who noted that the indicative base figure for housing need, as defined in the Government’s standard method, was 898 dpa. The 1134 dpa figure was deemed necessary to align with our economic growth aspirations, which seek to significantly increase the number of jobs in the borough during the plan period.</p> <p>It is by no means unusual for the standard method used to calculate the housing delivery test target to produce a lower figure than the local plan housing requirement. This is reflective of National Planning Practice Guidance which says that the figure arrived at using the standard method is a minimum starting point, and it remains necessary to consider whether actual housing need is higher than the standard method indicates, e.g. to align with an employment growth strategy.</p> <p>The Council remains committed to enhancing the local economy through promoting growth in the amount and quality of employment. A full update of the local plan will therefore need to review employment growth and land targets and consider whether the housing need figure given by the standard method at that time (which may be revised from the present formula) is in balance with the employment proposals or should be subject to an uplift. A challenge with updating the plan now and in particular the objectively assessed housing need would be the lack of certainty regarding the 2021 census data. At present there appears to be contradictions between Census data and our monitoring data. Ordinarily, Census data is deemed the more reliable source but 2021 was an exceptional year given that the Census was carried out during the second national lockdown. Examples of this include the number of dwellings/households in the census 2021 being recorded at 109, 822, which was lower than our monitoring data from 2020 (109, 234 dwellings), despite monitoring data recording approximately 600 net additional dwellings during 2020/21. A further example is the overall population data with Nomis recording the figure at 248,100 in 2020 whereas</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement						
			<p>the Census has it at 244,600 in 2021. It is of course possible that the population did decline in that year, for example if migrant workers returned home and as a result of excess deaths. However, it was not possible for the total number of dwellings within the borough to have declined between 2020 and 2021. In turn, this casts doubt on the robustness of the Census population data.</p> <p>Without undertaking a considerable amount of work on employment and housing policy, including examination, we cannot say at this time whether the housing need figure which would emerge will be higher or lower than the current OAHN in the local plan. What can be said is that because the minimum starting point given by the standard method is well below the OAHN figure, there is no prime facie case that local housing need is higher.</p>						
A3.	<p>You have a 5-year supply of housing land</p> <p>PROMPT: Review your 5-year housing land supply in accordance with national guidance including planning practice guidance and the Housing Delivery Test measurement rule book</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>Latest 5 year supply note indicates a 5.6 year land supply</p> <p>https://www.barnsley.gov.uk/services/planning-and-buildings/local-planning-and-development/our-local-plan/local-plan-research-and-evidence-documents/</p>						
A4.	<p>You are meeting housing delivery targets</p> <p>PROMPT: Use the results of your most recent Housing Delivery Test, and if possible, try and forecast the outcome of future Housing Delivery Test findings. Consider whether these have/are likely to trigger the requirement for the development of an action plan or trigger the presumption in favour of sustainable development. Consider the reasons for this and whether you need to review the site allocations that your plan is reliant upon. In doing so you need to make a judgement as to whether updating your local plan will support delivery or whether there are other actions needed which are not dependent on changes to the local plan.</p>	Agree	<p>Housing Delivery Test information</p> <p>Yes we are exceeding Housing Delivery Test targets. The extract below shows information from the published Housing Delivery Test Measurement, which can be found here: https://www.gov.uk/government/collections/housing-delivery-test</p> <p style="text-align: center;">Table 2 – Barnsley Housing Delivery Test (HDT) Figures</p> <table border="1" data-bbox="1245 1246 2119 1449"> <thead> <tr> <th data-bbox="1245 1246 1373 1449">Year</th> <th data-bbox="1373 1246 1756 1449">Homes required</th> <th data-bbox="1756 1246 2119 1449">Homes delivered</th> </tr> </thead> <tbody> <tr> <td style="background-color: #d9ead3;"></td> <td style="background-color: #d9ead3;"></td> <td style="background-color: #d9ead3;"></td> </tr> </tbody> </table>	Year	Homes required	Homes delivered			
Year	Homes required	Homes delivered							

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement		
			2018	2,480	2,565
			2019	2,600	2,847
			2020*	2,609	3,052
			2021*	2,322	2,633
			*For the HDT measurement, the Government made a one month adjustment to the 2019-20 housing requirement, and a four month adjustment to the 2020-21 requirement, in response to the disruption caused by the COVID-19 pandemic.		
A5.	<p>Your plan policies are on track to deliver other plan objectives including any (i) affordable housing targets including requirements for First Homes; and (ii) commercial floorspace/jobs targets over the remaining plan period.</p> <p>PROMPT: Use (or update) your Authority Monitoring Report to assess delivery.</p>	Agree	<p>The latest annual monitoring report can be accessed here: https://www.barnsley.gov.uk/media/21109/barnsley-local-plan-authority-monitoring-report-2020-21.pdf</p> <p>The annual monitoring report demonstrates that job creation and housing delivery was on trajectory prior to the pandemic. Inevitably, net housing completions and total jobs within the borough did decline in 2020/21 and 2021/22 but significant job creation is occurring as a result of employment site allocations at Hoyland coming forward with other sites anticipated to follow.</p> <p>Whilst there is a backlog of housing delivery since the start of the plan period (when measured against the annualised average of 1,134 net completions per annum), there is a robust and deliverable supply of housing (7,637 deliverable dwellings) which demonstrably exceed what is needed to meet housing delivery test targets (4,500 dwellings assuming 900 dwellings per year) and the annualised average requirement set out in the plan (5,670 based on 1,134 net additional dwellings per year). There is also a lack of evidence to suggest this backlog is creating an issue in respect of overcrowding and other likely symptoms of under supply. For example, new building and median house prices in Barnsley remains relatively more affordable than elsewhere. Importantly, population growth is not outstripping the forecast that was used to underpin the objectively assessed need figure. It remains to be seen if delivery will increase sufficiently to fully make up the accumulated backlog by the end of the plan period (as set out in the 5-year supply note) but with 11 years still to go, this is not inconceivable. It is therefore premature to conclude that backlog in housing delivery against the Local Plan requirement should trigger a partial update or necessitate the production of a new plan.</p>		

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>In terms of jobs growth, Nomis data showed that up until the pandemic, the job density of the borough had increased from 0.59 to 0.64 as a result of total jobs within the borough increasing above and beyond the assumptions in the employment background paper produced during the Local Plan Examination. Total jobs fell during the pandemic resulting in a fall in the job density but with substantial jobs growth anticipated on allocated employment site and in the town centre, all things being equal, total jobs should again begin to increase as per local plan objectives.</p>
<p>A6.</p>	<p>There have been no significant changes in economic conditions which could challenge the delivery of the Plan, including the policy requirements within it.</p> <p>PROMPT: A key employer has shut down or relocated out of the area.</p> <p>Unforeseen events (for example the Covid-19 Pandemic) are impacting upon the delivery of the plan.</p> <p>Up-to-date evidence suggests that jobs growth is likely to be significantly more or less than is currently being planned for.</p> <p>Consider if there is any evidence suggesting that large employment allocations will no longer be required or are no longer likely to be delivered.</p> <p>You will need to consider whether such events impact on assumptions in your adopted local plan which have led to a higher housing requirement than your local housing need assessment indicates.</p> <p>Consider what the consequences could be for your local plan objectives such as the balance of in and out commuting and the resultant impact on proposed transport infrastructure provision (both capacity and viability), air quality or climate change considerations.</p>	<p>Agree</p>	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>The pandemic has impacted on the total number of jobs within the borough but, in relative terms, Barnsley has fared reasonably well. This can be evidenced by data relating to town centre footfall and expenditure in particular. In part, this is because it is less reliant on sectors that were most impacted by the pandemic (e.g. hospitality). As a net exporter of labour, Barnsley also stands to gain from shift to increased home working, albeit evidence is yet to emerge to substantiate the extent of this.</p> <p>Inevitably, there are uncertainties about future economic conditions. However, current evidence suggests that, all things being equal, job growth will not significantly depart from what is anticipated by the end of the plan period.</p> <p>Given that the local plan housing requirement includes an allowance for jobs growth of some 20% over the baseline demographic position, it is unlikely that economic conditions will produce a scenario whereby jobs growth demonstrably outstrips housing growth. Conversely, if economic conditions mean fewer jobs are created, it is likely that there would be a similar impact on housing completions thus avoiding a scenario where job density within the borough demonstrably decreased. As such, it is unlikely that local plan objectives will be significantly undermined by current economic uncertainty.</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A7.	<p>There have been no significant changes affecting viability of planned development.</p> <p>PROMPT: You may wish to look at the Building Cost Information Service (BCIS) All-in Tender Price Index, used for the indexation of Community Infrastructure Levy (CIL), or other relevant indices to get a sense of market changes.</p> <p>Consider evidence from recent planning decisions and appeal decisions to determine whether planning policy requirements, including affordable housing, are generally deliverable.</p> <p>Ongoing consultation and engagement with the development industry may highlight any significant challenges to delivery arising from changes in the economic climate.</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>Rising costs nationally may impact on viability of development but conversely, values have also increased in recent years. Where a developer seeks a concession in the level of affordable housing based on their assertion that it would not be viable to meet the full suite of policy requirements, the Council commissions an independent appraisal. Where this has occurred, the consultant generally finds that sites can meet the full suite of policy requirements. We are not therefore seeing evidence of any significant changes affecting the viability of planned development.</p>
A8.	<p>Key site allocations are delivering, or on course to deliver, in accordance the local plan policies meaning that the delivery of the spatial strategy is not at risk.</p> <p>PROMPT:</p> <p>Identify which sites are central to the delivery of your spatial strategy. Consider if there is evidence to suggest that lack of progress on these sites (individually or collectively) may prejudice the delivery of housing numbers, key infrastructure or other spatial priorities. Sites may be deemed to be key by virtue of their scale, location or type in addition to the role that may have in delivering any associated infrastructure.</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>Masterplan Framework sites – Frameworks have been adopted for each of the sites and planning applications are under consideration on part of the MU1, MU3 and MU5 sites. Large parts of the sites covered by the Hoyland North and Hoyland West Masterplans are under construction as are large site allocations MU6, HS43 and HS75.</p>
A9.	<p>There have been no significant changes to the local environmental or heritage context which have implications for the local plan approach or policies.</p> <p>PROMPT:</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>The Local Plan was deemed to be sustainable following a rigorous sustainable appraisal process and examination in public. Whilst there have been changes locally as a result of greenfield local plan allocations being developed and</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
	<p>You may wish to review the indicators or monitoring associated with your Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) / Habitats Regulations Assessment (HRA).</p> <p>Identify if there have been any changes in Flood Risk Zones, including as a result of assessing the effects of climate change.</p> <p>Consider whether there have been any changes in air quality which has resulted in the designation of an Air Quality Management Area(s) or which would could result in a likely significant effect on a European designated site which could impact on the ability to deliver housing or employment allocations.</p> <p>Consider whether there have been any changes to Zones of Influence / Impact Risk Zones for European sites and Sites of Special Scientific Interest or new issues in relation to, for example, water quality.</p> <p>Consider whether there have been any new environmental or heritage designations which could impact on the delivery of housing or employment / jobs requirements / targets.</p> <p>Consider any relevant concerns being raised by statutory consultees in your area in relation to the determination of individual planning applications or planning appeals which may impact upon your plan - either now or in the future.</p>		<p>associated infrastructure being installed, at a borough level, there have been no significant changes to the environmental context.</p> <p>Since the plan was adopted, the Dearne Valley Wetlands have been designated as a Site of Special Scientific Interest and there have been a number of new and updated listings and scheduled ancient monuments designated at and around Elsecar Heritage Centre. These are welcomed and reflect environmental objectives in the Local Plan. As the Council co-operated with both Natural England and Historic England throughout the Local Plan process, we made sure that nearby site allocations would not be impacted upon by these designations and vice versa. An example of this includes the removal of a proposed site allocation in the vicinity of Elsecar Heritage Centre prior to the plan being submitted for examination.</p> <p>No new air quality management areas have been designated since the plan was adopted and the borough is not affected by new designations relating to water quality. Nonetheless, in recognition of climate change, including the recent drought, a new Supplementary Planning Document is being prepared</p>
A10.	<p>No new sites have become available since the finalisation of the adopted local plan which require the spatial strategy to be re-evaluated.</p> <p>PROMPT:</p> <p>Consider if there have been any new sites that have become available, particularly those within public ownership which, if they were to come forward for development, could have an impact on the spatial strategy or could result in loss of employment and would have a significant effect on the quality of place if no new use were found for them.</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>The Spatial Strategy within the plan is steering development towards the more sustainable locations in and around Urban Barnsley and the Principal Towns. Planning permission has not been sought or granted on any windfall sites that would require the overall spatial strategy to be revisited.</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
	Consider whether any sites which have now become available within your area or neighbouring areas could contribute towards meeting any previously identified unmet needs.		
A11.	<p>Key planned infrastructure projects critical to plan delivery are on track and have not stalled / failed and there are no new major infrastructure programmes with implications for the growth / spatial strategy set out in the plan.</p> <p>PROMPT: You may wish to review your Infrastructure Delivery Plan / Infrastructure Funding Statement, along with any periodic updates, the Capital and Investment programmes of your authority or infrastructure delivery partners and any other tool used to monitor and prioritise the need and delivery of infrastructure to support development.</p> <p>Check if there have been any delays in the delivery of critical infrastructure as a result of other processes such as for the Compulsory Purchase of necessary land.</p> <p>Identify whether any funding announcements or decisions have been made which materially impact upon the delivery of key planned infrastructure, and if so, will this impact upon the delivery of the Local Plan.</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources): from the latest Annual Monitoring Report includes an updated infrastructure delivery programme and can be accessed via the following link:</p> <p>https://www.barnsley.gov.uk/media/21109/barnsley-local-plan-authority-monitoring-report-2020-21.pdf</p> <p>Since the Local Plan was adopted, key infrastructure that was identified in the Infrastructure Delivery Plan has been delivered, including:</p> <ul style="list-style-type: none"> • the recent gyratory scheme between the town centre and M1 J37 • the link road through the Hoyland West Development, which effectively acts as a bypass for Hoyland Common • increased capacity at key roundabouts on the road network including Cathill, Broomhill and Wath Road roundabouts to the east of the borough and Claycliffe and Low Barugh roundabouts to the north west <p>There are also a number of schemes for local infrastructure where applications have been approved or are under consideration, including:</p> <ul style="list-style-type: none"> • A new secondary school • Active travel infrastructure on routes identified in the Local Plan • Roundabouts to provide access to the MU1 site • Widening of the River Dearne Bridge on the A61.

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A12.	<p>All policies in the plan are achievable and effective including for the purpose of decision-making.</p> <p>PROMPT: Consider if these are strategic policies or those, such as Development Management policies, which do not necessarily go to the heart of delivering the Plan’s strategy.</p> <p>Identify if there has been a significant increase in appeals that have been allowed and /or appeals related to a specific policy area that suggest a policy or policies should be reviewed.</p> <p>Consider whether there has been feedback from Development Management colleagues, members of the planning committee, or applicants that policies cannot be effectively applied and / or understood.</p>	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>The council closely monitors its appeal record and reports on it at each Planning & Regulatory Board meeting. Typically, 75-80% of appeals are dismissed. This demonstrates that plan policies are effective but also that officers are not being too lenient (i.e. if 100% of appeals were dismissed, this may suggest the Council is only refusing applications that are significantly harmful).</p> <p>Since the plan was adopted, the Council has increased the resources devoted to planning enforcement. This has resulted in a demonstrable increase in formal enforcement action. Where appeals are lodged under ground A (i.e. that planning permission should be granted), the Council also has a robust record of such enforcement appeals being dismissed.</p> <p>It is therefore considered that the policies within the plan are achievable and effective for the purpose of decision making.</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A13.	<p>There are no recent or forthcoming changes to another authority's development plan or planning context which would have a material impact on your plan / planning context for the area covered by your local plan.</p> <p>PROMPT: In making this assessment you may wish to:</p> <ul style="list-style-type: none"> ● Review emerging and adopted neighbouring authority development plans and their planning context. ● Review any emerging and adopted higher level strategic plans including, where relevant, mayoral/ combined authority Spatial Development Strategies e.g. The London Plan. ● Review any relevant neighbourhood plans ● Consider whether any of the matters highlighted in statements A1- A12 for their plan may impact on your plan - discuss this with the relevant authorities. ● Consider any key topic areas or requests that have arisen through Duty to Cooperate or strategic planning discussions with your neighbours or stakeholders - particularly relating to meeting future development and /or infrastructure needs. 	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <ul style="list-style-type: none"> ● No SYMCA plan exists or plans to produce one in advance of Local Plan review ● Under the duty to co-operate, the service has engaged with neighbouring authorities, including Sheffield and Wakefield in relation to their own plan preparation. Through this, no significant issues have arisen that materially impact on the Barnsley Local Plan.
A14.	<p>There are no local political changes or a revised / new corporate strategy which would require a change to the approach set out in the current plan.</p> <p>PROMPT: In making this assessment you may wish to:</p> <ul style="list-style-type: none"> ● Review any manifesto commitments and review the corporate and business plan. ● Engage with your senior management team and undertake appropriate engagement with senior politicians in your authority. ● Consider other plans or strategies being produced across the Council or by partners which may impact on the appropriateness of your current plan and the strategy that underpins it, for instance, Growth Deals, economic growth plans, local industrial strategies produced by the Local Economic Partnership, housing/ regeneration strategies and so on. 	Agree	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>The Council remains under the same political control since the plan was adopted and produced a new Corporate Plan for 2021-2024 which aligns with its 2030 Strategy. Within this, 5 priorities are identified, namely:</p> <ul style="list-style-type: none"> ▪ Healthy Barnsley ▪ Learning Barnsley ▪ Growing Barnsley ▪ Sustainable Barnsley ▪ Enabling Barnsley <p>These priorities are compatible with the aims and objectives of the Local Plan.</p> <p>The Council has successfully secured various sources of government and devolved funding since the plan was adopted. Spatially, areas for which this</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			funding is earmarked are identified as priorities for growth and investment within the Local Plan.

	ASSESSING WHETHER OR NOT TO UPDATE YOUR PLAN POLICIES	YES/NO (please indicate below)	
A15.	You AGREE with <u>all</u> of the statements above	Yes	<p>If no go to question A16.</p> <p>If yes, you have come to the end of the assessment. However, you must be confident that you are able to demonstrate and fully justify that your existing plan policies / planning position clearly meets the requirements in the statements above and that you have evidence to support your position.</p> <p>Based on the answers you have given above please provide clear explanation and justification in section A17 below of why you have concluded that an update is not necessary including references to evidence or data sources that you have referenced above. Remember you are required to publish the decision not to update your local plan policies. In reaching the conclusion that an update is not necessary the explanation and justification for your decision must be clear, intelligible and able to withstand scrutiny.</p>
A16.	You DISAGREE with one or more of the statements above and the issue can be addressed by an update of local plan policies		If yes, based on the above provide a summary of the key reasons why an update to plan policies is necessary in section A17 below and complete Section B below.
A17.	<p><u>Decision:</u> Update plan policies / No need to update plan policies (delete as necessary)</p> <p>Reasons for decision on whether or not to update plan policies (clear evidence and justification will be required where a decision not to update has been reached):</p>		

	<p>The aims and objectives of the plan remain aligned with those set out in the NPPF. Whilst the pandemic has impacted on housing delivery in 2020/21 and 2021/22, there has been demonstrable activity on key local plan site allocations on land that was taken out of the Green Belt when the plan was adopted in 2019. This ranges from adoption of masterplan frameworks, requests for formal pre-application advice, submission of planning applications and commencement of development. This activity includes both commercial and residential developments across all areas of the borough earmarked for growth suggesting that sites remain attractive and viable. Significant progress has also been made in the Town Centre with the completion of the Glassworks scheme, closure of the Jumble Lane level crossing and construction of a new bridge as well as planning applications to develop Courthouse Campus (The Seam) and the Eastern Fringe (proposed Youth Zone) site allocations</p> <p>Key infrastructure that was identified in the Infrastructure Delivery Plan has also been delivered and the plan provides a robust starting point for decision making, as demonstrated by Council’s planning appeal record.</p> <p>Other actions that may be required in addition to or in place of an update of plan policies</p> <p>We will consider other mechanisms, for example dealing with Sustainable Construction and Climate Change Adaptation through SPD prepared under the current SPD regulations where we have existing policy hooks.</p>		
	<p>B. POLICY UPDATE FACTORS</p>	<p>YES/NO (please indicate below)</p>	<p>Provide details explaining your answer in the context of your plan / local authority area</p>
<p>B1</p>	<p>Your policies update is likely to lead to a material change in the housing requirement which in turn has implications for other plan requirements / the overall evidence base.</p>	<p>No</p>	
<p>B2</p>	<p>The growth strategy and / or spatial distribution of growth set out in the current plan is not fit for purpose and your policies update is likely to involve a change to this.</p>	<p>No</p>	
<p>B3</p>	<p>Your policies update is likely to affect more than a single strategic site or one or more strategic policies that will have consequential impacts on other policies of the plan.</p>	<p>No</p>	
	<p>You have answered yes to one or more questions above.</p>		<p>You are likely to need to undertake a full update of your spatial strategy and strategic policies (and potentially non-strategic policies). Use your responses above to complete Section B4.</p>

	<p>You have said no to <u>all</u> questions (B1 to B3) above</p>	<p>If you are confident that the update can be undertaken without impacting on your spatial strategy and other elements of the Plan, you are likely to only need to undertake a partial update of policies. Complete Section B4 to indicate the specific parts / policies of the plan that are likely to require updating based on the answers you have given above.</p>
<p>B4</p>	<p>Decision: Full Update of Plan Policies/ Partial Update of Plan Policies (delete as necessary) TBC</p> <p>Reasons for scope of review:</p>	

<p>Date of assessment:</p>	<p>16th September 2022 (Updated in light of critical friend advice from the Planning Officers Society)</p>
<p>Assessed by:</p>	<p>Paula Tweed</p>
<p>Checked by:</p>	<p>Joe Jenkinson</p>
<p>Comments:</p>	

POS Enterprises

Barnsley Metropolitan Borough Council

Draft review of the local plan - appraisal

10 July 2022

Barnsley Metropolitan Borough Council

Draft review of the local plan - appraisal

1 Introduction

- 1.1 Barnsley Metropolitan Borough Council has a local plan adopted in January 2019. The National Planning Practice Framework (NPPF) requires that:

“Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future”.

- 1.2 The Council has prepared a draft review of the local plan using the Planning Advisory Service Local Plan Route Mapper Toolkit Part 1: Local Plan Review Assessment. The toolkit reflects guidance in the National Planning Practice Guidance on matters which need to be addressed in carrying out a review.
- 1.3 The Council has appointed Andrew Wright of POS Enterprises to act as critical friend in support of the preparation of the local plan review. This report reflects his appraisal of the draft review.
- 1.4 The critical friend has not sought to independently verify that each conclusion drawn in using the PAS toolkit is soundly based. That would be a major exercise, and would nevertheless be problematical since the critical friend does not have the detailed knowledge of the area, its issues and circumstances which the officers have. Accordingly, the appraisal is predicated upon the assumption that conclusions drawn by the officers are well founded in the evidence, though in some instances comments are offered.
- 1.5 Before coming to the draft review itself, some comment is useful on two matters: the reform proposals of the Levelling Up and Regeneration Bill; and the practicalities of a partial plan update.

2 The Levelling Up and Regeneration Bill

- 2.1 The Planning White Paper proposed far-reaching changes to the planning system, which if implemented in full would have left us with a very different system from the present. However, it became apparent that The Government was retreating from some of the more radical proposals, and the Levelling UP and Regeneration Bill may be seen as a range of focussed changes rather than root-and-branch change.
- 2.2 Nevertheless, the Bill does propose a significant suite of changes to the plan making system, including:
- the option for groups of LPAs to prepare joint spatial strategies
 - restriction to one local plan per LPA
 - a requirement to publish a timetable for plan preparation, with an expectation that it will take less than 30 months
 - the introduction of “supplementary plans”, to replace SPDs

- repeal of the duty to cooperate, allied to a new soundness test
 - data standards for plan making
 - national development management policies
 - environmental outcome reports to replace SEA, EIA and sustainability appraisal
 - gateway checks by an independent person at prescribed stages
 - design codes to be prepared for entire LPA areas
 - neighbourhood priorities statements as an input into local plans
 - greater weight for local plans and national DMT policies in decision making
- 2.3 The Bill also proposes the replacement of the Community Infrastructure Levy by a new Infrastructure Levy, which will be mandatory for all LPAs.
- 2.4 Further, the Bill contains extensive powers for the Secretary of State to make regulations, which it is suggested could inter alia include coverage of the scope, content and form of local plans.
- 2.5 The Bill was brought forward under the aegis of Michael Gove, but he has since been replaced by Greg Clark as Secretary of State. It is not known whether he will wish to bring forward any changes to the legislative proposals in the Bill, which creates a measure of uncertainty at this time.
- 2.6 It is anticipated that the Bill will take up the remainder of the calendar year to pass through Parliament (if nothing happens to upset matters). It will then be necessary for DLUHC to consult on draft regulations to bring the proposed changes fully into effect.
- 2.7 Whilst matters should become progressively clearer, it is considered that it would be unwise for any planning authority to embark on a major plan update initiative in the short term, whatever the outcome of a plan review. There would be too much risk of abortive work, or finding that the approach taken had been superseded. It would be more prudent to wait until draft regulations are published and their effects can be considered, and the practical implications of these are becoming reasonably clear across the planning community.

3 Partial review

- 3.1 The NPPG at paragraph 069 of the section on plan-making says “A local planning authority can review specific policies on an individual basis”. This is commonly referred to as partial review.
- 3.2 Caution is needed here. Whilst the NPPG refers to update of specific policies, there would be significant risks associated with partial review of any policy which is fundamental to the strategy of a plan. That is because changes to such a policy could be expected to have knock-on effects on other aspects of the plan. In other words, it could prove difficult to retain the narrow focus of the plan review, without finding that wider changes were necessary which could make the review process more akin to a full plan update.
- 3.3 It follows that partial reviews are most suitable for self-contained policies (or current policy gaps) which can safely be addressed in isolation from other aspects of the plan. As an example, an internet search has brought out several cases where LPAs wished to update their climate change policies to reflect up-to-date national policy and understanding.

- 3.4 The preparation of a partial review must follow the same processes and stages as the preparation of a new plan or a full plan update. Whilst the way matters are dealt with can be proportionate to the nature of the changes proposed, the amount of work, cost and resources involved in a partial review should not be under-estimated. The critical friend has received comment from one authority that carried out a partial review, that the benefit gained was nowhere near worth the time and cost involved.
- 3.5 There are alternative ways in which a planning authority can adapt its decision making where national planning policy has changed, or other circumstances have changed, which are touched upon later in this report.

4 The draft review - overview

- 4.1 as noted earlier, the Council has used the Planning Advisory Service toolkit. This works through the potential reasons to conclude that a plan update is required, as set out in paragraph 065 of the NPPG section on plan-making. Specifically, the toolkit seeks a conclusion in each case as to whether the authority agrees or disagrees with a statement in relation to the particular consideration, eg “The plan policies still reflect current national planning policy requirements”.
- 4.2 The critical friend has considered each answer given. It is noted above that he has not sought to verify each answer, but worked on the assumption that the answers given are well founded in the evidence. It is noted that in a number of instances the authority cites specific evidence in support of its conclusion.
- 4.3 However, there are some aspects of the draft review where the answers appear to be based upon a degree of speculation rather than the current evidence. These are now taken in turn.

5 Change in local housing need

- 5.1 The NPPG says (in effect) at paragraph 065 of the plan-making section that a reason a plan update may be required would be where there has been a change in the local housing need.
- 5.2 The local plan was prepared and submitted before the standard method for assessment of housing need was introduced. It was therefore based on the Council’s own Objective assessment of housing need (OAHN). Following initial hearing sessions, the Inspector concluded that an uplift to the OAHN was needed to balance the housing proposals with the Council’s employment growth proposals. The Council carried out further work, and came up with an OAHN of 1134 dpa, which the Inspector accepted. The Inspector noted that at that time the indicative base figure for housing need using the standard method was 898 dpa.
- 5.3 The current draft review says that the standard method gives a lower figure than the local plan housing target. However, the NPPG says that the figure arrived at using the standard method is a minimum starting point, and it remains necessary to consider circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates, eg to align with an employment growth strategy.
- 5.4 It is understood that the Council remains committed to enhancing the local economy through promoting growth in the amount and quality of employment. It follows that as and when it brings forward a full update of the local plan, it will need to review its employment growth and land targets. It will need to consider whether the housing need figure given by the standard method at that time (which may be revised from the present formula) is in balance with the employment proposals, or should be subject to an uplift.

In other words, it will need to go through a similar process to that which was involved with the current plan.

- 5.5 But that is for the future. Without undertaking a considerable amount of work on employment and housing policy, including examination, the Council cannot say at this time whether the housing need figure which would emerge will be higher or lower than the OAHN in the local plan. What can be said is that because the minimum starting point given by the standard method is well below the OAHN figure, there is no prime facie case that local housing need is higher.
- 5.6 Moreover, the PAS Route Mapper says that where the plan is not delivering the housing, rather than updating the plan it may be more effective to intervene in other ways. This reflects the situation where an LPA which is not meeting the Housing Delivery Test is required to prepare an action plan, with a view to bringing forward actions which will assist improvement of the supply.
- 5.7 It is advised that in answering Plan Review Factor A2 in the PAS toolkit, the Council should reflect the reasoning here.

6 5-year supply of housing land

- 6.1 The draft review answers Plan Review Factor A3 “Yes”, and says that its latest 5-year supply note indicates a supply of 5.6 years. It is of course possible that circumstances will lead to the Council being short of a 5-year supply at some future date, but circumstances might also change to improve the supply. Moreover, should the supply fall below 5 years at a particular date, the Council would need to ask whether the evidence suggests that this will continue, or that the supply is likely to increase again. There are a number of ways planning authorities can seek to improve their housing supply, as demonstrated by Housing Delivery Test action plans.
- 6.2 The Council will need to keep its 5-year supply evidence up to date as part of annual monitoring. But as of now it is proper to record that the current evidence does show a 5-year supply.

7 Changes in economic conditions

- 7.1 The draft review answers “Agree in part” to Plan Review Factor A6, referring to the effects of the pandemic, the impacts of Brexit being unknown, and the possibility that global issues impacting rising cost of fuel etc will impact on local businesses. It is certainly correct to consider such factors, but the draft review says that there is no evidence that large sites will not be developed.
- 7.2 The Office for Budget Responsibility has estimated that the long-term effect of Brexit will be a 4% reduction in productivity, and that of Covid 2%. It is too soon to say what the longer-term effects of the Ukraine war will be. Moreover, it is in the nature of the economy to experience swings over time – which is why there is an inherent degree of uncertainty in economic forecasting. However, whilst the wider economy may be affected, as of now the council has no evidence of the effects locally, and as noted large sites continue to progress.
- 7.3 It is therefore advised that the review acknowledges that there are uncertainties about future economic conditions, but records the current evidence that sites continue to be delivered.

8 Development viability

- 8.1 In relation to Plan Review Factor A7, the draft review answers “Disagree” to the statement “There have been no significant changes affecting viability of planned development”. The adjoining text says that rising costs nationally may impact on viability of development, but the Council is not seeing evidence of this at present. So the answer is rather speculative.
- 8.2 If there is evidence that viability considerations are reducing the amount of affordable housing secured, or that developers have paused development on sites for viability reasons, that would impact upon the answer to this factor. But a view would need to be taken, based on evidence, as to whether this is a transitory situation or likely to be ongoing.
- 8.3 Moreover, in relation to a particular development project, it is available to the developer to present evidence that the viability conditions for the project present particular issues, and that the approach to assessment of viability prepared for the local plan is therefore not fully valid in that instance. This would need to be dealt with on a case-by-case basis.
- 8.4 As of now, it would appear to be proper to answer “Agree” to this factor, but retain the note that rising costs nationally may impact on viability, and that this will be monitored.

9 Achievability of plan policies

- 9.1 It is noted that at this time the draft review does not provide an answer to Plan Review Factor A12, pending consultation with development management officers.

10 National planning policy

- 10.1 It is an unavoidable feature of the planning system that once local plans have been adopted, aspects of national planning policy or guidance, or related regimes change, and need to be taken into account in decision making. It is of course impracticable to update a local plan every time there is a change in national policy or guidance. Rather the long-established practice is to take account of such changes by considering them as material conditions in decision making.
- 10.2 The issue is therefore whether changes have taken place since the plan was adopted which either on their own (because of their fundamental nature), or cumulatively mean that the local plan should be updated or replaced.
- 10.3 The draft review answers Plan Review Factor 1 of the PAS toolkit with “Mostly agree”. It lists a number of matters where national policy has changed, or new policy would be desirable. The critical friend agrees that none of the matters identified has changed so fundamentally as to make the local plan significantly out of date.
- 10.4 Apart from treating changes since the plan was adopted as material considerations in decision making, it is useful to consider whether there are other means of taking some of them on board.
- 10.5 The draft review refers to matters arising from the Environment Act, including the local nature recovery strategy and biodiversity net gain. The local nature recovery strategy will be prepared under separate legislation, and will not be part of the development plan, though appropriate connections may be desirable. As for biodiversity net gain, whilst the regime makes changes to how planning applications will be dealt with, including the requirement for the applicant to submit a “biodiversity gain plan”, the mechanisms will be set by the Environment Act and Regulations. A draft of the latter was the subject of consultation from January to April this year. It is not easy to see what more a local plan

- can say as policy, given that the biodiversity net gain regime is set out in some detail, and is mandatory.
- 10.6 In relation to First Homes, the policy context is set out quite fully in the new section of the NPPG added in December 2021. Moreover, the guidance says that where an LPA wishes to set local criteria different from the standard scheme, they may do so through an interim policy statement.
- 10.7 In relation to other areas of change, the Council will wish to consider whether there is sufficient clarity in the NPPF and NPPG to assist decision making; or whether some other means is required. One possibility would be the preparation of a supplementary planning document or documents. However, decisions on legal challenges have concluded that SPD cannot be used to develop new planning policy, and that this should be done only through a development plan document – essentially the local plan. The scope for use of SPD therefore appears very limited, since the whole point would be to address policy gaps.
- 10.8 The Levelling UP and Regeneration Bill proposes a new type of DPDs known as supplementary plans. As the Bill is currently drafted, these would only be able to address sites or groups of nearby sites, which would appear to rule out their use for updating policy. Moreover, even if their scope should widen as the Bill progresses, it could be two years or more from now before we know whether they would be available as an instrument for policy update.
- 10.9 There is also of course the possibility of a partial review, the practicalities of which have been considered earlier in this report.

11 Publication

- 11.1 It is, of course the Government's intention that review reports should be published, so that other interests may be aware of the Council's conclusions. It follows that the review should be published as soon as it is ready. That should include setting out clear reasons for conclusions, referring to relevant evidence, as set out in the PAS toolkit.

11 Joint waste plan

- 11.1 The officers have raised the issue of whether similar considerations would apply to a review of the joint minerals and waste plan, and supplied a preliminary draft review which again uses the PAS toolkit. The critical friend is not a waste planning specialist, but the draft review does suggest that the world has moved on significantly since it was prepared.
- 11.2 However, the concerns set out here in relation to changes to the planning system by the Levelling UP Bill (so far as they are relevant to waste planning) would be relevant. And of course, any decision about an update to that plan are a matter for the partner authorities, who will have to take account of their collective circumstances.

Andrew Wright BSc DTP MRTPI
POS Enterprises

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BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR OF GROWTH & SUSTAINABILITY

TITLE: SUSTAINABLE CONSTRUCTION AND CLIMATE CHANGE ADAPTATION SPD

REPORT TO:	CABINET
Date of Meeting	2 November 2022
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Public

Purpose of report

This report seeks authority to consult on a new Supplementary Planning Document Sustainable Construction and Climate Change Adaptation

Council Plan priority

Sustainable Barnsley

Recommendations

That Cabinet gives approval to consult on the Sustainable Construction and Climate Change Adaptation Supplementary Planning Document.

1. INTRODUCTION

1.1 The Local Plan, adopted on 3rd January 2019, contains policies to be considered when determining planning applications. A number of Supplementary Planning Documents were adopted following the adoption of the Local Plan. These contain further advice and explain how Local Plan policies will be applied.

1.2 It is proposed to consult on a new SPD called Sustainable Construction and Climate Change Adaptation. This will make clear what our expectations are for developments in respect of sustainability in order to ensure we are contribute towards our zero 40 and zero 45 targets.

2. PROPOSAL

2.1 It is proposed that the draft document is approved for consultation. The Local Plan contains a number of climate change related policies and the SPD

provides further guidance on what is expected of developments in relation to these policies. It also indicates where we would welcome and encourage higher standards than those prescribed nationally. Below is a brief summary of the issues and topics covered in the draft document.

2.2 **Whole Life Carbon**

The SPD seeks submission of a Whole Life Carbon Assessment to support planning applications for developments of 10 or more dwellings and commercial developments of 1000m² or above. The assessment is expected to follow the Royal Institute of Chartered Surveyors (RICS) model.

2.3 **BREEAM certification for non- residential buildings**

The Local Plan policy CC2 Sustainable Construction requires all non-residential dwellings to be developed to a minimum BREEAM standard of 'very good'. The SPD welcomes and encourages higher BREEAM standards where possible. Proposals should be supported by preliminary BREEAM assessments at planning application stage.

2.4 **Future Homes Standard and Future Building Standard**

The Government has brought in the Future Homes Standard, which from 2025 will require co2 emissions produced by new homes to be 75-80% lower than homes that are built to current standards. Homes will need to be zero carbon ready with no retrofit work required to benefit from the decarbonisation of the electricity grid and the electrification of heating. The intention is to future proof new homes for low carbon heating systems and meet higher standards of energy efficiency. The Government has also set higher performance targets for non-domestic buildings (Future Building Standard), which will have to be 'zero carbon ready' by 2025. This involves uplifting minimum energy efficiency standards, uplifting minimum standards for new and replacement thermal elements (i.e. walls, floors, roofs) and controlled fittings (e.g. windows, roof-lights and doors). The SPD makes clear the national requirement and welcomes and encourages higher standards where possible.

2.5 **Energy efficiency and adaptation**

The SPD supports the energy hierarchy which sets the priorities as:

- Priority 1: Energy Conservation
- Priority 2: Energy Efficiency
- Priority 3: Renewables
- Priority 4: Low emission
- Priority 5: Conventional

Supporting renewable and low-carbon decentralised energy schemes is an important component of meeting carbon reduction targets, and in the short term at least, they are capable of delivering greater carbon savings quickly, given the current local planning policy framework.

2.6 **Sustainable Construction**

The SPD gives advice on sustainable construction materials and supports the use of sustainable natural materials and recommends that developers consider material selection early in the design process.

2.7 **Modern methods of construction**

The SPD contains advice on modern methods of construction which are focussed on enhancing products and processes. They aim to improve manufacture, delivery and construction efficiencies, quality, timescale and performance.

2.8 **The Fabric First Approach**

A 'fabric first' approach to building design involves maximising the performance of the components and materials that make up the building fabric itself, before considering the use of mechanical or electrical building services systems. This can help reduce capital and operational costs, improve energy efficiency and reduce carbon emissions. A fabric first method can also reduce the need for maintenance during the building's life.

2.9 Buildings designed and constructed using the fabric first approach aim to minimise the need for energy consumption through methods such as:

- Maximising air-tightness
- Using Super-high insulation
- Optimising solar gain through the provision of openings and shading
- Optimising natural ventilation
- Using the thermal mass of the building fabric
- Using energy from occupants, electronic devices, cookers and so on

2.10 Focusing on the building fabric first, is generally considered to be more sustainable than relying on energy saving technology, or renewable energy generation, which can be expensive, can have a high embodied energy and may or may not be used efficiently by the consumer.

2.11 **Passive Design**

Passive Design maximises the use of 'natural' sources of heating, cooling and ventilation to create comfortable conditions inside buildings. It harnesses environmental conditions such as solar radiation cool night air and air pressure differences to drive the internal environment. The SPD encourages Passive House design in all homes where possible. It is particularly encouraged in self build developments and any development within villages.

2.12 **District Heating and Cooling**

The SPD supports the use of heat networks where they are energy efficient and do not pose further environmental risks such as high embodied carbon supply chains or inefficient types of heat pumps'. Examples of heat networks include a facility that provides a dedicated supply to the heat network, such as a combined heat and power plant; or heat recovered from industry (such as disused minewater), canals and rivers, or energy from waste plants.

2.13 **Water consumption and Flood Risk**

The SPD gives advice on water consumption and requires development to minimise consumption and make adequate provisions for water recycling. The SPD expects developers to use the Climate Just Map tool which is a useful way to assess the vulnerability of development at a neighbourhood scale.

- 2.14 In accordance with Local Plan policies CC3 Flood Risk and CC4 Sustainable Drainage Systems (SuDS) should be taken into account in the design of development. Sustainable Drainage Systems (SuDs) seek to capture, delay or manage surface water flooding to copy natural drainage by adopting techniques that deal with surface water through collection, storage and filtering before it is released back into the environment.
- 2.15 **Recycling and Waste Provision**
The SPD provides guidance on minimising construction and operational waste.
- 2.16 **Electric Vehicle Charging Points**
The SPD signposts to the Building Regulations 2010 Approved Document S Infrastructure for the charging of electric vehicles, as the requirements for provision of electric vehicle charging points has fallen under this since the 15th June 2022.
- 2.17 **Public Consultation**
Public consultation will take place for a period of four weeks in accordance with the Town and Country Planning (Local Planning) regulations, 2012. Comments will be considered and a further report will be taken to Cabinet detailing any changes made as a result of consultation, and seeking authority to adopt the final version.
- 2.18 Appendix 1 contains the draft document.

3. IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

- 3.1.1. Consultations have taken place with representatives of the Service Director – Finance (S151 Officer).
- 3.1.2 The cost of the public consultation including printing and publicity costs are estimated to be no more than £1,000. This expenditure will be financed from the Planning budget.
- 3.1.3 No Appendix A is required.

3.2 Legal

- 3.2.1 Preparation, consultation and adoption of Supplementary Planning Documents is carried out in accordance with the Town and Country Planning (Local Planning)(England) Regulations 2012.

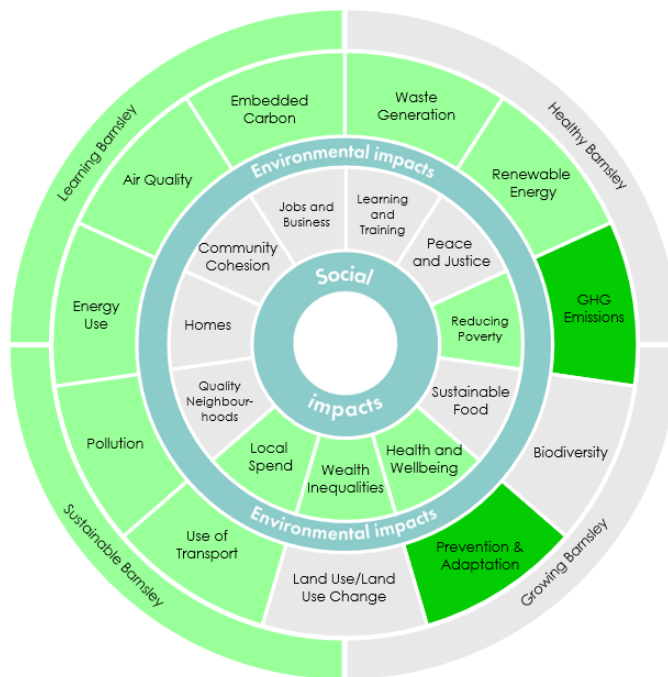
3.3 Equality

- 3.3.1 Full Equality Impact Assessment completed
- 3.3.2 An Equality Impact Assessment was carried out to support the Local Plan. This concluded that all policies and proposals apply to all sectors of the community equally and that it makes provision for a range of housing types to meet differing

needs such as affordable housing. A further assessment was carried out when the suite of SPD's was adopted in 2019. This recognised that the key impacts were around providing translation and interpretation assistance to those individuals that require it to help them understand the SPD's. An action for future consultation was to arrange targeted consultation such as face to face meetings with the equality forums as appropriate, relevant to the subject of the SPD. This can be carried out during consultation on this draft document.

3.4 Sustainability

3.4.1 The Sustainability wheel below indicates that implementation of the SPD will have a high positive impact on the environmental factors of reducing greenhouse gas emissions and prevention and adaptation to climate change. It is anticipated that its implementation will have a positive impact on all other aspects of the sustainability wheel, with the exception of biodiversity and land use change, which it is not expected to affect. A positive impact is also anticipated on some of the social factors relating to health and wellbeing, poverty and wealth creation.



3.5 Employee

3.5.1 There are no employee implications arising from this report.

3.6 Communications

3.6.1 Communications support will be required to publicise the consultation through press releases and social media.

4. CONSULTATION

- 4.1 Consultation has taken place internally. It is proposed to carry out public consultation on the draft document. Once consultation has taken place a further report will be brought back to Cabinet and Full Council for adoption.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 One alternative approach would be not to produce this document. The proposed content is considered helpful to developers in setting out the local planning authority's expectations and requirements in respect of sustainable construction and ensuring development is resilient to, and can adapt to, climate change.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The proposed Sustainable Construction and Climate Change Adaptation SPD contains some helpful information that will provide clarity for service users.

7. GLOSSARY

SPD Supplementary Planning Document

8. LIST OF APPENDICES

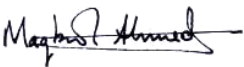
Appendix 1: Draft Sustainable Construction and Climate Change Adaptation SPD

9. BACKGROUND PAPERS

Barnsley Local Plan <https://www.barnsley.gov.uk/media/17249/local-plan-adopted.pdf>

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

10. REPORT SIGN OFF

Financial consultation & sign off	20/09/2022 
Legal consultation & sign off	Bob Power locum planning solicitor 1/9/22

Report Author: Paula Tweed
Post: Planning Policy Group Leader
Date: 31st August, 2022

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1. About this guidance

- 1.1** The National Planning Policy Framework (NPPF) indicates that Local Development Documents form the framework for making decisions on applications for planning permission. Decisions have to be taken in accordance with the development plan unless other material considerations indicate otherwise. NPPF advises that a local planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its Local Plan. Supplementary Planning Documents are a 'material' consideration when planning applications are decided.
- 1.2** As required by the Planning and Compulsory Purchase Act 2004 we have prepared a Statement of Community Involvement (SCI) which sets out how we will involve the community in preparing our Local Plan and consulting on planning applications. In accordance with the SCI we have involved people who may be interested in this Supplementary Planning Document and asked them for their comments. We have produced a consultation statement which summarises all the comments people made to us and our response. This is available on request.

2. Introduction

- 2.1** This Supplementary Planning Document sets out our approach to planning decisions in respect of sustainable construction and adapting to climate change. It sets out what the requirements for development are based on our existing Local Plan policies, existing planning practice guidance and national requirements. It also sets out where we would welcome and encourage higher standards and includes information and links to technical guidance. The Council is not responsible for the accuracy of and updates to the information provided in the external links, they are provided as supporting technical material.
- 2.2** The Climate Change Act 2008 (2050 Target Amendment) Order 2019 (CCA) sets a net zero emissions target for 2050. The reference point for this target is at least 100% below 1990 emission levels.
- 2.3** The NPPF 2021 recognises the key role planning has in meeting the challenge of climate change and states that local planning authorities should adopt proactive strategies to mitigate and adapt to climate change. It sets out national requirements for planning and climate change. LPAs are required to adopt proactive strategies to adapt to and mitigate against the impacts of climate change. Para 8 includes the environmental objective – *'to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.'* Para 152 states that *'The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions; minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.'*
- 2.4** Section 19 of the Local Plan sets out how the Council will attempt to address the climate change issues through a range of policies.

Sustainable Construction and Climate Change Adaptation

- 2.5** The Council declared a climate emergency in September 2019. To help Barnsley reduce its carbon emissions the Council has two programmes:
- i. Zero 40 which will focus on improvements in the Council's performance, working towards being net zero carbon by 2040
 - ii. Zero 45 where the Council will help the whole of Barnsley, including residents, communities, partners and businesses to become net zero carbon by 2045.
- 2.6** The Council's Sustainable Energy Action Plan sets out a range of measures to achieve net zero by 2030 and 2045. The Plan is progressive and will be superseded by new strategies supported by other documents such as the Zero45 Route Map and Affordable Warmth Charter. This SPD advises on the range of measures to reduce carbon and resources in major residential, commercial and other development proposals, in accordance with the current SEAP and any future iterations.
- 2.7** The Climate Change Committee (CCC) May 2019 report¹ includes information about the effects of greenhouse gases and provides a definition of what is meant by Carbon Emissions: "Long-lived greenhouse gases like carbon dioxide accumulate in the atmosphere. Therefore, their emissions must be reduced to zero in order to stop their cumulative warming effect from increasing and to stabilise global temperatures. Some activities, such as afforestation actively remove CO₂ from the atmosphere.
- 2.8** The Affordable Warmth Charter supports the Government's strategy "Sustainable Warmth: Protecting Vulnerable Households in England" Feb 2021. It sets out the priorities of the Council and its partners to tackle the challenges faced by many households in heating their home. The collective priorities of the Affordable Warmth Charter are: Energy efficient homes; Affordable Energy; Employment, education and skills; Partnership working and Low carbon commitments. Insulation, energy reduction, decarbonising electricity and retrofitting wherever possible will contribute to the prevention of people living in cold homes and excess winter deaths.

3. Policy

- 3.1** This guidance supplements the following Local Plan policies:

Policy SD1 Presumption in favour of Sustainable Development

When considering development proposals we will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

¹ Net Zero Technical Report. Committee on Climate Change, May 2019. P.4

Sustainable Construction and Climate Change Adaptation

Policy CC1 Climate Change

We will seek to reduce the causes of and adapt to the future impacts of climate change by:

Giving preference to development of previously developed land in sustainable locations;

Promoting the reduction of greenhouse gas emissions through sustainable design and construction techniques;

Locating and designing development to reduce the risk of flooding;

Promoting the use of Sustainable Drainage Systems (SuDS);

Promoting and supporting the delivery of renewable and low carbon energy; and

Promoting investment in Green Infrastructure to promote and encourage biodiversity gain.

Policy CC2 Sustainable Design and Construction

Development will be expected to minimise resource and energy consumption through the inclusion of sustainable design and construction features, where this is technically feasible and viable.

All non-residential development will be expected, to achieve a minimum standard of BREEAM 'Very Good' (or any future national equivalent). This should be supported by preliminary assessments at planning application stage.

Sustainable Construction and Climate Change Adaptation

Policy CC3 Flood Risk

The extent and impact of flooding will be reduced by:

Not permitting new development where it would be at an unacceptable risk of flooding from any sources of flooding, or would give rise to flooding elsewhere;

Ensuring that in the Functional Floodplain (Flood Zone 3b), only water compatible development or essential infrastructure (subject to the flood risk exception test) will be allowed. In either case it must be demonstrated that there would not be a harmful effect on the ability of this land to store floodwater;

Requiring developers with proposals in Flood Zones 2 and 3 to provide evidence of the sequential test and exception test where appropriate;

Requiring site-specific Flood Risk Assessments (FRAs) for proposals over 1 hectare in Flood Zone 1 and all proposals in Flood Zones 2 and 3;

Expecting proposals over 1000 m² floor space or 0.4 hectares in Flood Zone 1 to demonstrate how the proposal will make a positive contribution to reducing or managing flood risk; and

Expecting all development proposals on brownfield sites to reduce surface water run-off by at least 30% and development on greenfield sites to maintain or reduce existing run-off rates requiring development proposals to use Sustainable Drainage Systems (SuDS) in accordance with policy CC4; and

Using flood resilient design in areas of high flood risk.

Policy CC4 Sustainable Drainage Systems (SuDS)

All major development⁽¹²⁾ will be expected to use Sustainable Drainage Systems (SuDS) to manage surface water drainage, unless it can be demonstrated that all types of SuDS are inappropriate.

The Council will also promote the use of SuDS on minor development.

To enable the Council to determine the suitability of a proposed SuDS scheme:

Outline Planning applications must be supported by a conceptual drainage plan and SuDS design statement; and

Detailed Planning applications must be supported by a detailed drainage plan and SuDS design statement, which should contain information on how the SuDS will operate, be managed and maintained for the lifetime of the development.

Sustainable Construction and Climate Change Adaptation

Policy CC5 Water Resource Management

To conserve and enhance the Boroughs water resources proposals will be supported which:

- a. Do not result in the deterioration of water courses and which conserve and enhance:
 - i. The natural geomorphology of water courses;
 - ii. Water quality; and
 - iii. The ecological value of the water environment, including watercourse corridors.
- b. Make positive progress towards achieving “good” status or potential under the Water Framework Directive in the boroughs surface and ground water bodies;
- c. Manage water demand and improve water efficiency through appropriate water conservation techniques including rainwater harvesting and grey-water recycling; and
- d. Dispose of surface water appropriately and improve water quality through the incorporation of SuDS, in accordance with Policy CC4.

Sustainable Construction and Climate Change Adaptation

Policy RE1 Low Carbon and Renewable Energy

All developments will be expected to seek to incorporate initially appropriate design measures, and thereafter decentralised, renewable or low carbon energy sources in order to reduce carbon dioxide emissions and should at least achieve the appropriate carbon compliance targets as defined in the Building Regulations.

We will allow development that produces renewable energy as long as there is no material harm upon:

The character of the landscape and appearance of the area;

Living conditions;

Biodiversity, Geodiversity and water quality;

Heritage assets, their settings and cultural features and areas;

Key views of, from or to scenic landmarks or landscape features;

Highway safety, or

Infrastructure including radar.

In assessing effect, we will consider appropriate mitigation which could reduce harm to an acceptable level.

Proposals will be expected to include information regarding their efficiency.

Proposals must be accompanied by information that shows how the local environment will be protected, and that the site will be restored when production ends.

4. Whole Life Carbon

- 4.1** Whole life carbon emissions relate to the carbon emissions associated with a building over its entire lifetime arising from materials, its construction and its use. Traditionally it has mainly been operational emissions that have been assessed. The RICS whole life carbon assessment for the built environment document November 2017 states that “A *whole life carbon approach identifies the overall best combined opportunities for reducing lifetime emissions, and also helps to avoid any unintended consequences of focusing on operational emissions alone. For example, the embodied carbon burden of installing triple glazing rather than double can be greater than the operational benefit resulting from the additional pane. Therefore, whole life carbon needs to be effectively integrated into the sustainability agenda in order to achieve a lower carbon future.*”

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- 4.2** A Whole Life Carbon Assessment will be required for all major developments (10 dwellings or above and 1000m² or above for commercial developments or change of use developments). The whole life carbon assessment will be expected to follow the model set out in the RICS professional statement ‘Whole Life Carbon Assessment for the Built Environment, 2017’, which RICS members must act in accordance with.
<https://www.rics.org/globalassets/rics-website/media/news/whole-life-carbon-assessment-for-the--built-environment-november-2017.pdf> The professional statement mandates a whole life approach to reducing carbon emissions and sets out specific mandatory principles and supporting guidance for the interpretation and implementation of European standard EN 15978 methodology, which is the European standard that specifies the calculation method, based on Life Cycle Assessment and other quantified environmental information, to assess the environmental performance of a building, and gives the means for the reporting and communication of the outcome of the assessment.
- 4.3** Paragraph 3.1 of the RICS Professional Statement states that “*Whole life carbon assessments should be undertaken in a sequential fashion during the design, construction, and post-completion stages, starting as early as at concept design stage (RIBA stage 2 or equivalent.....As a minimum a whole life carbon assessment must be carried out before the commencement of the technical design (RIBA stage 4 or equivalent) of the project*”
- 4.4** Appendix 1 provides the flowchart from the RICS document which sets out the recommended sequence of activities to complete an assessment.
- 4.5** The RICS Building Carbon Database reinforces the RICS professional statement and may be helpful in identifying where associated carbon emission reductions can be made during all stages of a buildings lifecycle. For organisations that submit their data, this database is free to use. Registration to access the database is available here:
<https://wlc carbon.rics.org/Default.aspx>

5. BREEAM Certification for Non-Residential Buildings

- 5.1** BREEAM is an internationally recognised way of assessing the sustainability of masterplanning projects, infrastructure and buildings. It has six ratings that can be awarded:
- Outstanding
 - Excellent
 - Very Good
 - Good
 - Pass
 - Unclassified
- 5.2** To grade a development a BREEAM assessor will consider its designed performance across a number of different topics, which include subjects such as energy, pollution or waste. In each topic there are different targets, and meeting the targets leads to ‘credits’ being awarded. Local Plan Policy CC2 Sustainable Construction requires all non-residential dwellings to be developed to a minimum BREEAM standard of ‘very good’. Higher BREEAM standards are welcomed and encouraged where possible. Proposals should be supported by preliminary BREEAM assessments at planning application stage.

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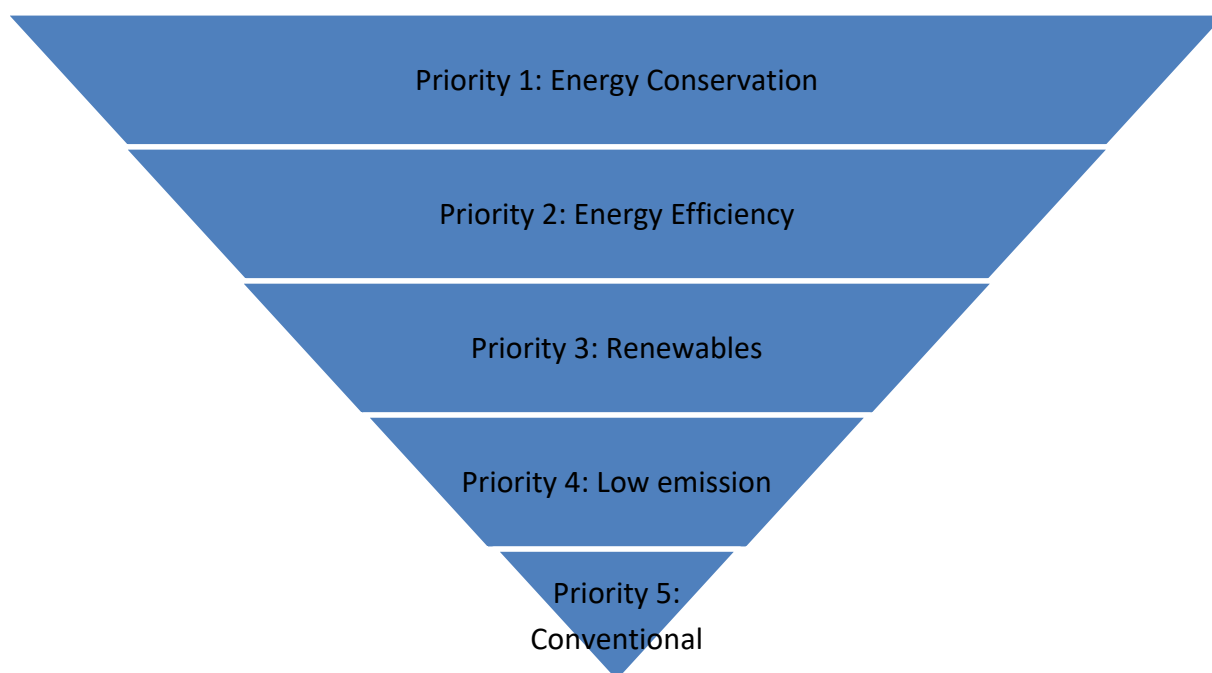
6. Future Homes Standard

- 6.1** The Government has brought in the Future Homes Standard, which from 2025 will require CO₂ emissions produced by new homes to be 75-80% lower than homes that are built to current standards. Homes will need to be zero carbon ready with no retrofit work required to benefit from the decarbonisation of the electricity grid and the electrification of heating. The intention is to future proof new homes for low carbon heating systems and meet higher standards of energy efficiency.
- 6.2** The Government has also set higher performance targets for non-domestic buildings (Future Building Standard), which will have to be 'zero carbon ready' by 2025. This involves uplifting minimum energy efficiency standards, uplifting minimum standards for new and replacement thermal elements (i.e. walls, floors, roofs) and controlled fittings (e.g. windows, roof-lights and doors).
- 6.3** The existing Building Regulations and future revisions are a crucial element in achieving zero carbon development. The planning guidance set out in this document is intended to complement the relevant existing and future building regulations.
- 6.4** We expect new development to adhere to Building Regulations standards, both current and proposed future amendments, as a minimum. We welcome and encourage higher standards where possible.

7. Energy efficiency and adaptation

- 7.1** The ability to achieve net zero energy in buildings depends on location, orientation and surrounding buildings. Most net zero energy buildings get half or more of their energy from the grid, and return the same amount at other times. Buildings that produce a surplus of energy over the year may be called "energy-plus buildings" and buildings that consume slightly more energy than they produce are called "near-zero energy buildings" or "ultra-low energy houses".
- 7.2** Traditional buildings consume approximately 40% of the total fossil fuel energy in the UK and are significant contributors of greenhouse gases. The net zero energy consumption principle is viewed as a means to reduce carbon emissions and reduce dependence on fossil fuels.
- 7.3** Whilst there have been advances in the production of renewable electricity on the grid, it remains a less sustainable option due to the amount of energy lost in transportation from source to end user. Many zero-energy buildings use the electrical grid for energy storage but some are independent of the grid. Energy can be harvested on-site through energy producing technologies like solar and wind, while reducing the overall use of energy with highly efficient lighting technologies. The zero-energy goal is becoming more practical as the costs of alternative energy technologies decrease and the costs of traditional fossil fuels increase. The development of modern zero-energy buildings is becoming possible largely through the progress made in new energy and construction technologies and techniques, for example high-efficiency ground and air source heat pumps.

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- 7.4** The 'energy hierarchy' is a recognised approach to reducing the CO₂ emissions from new development (see above). Firstly, long term reductions are normally most effectively made through ensuring the building itself is as energy efficient as possible, and by ensuring that the building's systems use energy as efficiently as possible, thus reducing its energy demands over its lifetime. Secondly, once the building's energy demands have been minimised, the focus should be on supplying energy efficiently (encouraging the use of local networks such as combined heat and power). Thirdly, sourcing the building's remaining energy requirements from renewable carbon sources can contribute to further CO₂ savings, whilst also contributing to national and local targets for renewable and low-carbon generation.
- 7.5** Supporting renewable and low-carbon decentralised energy schemes is an important component of meeting carbon reduction targets, and in the short term at least, they are capable of delivering greater carbon savings quickly, given the current local planning policy framework.

8. Sustainable Materials

- 8.1** This section covers materials used in both buildings and outdoor areas, including public and private realms. Selection and use of sustainable materials should balance a number of complementary/standalone/competing direct and indirect criteria:
- A. Sustainable resource – Materials which do not unreasonably deplete non-renewable natural resources or threaten environmental systems are needed to mitigate climate change and its effects;
 - B. Low embodied energy, greenhouse gases, pollution and water – This describes low net amounts of energy use, pollution including greenhouse gases (notably carbon), and water

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usage, relating to materials during their life cycle, though extraction, manufacture, transport, installation, maintenance, replacement and end of life. It should be noted, trees, straw and other plant-based materials uniquely store carbon (accumulated when living and until the material degrades/burns);

C. Efficient use – Avoiding excess use of materials and built footprint;

D. Minimised construction waste – Designs and construction processes which minimise waste (including ground material), with any waste sustainably reused or recycled where possible;

E. Passive climate, air and moisture control – Materials which contribute to an effective package of (i) thermal insulation and thermal mass, and (ii) air quality including (moisture) breathability; which minimises pollution, the need for mechanical systems and risk of moisture-related degradation;

F. Cool roofs – Roofs which are more solar reflective and heat emissive, to avoid excessive heat absorption, overheating of buildings and in turn the creation of urban heat islands. [ref: The Global Cool Cities Alliance (January 2012), A Practical Guide to Cool Roofs and Cool Pavements – https://globalcoolcities.org/wp-content/uploads/2021/07/CoolRoofToolkit_ImplementationGuide.pdf]

G. Robust materials and sustainable maintenance – Materials which can be easily maintained, replaced (including through long-term availability) and adapted, without the need for unsustainable maintenance or excessive replacement;

H. Reusable and recyclable – Materials which can be easily and sustainably extracted, reused and recycled, to reduce demand for raw material, waste and pollution derived from demolition/extraction;

I. Inert and biodegradable – Materials which if spilt, shed, abandoned or forming waste will not have an adverse impact on the environment or require unsustainable treatment processes;

J. Timeless quality and character – Materials which have a timeless and locally responsive use and sensory appeal, which people are less likely to replace or cover over as times change;

and K. Cost, buildability, performance and availability – next best sustainable solutions will be sought, if, evidently, the above sustainable materials criteria cannot be reasonably met due to viability, buildability and in use performance issues, and the issue can't be designed-out.

8.2 These criteria strongly point toward local natural materials being the best options, including:

- clay stock bricks (gault and soft red), tiles and pavers;
- native timber framing, weatherboarding, shingles, edging, boarding and fencing;
- lime render, plaster and mortar;
- limewash wall coating;
- straw/reed/flax roofs and insulation;

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- earth walls such as cob, and in wattle and daub;
- flint walls and paths; and
- local gravel/hoggin tracks and paths.

- 8.3** Use of these natural materials is to be preferred, subject to detailed specification, sustainable sourcing, context and appropriate design. Other materials that are also favoured are those benefiting from appropriately recognised sustainability certification/endorsement, such as following the BRE's Environmental Profiles Methodology and Life Cycle Assessment – https://globalcoolcities.org/wp-content/uploads/2021/07/CoolRoofToolkit_ImplementationGuide.pdf , subject to satisfying the above Timeless Quality and Character criteria.
- 8.4** The Council strongly recommends that materials should be specified from suppliers who participate in an applicable responsible sourcing scheme such as the BRE BES 6001:2008 Responsible Sourcing Standard. For example, all timber should be sourced from schemes supported by the Central Point of Expertise for Timber Procurement, such as Forest Stewardship Council (FSC) accreditation, which ensures that the harvest of timber and non-timber products maintains the forest's ecology and its long-term viability. Other materials will be judged on their own merit in relation to any given scheme on the information provided (or lack of it), informed by latest technologies, current national policy and recognised research. Fake (and obviously inferior) interpretations of natural facing materials should be avoided without compelling supporting evidence. These materials include plastic (except possibly for utilities, sports pitches and facing wood composite windows), fibre-cement timber-effect cladding and slate-effect tiles, and concrete clay-effect bricks and tiles.
- 8.5** It is the developer's responsibility to consider materials selection early enough in the design process to ensure proposals are buildable and affordable. Paragraph 130 of the NPPF guards against the material diminution of the quality of approved development between permission and completion, for example through changes to the materials to be used.
- 8.6** Attention is drawn to further guidance on sustainable materials, such as:
- Green book live. Available online here;
 - RICS professional standards and guidance, UK. Whole life carbon assessment for the built environment, 1st edition, November, 2017. Available online here; and
 - Waste and Resources Action Programme (WRAP) Embodied Carbon Database. Available online here.

9. Modern Methods of construction

- 9.1** Modern methods of construction are focussed on enhancing products and processes. They aim to improve manufacture, delivery and construction efficiencies, quality, timescale and performance. Typical methods include:
- panellised units produced in a factory and assembled on-site to produce a three-dimensional structure;
 - volumetric construction to produce three-dimensional modular units in controlled factory conditions prior to transport to site; and

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- floor or roof cassettes, pre-cast concrete foundation assemblies, pre-formed wiring looms, mechanical engineering composites and innovative techniques such as tunnel form or thin-joint block work. 5.12. Adopting a manufacturing process in construction has some potential advantages in terms of sustainability over traditional methods of construction:
- wastage can be more easily monitored and significantly minimised through the process of factory production, refinement and repetition of processes;
- offsite manufacturing minimises the time (and energy) spent on site thereby minimising pollution and disruption at a site level;
- a significant reduction in HGV movement at construction sites for modular construction compared against traditional construction;
- workers are likely to be more geographically concentrated around a specific factory, minimising travel around the country;
- factory conditions can give greater quality control over construction, helping close the gap between design and as-built environmental performance;
- the regular testing of products can be carried out systematically, with improvements factored into the design process on an on-going basis.

9.2 Nevertheless, modern methods of construction are also often associated with some disadvantages. Potential issues include (significant) restrictions on design options, fixing the design earlier in the process, taking work away from local tradesman and reducing the future adaptability of buildings.

Living Walls and Roofs

9.3 Living walls and roofs describe a range of sustainability measures relating to the external building envelope. Further information on Living Roofs and walls can be found in the Biodiversity SPD.

9.4 There are two distinct types of living walls – green ‘walls’ with vertically applied growth medium, hydration and fertigation, and green ‘facades’ which rely on climbing plants growing up from ground level.

9.5 Living roofs come in various guises. Green roofs are predominantly or completely covered with vegetation, under which is growing medium and a waterproof membrane. Intensive green roofs are specifically designed for recreational amenity such as gardens and sports pitches. Brown roofs are similar to green roofs, the main difference being the choice of growing material (usually locally sourced rubble, gravel, soil etc. similar to brownfield sites), which is typically self-seeded, leading to a different type of bio-diversity and more informal outlook. Blue roofs are designed to explicitly store and gradually release or reuse water (rainwater and/or greywater), through active or passive processes which might be enclosed or openly visible. Lastly, there are predominantly hard surfaced roof gardens and terraces, which rely on contained beds or pots for planting.

9.6 The principal potential benefits of living roofs and walls which developers should consider are:

- improved energy balance - Greenhouse gases are reduced as vegetation stores carbon and improves thermal properties (and in-use costs) through insulation and the cooling effects of evapotranspiration;

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- outdoor amenity - Accessible roof space can contribute to outdoor recreational amenity, with the option to drive a more compact (sustainable) pattern of development without compromising liveability standards;
- food production – Growing vegetables and herbs, e.g. rooftop farms and allotments on large buildings, and pots and edible walls relating to individual properties;
- ecology – Increased ecology and biodiversity;
- SuDs – Living roofs and to a lesser degree living walls, can store and slow down the passage of rainwater to help prevent flooding, with potential usage including water treatment, rainwater harvesting, greywater recycling, ecology and recreational amenity; and
- enhanced visual impact – Living greenery can help buildings settle into the landscape and relieve urban settings, including from upper storey windows.

9.7 Living roofs and walls also provide some potential challenges in addition to those associated with flat roofs. They are heavier and increase the use of contentious materials such as plastics needed to prevent water and root egress. They also require increased maintenance.

9.8 The Council considers that the following should apply to all new developments:

- all new roofs of more than 25m², which are flat or have a pitch of less than 25 degrees, should be a suitable type and design of living roof, unless conflicting with the rooftop provision of solar panels; and
- living walls should be considered as a possible option on buildings, though especially if needed to help mitigate visual impact on otherwise unacceptably blank and/or architecturally unrelieved façades.

Photovoltaics (PV)

9.9 PV converts light into electricity. Panels are normally on the roof, but can also be on the ground or wall mounted. Roof integrated (rather than attached) systems can mimic traditional tiles which may be required in sensitive locations. The production of PV panels is energy intensive and involves some pollutants. However, they generate no in-use pollution and are low maintenance. Perovskite solar panels are more lightweight, powerful and affordable than silicon, and come in a variety of colours. Energy output is dependent on favourable positioning (e.g. south facing roof) and weather, with most systems connected to the grid to mitigate shortages and at night. Alternatively, battery storage offers increased energy independence. PV installation costs are still quite high, though this can be recovered through energy cost savings and feed-in-tariffs. Where possible, large discreet rooftops such as flat roofs or adorning industrial-type 'sheds' should be used as rooftop solar farms actively feeding into district systems and/or the national grid.

Solar Water Heating

9.10 Solar water heating systems uses clean and direct energy from the sun to provide hot water supplies. A supplementary hot water supply will be required 41 | Page when solar energy is insufficient, for example when it's too cloudy, during winter months and to increase water temperatures. Water heating is not provided at night, though hot water can be supplied by the required storage tank.

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Small and Micro Wind Turbines

- 9.11** The UK has the biggest potential for wind power in the world. Small and micro wind turbines generate electricity the same as their larger equivalents, by using windblown rotating blades to drive a turbine. Small wind turbine blades are typically 1.5-3.5m in diameter and able to generate 1-10KW. These tend to be free-standing or on large buildings away from sensitive receptors. With their smaller blades and more disproportionately limited capacity, micro wind turbines are better suited to urban, suburban and sensitive locations, though normally only supplement energy supply even on windy days. The size, siting and design of wind turbines needs to suitably address other issues, such as visual impact, noise and vibration.

Ground Source Heat Pump (GSHP)

- 9.12** A GSHP is a central heating and/or cooling system which uses looped piped liquid (water mixed with anti-freeze) in the ground to transfer ground heat to or from a building via an exchanger and pump to amplify conversion. Pipes might be sunk horizontally (a metre or so beneath the ground). Where there is insufficient space, vertical boreholes can instead be drilled to extract heat from much further down, typically 90-160m deep. GSHPs take advantage of the earth's geothermal properties which absorbs and stores heat resulting in constant moderate temperatures similar to average yearly outside air temperatures. GSHPs use electricity but generally have a low environment impact.

Water Source Heat Pump

- 9.13** This operates similar to GSHP, except it utilises relatively consistent temperatures found in suitable bodies of water, such as a rivers, streams or lakes.

Air Source Heat Pump

- 9.14** An air source heat pump transfers heat energy between the inside and outside of a building to provide heating and cooling. It uses a refrigerant system involving a compressor and a condenser to absorb heat energy at one place and release and concentrate the energy at another. They are generally cheaper than GSHPs, but typically generate less energy and can affect the external appearance of a building.

Biomass Heating

- 9.15** Biomass systems burn wood, plants or other organic matter in the form of pellets, chips, logs etc. to provide warmth in a single room or to power central heating and hot water boilers. It is considered a renewable energy and low carbon option, given it can utilise waste material and there is scope for replacement tree planting (carbon storage) to mitigate carbon emissions from burning. Biomass systems produce pollutants including nitrogen dioxide, particles and sulphur dioxide, which are more than for an equivalent gas boiler, though less than for a coal or oil powered boiler.

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Micro Hydroelectric Power

- 9.16** This typically produces 5-100kW of electricity using the natural flow of water from a river or stream, perhaps focussed on a waterfall to maximise flow pressure. Micro systems can provide power to an isolated home or small community. It is considered a green, renewable energy and doesn't release carbon dioxide or other pollutants into the air. There will be impacts on aquatic ecosystems and particularly if the hydroelectric system involves damming.

Thermal Stores

- 9.17** Thermal stores complement renewable energy technologies by storing excess generated thermal energy for hours, days or even seasons until it's required. Technologies vary depending on the form of renewable energy technology. Potential storage media include water or ice-slush tanks, masses of native earth or bedrock, deep aquifers, insulated gravel and water filled pits, eutectic solutions and phase-change materials.

Micro Combined Heat and Power

- 9.18** Combined heat and power (CHP) is a highly efficient technology, capturing and utilising the heat that is a by-product of the electricity generation process, reducing carbon emissions compared to separated generation via a boiler and power station. It might provide for a single family home, small community or office building. Micro-CHPs currently tend to use fossil fuels such as gas and LPG, though the use of renewable energy supplies is growing, such as biomass, vegetable oil, woodgas and even solar thermal.

District Heating and Cooling

- 9.19** District heating systems distribute heat from a centralised source through insulated pipes to multiple residential and/or commercial properties. This centralised heat source can be generated from renewables including biomass, solar and geothermal. District heating systems can provide increased efficiencies and improved pollution control compared to single property systems. Metering is essential for fair billing and in turn control excess usage. Cooling is rarer in UK district systems, though might be considered particularly for groupings of new office buildings.
- 9.20** 'The use of Heat networks will be supported where they are energy efficient and do not pose further environmental risks such as high embodied carbon supply chains or inefficient types of heat pumps'.
- 9.21** Examples of heat networks include a facility that provides a dedicated supply to the heat network, such as a combined heat and power plant; or heat recovered from industry (such as disused minewater), canals and rivers, or energy from waste plants.
- New development should minimise energy efficiency and space heating requirements, irrespective of district heat network connection
 - Development should make all reasonable efforts to meet net zero onsite emissions prior to connection to any district heat network

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- Where net zero cannot be met onsite, exemptions for district heat networks will be considered where there is a clear and demonstrable net zero transition plan to 2030.

Smart Technologies

- 9.22** Technology can help property users respond to and exploit natural processes to reduce the net need for energy, increase the effectiveness of renewable energy and enhance building performance. The scope of smart home technologies includes lighting, outlets and power strips, heating and ventilation, window coverings, water heating and home energy management systems. For example, heating and lighting controls in response to occupancy, mechanical brise-soleil in response to sunlight, tracking solar panels and mechanical ventilation with heat recovery to complement a highly airtight design approach such as Passivhaus.

The Fabric First approach

- 9.23** A 'fabric first' approach to building design involves maximising the performance of the components and materials that make up the building fabric itself, before considering the use of mechanical or electrical building services systems. This can help reduce capital and operational costs, improve energy efficiency and reduce carbon emissions. A fabric first method can also reduce the need for maintenance during the building's life.
- 9.24** Buildings designed and constructed using the fabric first approach aim to minimise the need for energy consumption through methods such as:
- Maximising air-tightness
 - Using Super-high insulation
 - Optimising solar gain through the provision of openings and shading
 - Optimising natural ventilation
 - Using the thermal mass of the building fabric
 - Using energy from occupants, electronic devices, cookers and so on
- 9.25** Focusing on the building fabric first, is generally considered to be more sustainable than relying on energy saving technology, or renewable energy generation, which can be expensive, can have a high embodied energy and may or may not be used efficiently by the consumer.
- 9.26** Having energy efficiency integrated into the building envelope can mean occupants are required to do less to operate their building and not have to adjust their habits or learn about new technologies. This can result in less reliance on the end user regarding the buildings energy efficiency. Fabric first building systems can be constructed off site, resulting in higher quality and so better performance, reduced labour costs and an increased speed of build.

Passive Design and The Passive House Form Factor

- 9.27** Passive Design maximises the use of 'natural' sources of heating, cooling and ventilation to create comfortable conditions inside buildings. It harnesses environmental conditions such as solar radiation cool night air and air pressure differences to drive the internal environment.

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- 9.28** The Passive House Form Factor quantifies the relationship between the living area of the building and the total amount of surface area that heat can escape from. The Form Factor of a building is key in low energy design because it tells you how thick your insulation has to be. If you can halve the form factor (i.e, simplify the building's shape) you can halve the wall insulation you need to get the same thermal performance. The lower number the better. The calculation is the total heat loss area divided by the floor area. The average semi-detached house has a form factor of 3.
- 9.29** We would encourage Passive House design in all homes where possible. It is particularly encouraged in self build developments and any development within villages.

Future-proofing

- 9.30** Buildings need to be reasonably future-proofed to minimise maintenance and, as appropriate, facilitate extensions, alterations, repairs and maintenance. For example, buildings should be future-proofed to connect/install new emerging technologies through appropriate cabling and easily accessible ducting. 5.53. The Covid-19 pandemic has helped to focus minds on how lives might change or adapt, and for how long. For instance, developers should consider (where space is available) how design and layout could cater for such things as subsequent periods of lockdown, increased homeworking and the need to isolate individual family members.

10. Water Consumption and Flood Risk

- 10.1** The water (hydrological) cycle is the journey water takes from land to sea and back again.
1. Evaporation causes water vapour to be formed from water on land, in rivers, lakes and seas, which rises into the air.
 2. Condensation from cooling forms clouds
 3. Precipitation causes water to fall back to the ground as rain or snow and
 4. Collection occurs as water reaches lakes or rivers, taking it back to the sea, restarting the cycle.
- 10.2** In relation to the water cycle, whilst the UK Water Industry continues to make significant progress in the decarbonisation of the UK water grid, there remains a carbon footprint to wastewater and mains potable water through its abstraction, treatment and distribution. A net zero goal for a building can also be supported by the inclusion of rainwater harvesting, such as water butts in gardens, greywater reuse systems reducing dependency on potable water where that standard of treatment is disproportionate to its use. Buildings can further reduce their consumption by means of simple interventions such as efficient flow taps, showers, dual flush cistern units and aerated appliances. These combined efforts would reduce the water carbon footprint of a development whilst also improving a buildings resilience against the emerging water scarcity issue faced by the region.
- 10.3** All development should be designed to minimise the consumption of water and should make adequate and appropriate provision for water recycling. Development should also protect and enhance local water quality including measures to support improvement to a water body's Water Framework Directive Status. A condition on all planning permissions for the development of new residential development will be imposed to trigger the optional requirement under Part G of the Building Regulations 2010 (as amended) and any further

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updates which may supersede this. Details of the Maximum fittings consumption can be found in Approved Document G at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/504207/BR_PDF_AD_G_2015_with_2016_amendments.pdf

- 10.4** Flood risk is an issue which is likely to be exacerbated by unpredictable weather associated with climate change. Development proposals that avoid areas of current and future flood risk and which do not increase flooding elsewhere, adopting the precautionary principle to development proposals will therefore be supported. Local Plan policies CC3 Flood Risk and CC4 Sustainable Drainage Systems (SuDS) should be taken into account in the design of development. Sustainable Drainage Systems (SuDs) seek to capture, delay or manage surface water flooding to copy natural drainage by adopting techniques that deal with surface water through collection, storage and filtering before it is released back into the environment.
- 10.5** The Climate Just Map Tool is a useful resource in respect of future flood risk mapping as it shows the geography of vulnerability to climate change at a neighbourhood scale. Its purpose is to support local planning and responses to a changing climate. It can be used to assess the vulnerability of particular areas to flood risk. Mapping data is available from the following website: <https://www.climatejust.org.uk/map>
- 10.6** Developers are expected to check the Climate Just Map tool and it should be covered in Flood Risk Assessments. If the proposed site is within an area that is not currently designated within a flood zone but which could be vulnerable in the future design measures should be incorporated to future proof the development (where feasible).

11. Drainage and flood risk

- 11.1** Development should embed sustainable waste management, recycling of grey water and waste water mitigation. Development proposals should demonstrate and adequate foul water treatment and disposal already exists or can be provided in time to serve the development.
- 11.2** Development should be designed to provide adequate protection against flood risk and embed sustainable water recycling, waste water and waste management so as not to cause contamination of groundwater, particularly in recognised protection zones, of surface water or run-off to river catchments. Where there is the potential for contamination, effective safeguards should be put in place to prevent any deterioration in current standards. A maintenance plan will be required detailing who will be responsible for the maintenance of SuDs for the lifetime of the development.
- 11.3** The Design of Housing SPD also sets out the requirements for new housing development and that detailed technical drainage also be found on pages 155-161 of the current version of the South Yorkshire Residential Design Guide.

12. Recycling/ waste provision

- 12.1** Construction and operational waste can have significant environmental impacts, not least on greenhouse gases contributing to climate change. The Council encourages waste minimisation, re-use and recycling. All new development must be designed to

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accommodate the waste and recycling regimes in force, for example providing sufficient space for the full range of waste and recycling bins.

Construction Waste

- 12.2** In regard to construction waste, any sustainability statement that is submitted as part of a planning application should outline measures for reducing construction waste, and maximising reuse and recycling. For schemes following sustainability accreditation schemes such as BREEAM, reference can be made to credits being targeted under the waste section of the methodology. For major developments, Policy WCS7 of the Joint Waste Plan requires a Site Waste Management Plan for all development except minor planning applications. A waste management plan should include design and layouts that allow effective sorting and storing of recyclables and recycling and composting of waste, and facilitate waste collection operations.
- 12.3** There are a range of methods that can be implemented to reduce construction waste, adopted from the WRAP principles, where possible, applicants should utilise the design process to reduce waste through considering the following:
- design for reuse and recovery;
 - design for off-site construction;
 - design for materials optimisation;
 - design for waste efficient procurement; and
 - design for deconstruction and flexibility.

Operational Waste

- 12.4** Local waste, recycling and collection arrangements for single houses or groups of houses need to be designed to facilitate reuse and recycling, without unreasonably dominating buildings, streets and spaces.
- 12.5** To facilitate segregated household recycling, new homes should be fitted with separate appropriately sized and integrated bins, corresponding with the recycling and waste collection policy for the local area. At least three separate internal bins are required with a total capacity of at least 30 litres and each with a capacity of at least 7 litres. A compost bin is also required for any ground floor private garden of 50m² or above.

13. Electric Vehicle Charging Points

- 13.1** Since the 15th June 2022 the requirements for provision of electric vehicle charging points has fallen under 'The Building Regulations 2010 Approved Document S Infrastructure for the charging of electric vehicles. The details can be found here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1057375/AD_S.pdf

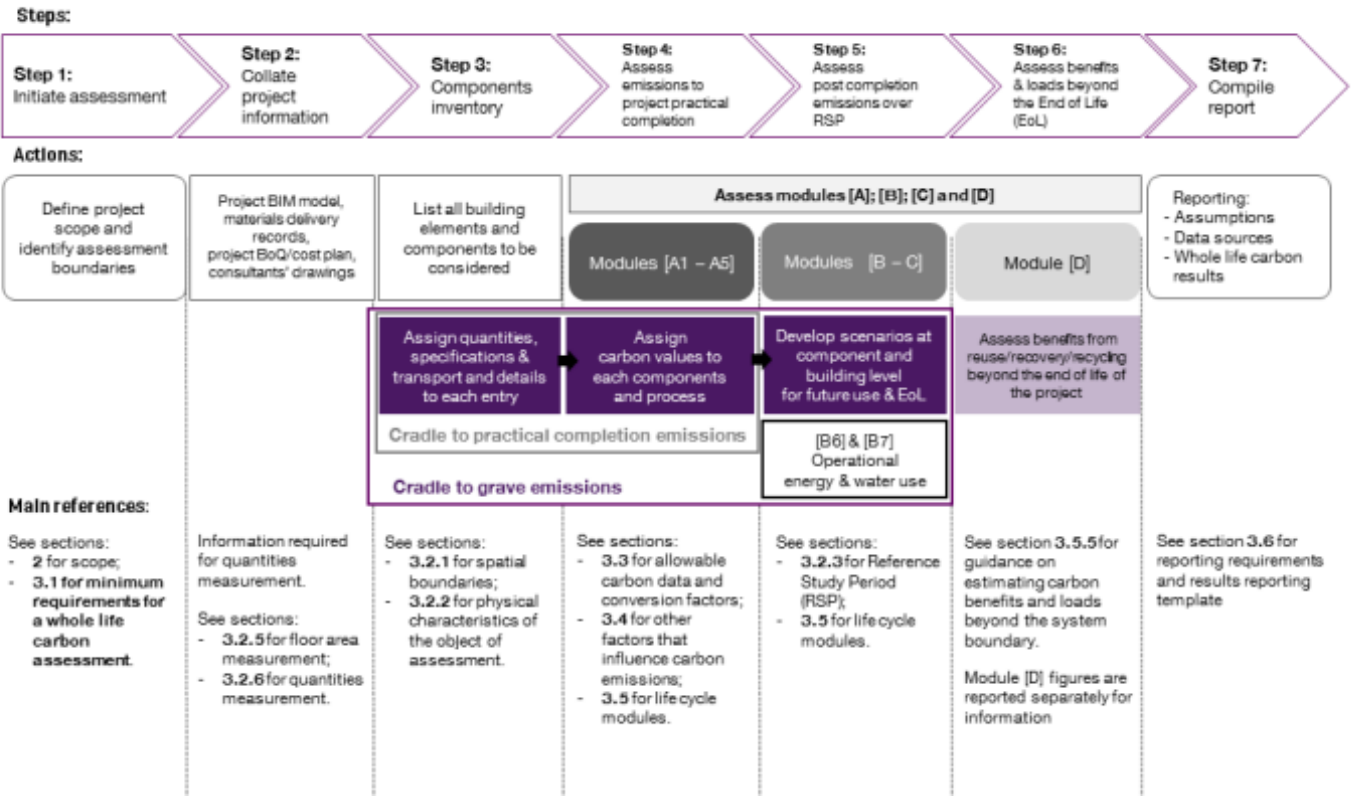
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14. Appendix 1

Whole life carbon assessment

Recommended sequence of activities to complete an assessment

This diagram is to be read in conjunction with the RICS professional statement *Whole life carbon assessment for the built environment*, 1st edition (2017).



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<https://www.rics.org/uk/products/data-products/insights/rics-building-carbon-database/>

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BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR OF GROWTH & SUSTAINABILITY

TITLE: YOUTH EMPLOYMENT PROGRAMME - PROGRESS UPDATE

REPORT TO:	CABINET
Date of Meeting	2 November 2022
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Public

Purpose of report

To provide Cabinet with a progress update of the Barnsley Youth Employment Programme (YEP) being delivered by Barnsley Council and Berneslai Homes. To seek Cabinet’s approval for the recommended option proposed in the Report to build on the success of the YEP in a sustainable way going forward.

Council Plan priority

Learning Barnsley – *“young people aim high and achieve their full potential”, “Lifelong learning is promoted and encouraged, with an increase in opportunities that will enable people get into, progress at and stay in work”*

Healthy Barnsley – *“Everyone is able to enjoy a life in good physical and mental health”, “Fewer people live in poverty, and everyone has the resources they need to look after themselves and their families”*

Recommendations

That Cabinet: -

- 1.** Recognise the positive impact of the YEP for many of our Barnsley young people, supporting their progression into paid employment or apprenticeships. The Council have recently won an award from the Department for Work & Pensions (DWP) for its programme.
- 2.** Acknowledge the commitment and engagement from numerous services and teams across the Council and Berneslai Homes in creating these opportunities for our young people.
- 3.** Considers and approves the recommended option presented within this report (option 2), enabling the Council to build on the success and impact of the YEP in a sustainable way by:

- a) Implementing a Senior Leadership 'Inclusive Offer Pledge'
- b) Re-purposing ringfenced corporate apprentice budget
 - o 'In-year' underspend can be used to create other paid work experience/placements for care leavers
 - o Any underspend at the end of the financial year to be earmarked and used in the following financial year to create paid work experience/placements for any young people aged 16-24 who are NEET.
- c) Converting x20 entry level positions into paid work placements

1. INTRODUCTION

- 1.1 The Barnsley YEP was approved by Cabinet 15th March 2021. The programme provides 12-month paid work placements with the Council and Berneslai Homes for young people (18-24) in receipt of Universal Credit and most at risk of long-term unemployment as a result of the Covid-19 pandemic. It incorporates the Government's national Kickstart initiative, which provides 6-month paid work placements, with the Council and Berneslai Homes funding the additional 6-months.
- 1.2 Many of the young people on programme face multiple barriers to employment and the YEP provides comprehensive support to overcome these. Young people with the Council benefit from support with applications and interviews, a bespoke education & training package, a lead pastoral mentor overseeing progress and a comprehensive off-boarding plan to support each young person into either paid employment or an apprenticeship in the latter part of their work placement. Berneslai Homes have provided young people with a similarly high level of wraparound support including monthly 1:1 pastoral check-ins, an Education & Training budget for each young person and extensive support with CV's, applications and interviews.
- 1.3 Engagement from services across the Council and Berneslai Homes in creating work placement opportunities has been excellent. Without this engagement, the diversity and high quality of placements available to meet the needs and aspirations of young people would not have been possible.
- 1.4 A total of 94 young people have benefitted from the scheme across the Council and Berneslai Homes (64 and 30 respectively). The diverse and high-quality placements (appendix 1) created across the two organisations is supporting young people to develop knowledge, skills and experience that will support progression into paid employment or an apprenticeship.
- 1.5 The Council's Adult Skills and Community Learning service have developed, designed and delivering a suite of qualifications for young people to benefit from including Employability, Maths, English and Digital Skills qualifications funded through the Adult Education Budget. Other bespoke training and qualifications have been delivered specific to particular job roles.

- 1.6 The impact of the quality of placements and wraparound support is evident through the retention of young people on programme, with the Council's retention being 98.5% and Berneslai Homes 96.7%. From the 64 young people with the Council, 39 qualifications have been achieved, a further 39 qualifications on track to be achieved and 54 of the 64 on track to achieve at least one qualification. Of the 94 who have commenced placements across both organisations, 36 (26 from the Council and 10 from Berneslai Homes) have already transitioned into paid employment or an apprenticeship either internally within one of the two organisations or with external employers (appendix 2). We are ambitious and committed to supporting every individual on programme into either paid employment or an apprenticeship by the end of their placement, utilising comprehensive off-boarding plans that have been developed.
- 1.7 The YEP is proving to be an effective progression and succession pipeline for the Council, with 9 of the 26 that have already transitioned into either employment, or an apprenticeship have done so with the Council.
- 1.8 Feedback from both young people and managers has been highly positive. A selection of case studies and comments from both young people and managers can be seen in appendix 5.
- 1.9 The development and implementation of the YEP has resulted in a highly effective and robust model that helps young people overcome barriers and progress into paid employment or apprenticeships. Its effectiveness and impact has been recognised by the DWP, who have recently provided the Council with an award for the programme.
- 1.10 Recruitment of young people to the YEP ceased 31st March 2022. Whilst the YEP was developed and implemented in response to the disproportionate impact of Covid-19 on young people's future employment opportunities, there will remain a need for such opportunities particularly targeted at those from vulnerable or disadvantaged backgrounds.
- 1.11 The YEP is being delivered by the Council's Inclusive Offer team, part of the Employment and Skills service. The Inclusive Offer works with various partners and providers to support young people and those from vulnerable and/or disadvantaged backgrounds into good quality work experience/placement opportunities with wraparound pastoral and personal development support. The Inclusive Offer supports the sufficiency of work experience in the Borough including T-Level placements, Supported Internships, ringfenced apprenticeships for care leavers and those with EHCPs, traineeships and a range of work experience and work placements.

2. PROPOSAL

- 2.1 The YEP is proving to be highly effective in supporting young people with varying barriers they face to enter meaningful employment, whether this be education, work experience or personal barriers (i.e., financial, mental health etc). The programme ceased recruitment 31st March 2022, yet there remains a glut of young people requiring the level of comprehensive support and opportunity provided by the YEP, particularly for those from vulnerable and/or disadvantaged groups. The following Options are provided with option 2

enabling the Council to build on the YEP and continue a model that is both feasible and sustainable for the long-term.

2.2 **Option 1:** Do nothing

Should the YEP come to an end and none of the following options approved, the Inclusive Offer will continue to work with services across the Council and external partners to support young people and those from vulnerable / disadvantaged groups into good quality work experience/placement opportunities to move closer to sustained employment. However, the impact of this work will be diluted compared with approval of some or all of the following options.

2.3 **Option 2:** Implement the following measures to build on the success and impact on the YEP in a sustainable way

1. *Senior Leadership 'Inclusive Offer Pledge'*

The Executive Director of each Directorate signs a pledge committing to facilitate its proportionate (based on Directorate headcount) number of the following opportunities each financial year:

- X20 T-Level work placements
- X10 Supported Internship placements
- X10 3-month work placements for adults with Learning Difficulties and/or Disabilities
- X20 paid work placements (please see measure 3)
- A guarantee that ringfenced apprenticeships will be facilitated where requested
- A guarantee that work experience for care leavers will be facilitated where requested

Heads of Service (HoS) to also sign up to the pledge. Relevant HoS's are cc'd into requests from the Inclusive Offer to support/influence the creation of the relevant opportunities with the relevant teams and/or individuals. The Inclusive Offer to report update bi-annually to Senior Leadership and/or Cabinet.

The opportunities included within the 'Inclusive Offer Pledge' are key priorities for the Borough in supporting young people and those from vulnerable / disadvantaged groups towards employment. For an overview of the different type of work experience/placements within the Pledge, please see appendix 3.

2. *Re-purpose ringfenced corporate apprentice budget*

The Inclusive Offer receives core funding each financial year of £231,200 to cover salary and on-costs for up to x10 apprenticeship positions for care leavers (x2 positions can be used for young people with EHCP's). In addition, it supports a small number of targeted co-funded positions, if required, helping to incentivise services to create additional ringfenced positions and also funds the Pastoral Lead Mentor role who supports both new apprentice entrants to the council and care leavers and young people with EHCP's in ringfenced positions.

The highest number of ringfenced apprentice positions filled at any one time is five, which is the current position (x4 care leavers, x1 EHCP). It is anticipated there will likely always be an under-utilisation, and therefore a resulting underspend.

The following two re-purposing actions are proposed:

3A = 'In-year' underspend can be used to create other paid work experience/placements for care leavers, those with an EHCP who are Not in Employment Education or Training (NEET) are, or those who have been through the Youth Justice Service

3B = Any underspend at the end of the financial year to be earmarked and used in the following financial year to create paid work experience/placements for any young people aged 16-24 who are NEET.

The Inclusive Offer would use the model developed for the Youth Employment Programme and provide wraparound education & training, pastoral and other support for any young person who came through this option to help them progress into sustained employment.

It is impossible to provide accurate numbers of young people who would benefit from this option as it would depend on how many positions are utilised with apprenticeships. It would also depend on the length of time a young person in Options 3A or 3B above remained in placement before progressing into another destination (i.e. paid employment, apprenticeship etc). However, as an example, if the budget was fully utilised by x5 apprentices for a full financial year, this would leave approximately £80,000 to support 3A. If we had x5 young people from 3A for six-months on the same terms as the YEP (hours and pay), this would use approximately half of the £80,000 and leave an underspend of approximately £40,000 that can be used to support 3B the following financial year. This could support x5 young people from 3B for six-months on the same terms as the Youth Employment Programme the following year. The table below provides an example scenario:

	22/23	23/24	24/25
Apprentices	X5	X5	X5
3A	X5 for six months	X5 for six months	X5 for six months
3B	~	X5 for six months	X5 for six months

There was an underspend in financial year 21/22 that could be used for both 3A and 3B to be operational within this current financial year.

3. *Convert x20 entry level positions into paid work placements*

Directorates to identify and put forward its proportionate amount (based on headcount) of x20 entry level positions each financial year that could be converted into a 12-month paid work placement following the Youth Employment Programme model. For example, a service looking to recruit a permanent grade 2 Projects Officer could put this position forward. If the young person meets satisfactory performance measures (i.e., attendance, competency in the role etc) during the 12-month paid work placement, this could then convert into the permanent role or apprenticeship.

This is incorporated into the pledge (fourth bullet point).

- 2.4 **RECOMMENDATION:** it is recommended Option 2 be approved. The measures proposed would show commitment and buy-in at the most senior level that will support with raising awareness and engagement amongst Directorates and services in the creation of high-quality opportunities. They would enable a deliverable number of opportunities to continue the YEP model in a sustainable way going forward, significantly enhancing the employability prospects for many young people and those from vulnerable / disadvantaged backgrounds. There would be no additional funding required in delivering any of the options other than what is already committed.

IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

- 3.1.1 Consultations have taken place with representatives of the Service Director - Finance (S151 Officer).
- 3.1.2 The Youth Employment Programme / Kickstart scheme was extended to 31st March 2022 for new candidates to join the scheme. Payment to these candidates will run to 31st March 2023. The financial implications for the extension of the scheme were captured in Appendix A of the Barnsley Youth Employment Programme Cabinet Report that was approved on 15th March 2021.

The table below shows the actual and forecasted position for the total program:

Expenditure/Income Type	Total Budget (£)	2021/22 (£)	2022/23 (£)	Total (£)
Salaries & Running costs	1,200,000	350,635	440,144	790,779
DWP Grant	(600,000)	(259,515)	(138,069)	(397,584)
Service Contributions		(2,177)	(754)	(2,931)
BMBC	(600,000)	(88,943)	(301,321)	(390,264)
Total	-	-	-	-

- 3.1.3 The paper recommends approving Option 2. No funding has been included in the MTFS for either the existing or any new Kickstart scheme to run beyond 31 March 2023 (i.e., candidates starting from 1 April 2022 onwards). Therefore, any decisions or proposals to create a new scheme need to be funded from existing budgets or a redesign of the existing programs. Any underspend from the £600k Kickstart budget will contribute towards the MTFS and not be available for any new schemes. This includes any costs resulting from the proposal under Option 2.1 above requiring officers to sign a pledge committing to facilitate a proportionate number (based on directorate headcount) of opportunities.
- 3.1.4 The Service has a permanent resource of £231,200 core funding for the Inclusive Offer to cover salary and on-costs for up to 10 apprenticeship positions for care leavers (x2 positions can be used for young people with EHCP's as well as the Pastoral Mentor). The highest number of ringfenced apprentice positions filled at any one time is five so it is always likely there will

be an underspend. It is recommended that any of this underspend is re-purposed as per Option 2.2 and 2.3.

3.1.5 As noted in paragraphs 3.13 and 3.14 above, the recommendations do not result in any additional funding requirement. No Appendix A is therefore required.

3.2 Legal

3.2.1 There are no legal implications arising from this report.

3.3 Equality

3.3.1 A full Equality Impact Assessment has been completed and is attached as an appendix 4.

3.4 Sustainability

3.4.1 There are no foreseen negative environmental or socioeconomic impacts should any/all of the recommendations be approved.

3.4.2 There are positive socioeconomic impacts should some or all of the recommended options be approved, particularly around Learning & Training, Wealth and Jobs & Business. These high impact areas contribute towards Learning Barnsley and Growing Barnsley.

A copy of the decision-making wheel can be seen below.



3.5 Employee

3.5.1 There are no direct employee implications as a result of the recommended options.

3.6 Communications

3.6.1 Promotion of the scheme is embedded in the wider campaign to grow Youth Employment in the borough.

4. CONSULTATION

4.1 Consultations have taken place with a range of stakeholders including Berneslai Homes, Dept for Work & Pensions, Job Centre Plus, Unions, Organisation Development, Targeted Information Advice & Guidance, Children in Care Team, and young people.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 N/A

6. REASONS FOR RECOMMENDATIONS

6.1 The reasons for the recommendations within the report are to highlight the impact of the existing YEP programme, to recognise and thank the fantastic support and engagement from services and teams across the Council and Berneslai Homes in the creation of some excellent opportunities for young people, and for Cabinet to consider options put forward that will enable more young people and those from disadvantaged / vulnerable groups to access opportunities that will enable them to progress towards sustained paid employment.

7. GLOSSARY

N/A

8. LIST OF APPENDICES

Appendix 1 – Barnsley Council / Berneslai Homes Placements
Appendix 2 – Transitions into paid employment / apprenticeships
Appendix 3 - Work experience/placements Pledge
Appendix 4 – Equality Impact Assessment
Appendix 5 – Case Studies

9. BACKGROUND PAPERS

N/A

10. REPORT SIGN OFF

Financial consultation & sign off	<i>See section 3 Financial Implications Ashley Gray, Strategic Finance Business Partner 24/08/2022</i>
Legal consultation & sign off	Legal Services officer consulted and date <i>Jason Field 19/08/22</i>

Report Author: Neil Wilkinson
Post: Projects & Contracts Manager
Date: 10 August 2022

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Barnsley Council Placements	Barneslai Homes Placements
Parks Assistant Assistant Gardener Trainee Business Support Officer Street Cleansing Operator Local Land Charges Assistant Family Support Worker Countryside Ranger Assistant Family Centre Worker Arts & Heritage Learning Programme & Digital Assistant Admin. & Digital Support Service Support Assistant Market Support Officer Elections Assistant Customer Service Performance & Compliance Adult Safeguarding Compliance & Funding Business Support Officer Trans Pennine Trail Assistant IT Stores Assistant Assistant Comms & Marketing SEND Participation Landbased Trainee Records Management Licensing Support Visitor Support Assistant Commercial Events Assistant SEND Support	Performance & Information X3 Organisational Development X2 Gas Compliance X2 Driver/Labourer Construction Services Admin Clean and Clear Housing Management X8 Electrical Compliance General Construction/Community Refurbishment X4 Depot Operative Corporate Admin Stores Community Buildings Human Resources Stock Condition Surveyor Rents Performance and Information
Note: many of the roles listed for the Council above provided more than one position. i.e., x4 business support officer positions were created etc.	

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Appendix 2

Destinations of the twenty young people with the Council who have secured paid employment to date from the Council's YEP are listed below. Nine have progressed internally and eleven externally. Destination data for those who have secured paid employment from Berneslai Homes is not available.

YEP Role	Destination after YEP	With
Local Land Charges Assistant	Local Land Charges Officer	Barnsley Council
Assistant Gardener	Cemetery Operative	Barnsley Council
Family Centre Support Worker	Family Centre Support Worker	Barnsley Council
Service Support Assistant	Transport Administrator	Barnsley Council
Customer Service Advisor	Customer Service Advisor	Barnsley Council
Street Cleansing Operative	Street Cleansing Operative	Barnsley Council
Customer Service Advisor	Customer Service Advisor	Barnsley Council
Customer Service Advisor	Customer Service Advisor	Barnsley Council
Street Cleansing Operative	Cemetery Operative	Barnsley Council
Customer Service Advisor	Patient Care Administrator	Connect Health Barnsley
Countryside Ranger Assistant	FLT Driver	DEM Windows
Family Centre Support Worker	Support Worker	Dene Brook, Cygnet Health Care
Countryside Ranger Assistant	Groundsman	Grounds Maintenance Company
EWO Admin Assistant	Foreign Exchange & Pawn Broker	H&T Barnsley
Business Support Officer Trainee	Logistics Operative	Next
Elections Assistant	Admin Officer - Equality and Involvement	NHS SWYT
Family Centre Support Worker	Residential Support Worker	The Priory Group
Countryside Ranger Assistant	Groundsman	Unknown (Barnsley)
Market Support Officer	Customer Service Advisor	Vodafone
Family Centre Worker	Sales Advisor	Web Help

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T-Level work placements – T-Levels require a mandatory 315-hour work placement, usually delivered a day a week over an academic year (although anomaly T-Levels may require a block placement). Barnsley College are delivering T-Levels from September 2022 and there are approximately ten different types of T-Levels the Council could support with placements including Early Years, Digital, Accounting and Finance, and Business & Admin. (amongst some other more specific ones). T-Levels are Full-Time Level 3 courses and are replacing BTEC's (or similar). They are (in real terms) on par with A-Levels and entry requirements for students aligned with A-Levels (for many T-Levels, five GCSE's grade 4/C or above including English & maths is not sufficient. For example, the Health & Science T-Level at Barnsley College requests a Grade 6/B in English and maths and a Grade 7/A in Science alongside two other GCSE's Grade 4/C or above).

Supported Internship placements – transition course between education and employment for young people (18-25) with an EHCP (High Needs). Placement requirements are usually 3-days a week over approximately seven or eight months of the Academic year. Young people have a job coach who attends the workplace with them to help them understand the tasks they are set and help build up their confidence and independence in the workplace. The job coach support will ease off as the young person becomes more competent and confident in the placement.

3-month work placements for adults with Learning Difficulties and/or Disabilities – full-time work placements where the adult will have a job coach who will attend the workplace with them until they are competent and confident enough without their support.

Guarantee that ringfenced apprenticeships will be facilitated where requested – The Inclusive Offer have a robust and successful ringfenced recruitment process for care leavers. This includes ensuring a care leaver is motivated to do an apprenticeship with the Council, possesses the Minimum Entry Requirements and a judgement that the likelihood is they will succeed (from those who have known and worked with them for a period of time). We then identify their career and employment aspirations before targeting particular services or teams. Funding is provided centrally so there is no salary or on-costs for the relevant service/team.

Guarantee that work experience for care leavers will be facilitated where requested – This could vary in duration and number of hours/days etc and will be targeted by the Inclusive Offer based on a care leavers areas of interest etc. Checks are carried out with those who work closely with the care leaver to assess they are ready for undertaking a work experience opportunity.

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Equality Impact Assessment

Work experience/placement – recommended options

Stage 1 Details of the proposal

Name of service

Employment & Skills

Directorate

Growth and Sustainability - BU4

Name of officer responsible for EIA

Neil Wilkinson

Name of senior sponsor

Description / purpose of proposal

The Employment and Skills service have been delivering a Youth Employment Programme for young people aged 18-24 and in receipt of Universal Credit (approved by Cabinet March 2021). The purpose of the programme was to mitigate the impacts of Covid-19 (cause) on this age group, evidenced as being most at-risk of long-term unemployment (effect).

A Report is due to go through White Cabinet 02/11/23 providing a progress update highlighting the positive impact the programme has had on many young people. It also includes a range of recommended options that will enable the Council to continue to support many young people and those from vulnerable and/or disadvantaged groups to progress into employment, via a range of support schemes outlined in the options of the Cabinet Report.

Date EIA started

09/08/2022

Assessment Review date

09/08/2023

Stage 2 - About the proposal

What is being proposed?

For Cabinet to approve a range of recommended

options that will create a range of opportunities for young people and those from vulnerable and/or disadvantaged groups to overcome barriers and progress towards paid employment.

Why is the proposal required?

The recommended options outlined within the Cabinet Report support the sufficiency of opportunities required to support young people and those from vulnerable and/or disadvantaged groups to overcome barriers and progress towards paid employment.

What will this proposal mean for customers?

Enhanced work skills, knowledge and experience.
Enhanced personal development and wellbeing.
Improved employability prospects.

Stage 3 - Preliminary screening process

Use the Preliminary screening questions to decide whether a full EIA is required

Yes - EIA required (go to next section)

No – EIA not required (provide rationale below including name of E&I Officer consulted with)

Stage 4 - Scoping exercise - What do we know?

Data: Generic demographics

What generic data do you know?

There is an increasing number of young people 18-24 looking to enter the labour market without the required skills to be deemed 'work ready' by employers, identified through a recent report commissioned by the Employment and Skills service. There is also an increasing number of young people facing personal barriers to employment including well publicised issues around mental health, amongst others. Such issues outlined above are exacerbating the number of young people 18-24 becoming unemployed and in receipt of Universal Credit.

Data: Service data / feedback

What equalities knowledge do you already know about the service/location/policy/contract?

The recommended options within the Cabinet Report provides targeted opportunities for:
 Young people 16-19
 Unemployed young people 18-24
 Care Leavers
 Young people with Education Health and Care Plans
 Adults with Learning Difficulties and/or Disabilities
 Young people who have been through the Youth Justice System

Data: Previous / similar EIA's

Has there already been an EIA on all or part of this before, or something related? If so, what were the main issues and actions it identified?

No

Data: Formal consultation

What information has been gathered from formal consultation?

That there is a need for targeted provision/support for the identified groups listed previously in progressing towards paid employment.

Stage 5 - Potential impact on different groups

Considering the evidence above, state the likely impact the proposal will have on people with different protected characteristics
 (state if negative impact is substantial and highlight with **red text**)
 Negative (and potentially positive) impacts identified will need to form part of your action plan.

Protected characteristic	Negative '-'	Positive '+'	No impact	Don't know	Details
Sex		X			The options recommended in the report do not discriminate on sex and therefore it is anticipated males, females and potentially those who are non-binary will benefit from the recommended options, supporting their progression towards employment. Monitoring of sex will take place to ensure no particular sex is underrepresented and should this be the case, appropriate interventions applied.
Age		X			Most of the options are focussed on 18-24 year olds, identified as the age bracket needing the most support to enter the labour market, due to employer feedback claiming this age range are not yet 'work ready'. This age range will

					significantly benefit from the recommended options.
Disabled <i>Learning disability, Physical disability, Sensory Impairment, Deaf People ,invisible illness, Mental Health etc</i>		X			Those with a disability are particularly targeted in the recommended options, to support those with a disability to benefit from the recommendations and progress towards employment.
Race		X			The options recommended in the report do not discriminate on race and therefore it is anticipated individuals from all races will benefit from the recommended options, supporting their progression towards employment. Monitoring of race will take place to ensure no particular race is underrepresented and should this be the case, appropriate interventions applied.
Religion & Belief		X			The options recommended in the report do not discriminate on Religion & Belief and therefore it is anticipated individuals from all Religions and beliefs will benefit from the recommended options, supporting their progression towards employment. Monitoring will take place to ensure appropriate representation and where not interventions applied.
Sexual orientation		X			The options recommended in the report do not discriminate on sexual orientation and therefore it is anticipated individuals irrelevant of their sexual orientation will benefit from the recommended options, supporting their progression towards employment. Monitoring will take place to ensure appropriate representation and where not interventions applied.
Gender Reassignment		X			The options recommended in the report do not discriminate on gender reassignment and therefore it is anticipated individuals with gender reassignment will benefit from the recommended options, supporting their progression towards employment. Monitoring will take place to ensure appropriate representation and where not interventions applied.
Marriage / civil partnership		X			The options recommended in the report do not discriminate on marriage/civil partnership and therefore it is anticipated individuals who are married or in a civil partnership will benefit from the recommended options, supporting their progression towards employment. Monitoring will take place to ensure appropriate representation and where not interventions applied.
Pregnancy / maternity		X			The options recommended in the report do not discriminate those who are pregnant and therefore it is anticipated individuals who are pregnant will benefit from the recommended options, supporting their progression towards employment. Monitoring will take place to ensure appropriate representation and where not interventions applied. For those on maternity, it is not feasible to support on any of the schemes. However, we would work with any individuals on maternity to provide opportunities once the maternity period had concluded.

Other groups you may want to consider					
	Negative	Positive	No impact	Don't know	Details
Ex services		X			
Lower socio-economic		X			
Other ...		X			

Stage 6 - BMBC Minimum access standards

If the proposal relates to the delivery of a new service, please refer to the Customer minimum access standards self-assessment (found at)

If not, move to Stage 7.

Please use the action plan to be taken to ensure the new service complies with reasonable adjustments for disabled people.

Not yet live

- The proposal will meet the minimum access standards.
- The proposal will not meet the minimum access standards. –provide rationale below.

Stage 7 – Action plan

To improve your knowledge about the equality impact . . .

Actions could include: community engagement with affected groups, analysis of performance data, service equality monitoring, stakeholder focus group etc.

Action we will take:	Lead Officer	Completion date
Analysis of equality data for those partaking in any of the options recommended	Neil Wilkinson	01/08/2023
Stakeholder focus group	Neil Wilkinson	01/08/2023

To improve or mitigate the equality impact . . .

Actions could include: altering the policy to protect affected group, limiting scope of proposed change, reviewing actual impact in future, phasing-in changes over period of time, monitor service provider performance indicators, etc.

Action we will take:	Lead Officer	Completion date
Interventions, such as tweaking access requirements, to improve representation amongst any underrepresented groups, based on the tracking and analysis of protected characteristics data and information. This will enable the project/s to be more inclusive and ensure we have applied due regard to our Public Sector Equality Duty.	Neil Wilkinson	01/10/2023

To meet the minimum access standards . . .(if relevant)

Actions could include: running focus group with disability forum, amend tender specification, amend business plan to request extra 'accessibility' funding, produce separate MAS action plan, etc.

Action we will take	Completion date
Not yet live	

Stage 8 – Assessment findings

Please summarise how different protected groups are likely to be affected

Summary of equality impact	The recommended options within the Cabinet Report aims to positively impact employment opportunities for young people and those from identified vulnerable and/or disadvantaged groups.
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Summary of next steps	
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Signature (officer responsible for EIA) Date	
--	--

Stage 9 – Assessment Review

What information did you obtain and what does that tell us about equality of outcomes for different groups?

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Youth Employment Cabinet Report – Progress Update

Case study and feedback annex

“ I've gotten my act together and grown over the last few months thanks to the Kickstart programme. My preparation for everything has improved, my interview and application skills have improved, and my confidence has grown. Now I know exactly what I need to do to achieve my goals.”

Sarah - a learner with the Kickstarter programme.

**20
30**

Barnsley – the place
of possibilities.



“ I didn't know what I wanted to do, and I discovered so many things I was interested in. I took every chance I could to learn something new and get as much experience as possible. After working with a team and learning so many new communication skills, I'm ready to take on more responsibilities and push myself further.”

Lydia -- a learner with the Kickstarter programme.

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Barnsley – the place
of possibilities.



“ One of the barriers I always faced when looking for a job is experience. I didn't have much. I'm glad I took this opportunity because it has allowed me to gain more skills. Now I can give examples of the work I've actually done in interviews, which gives me more confidence when applying for the jobs I want.”

Courtney -- a learner with the Kickstarter programme.

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Barnsley – the place
of possibilities.



Barnsley2030.co.uk #Barnsley2030

“ The big thing for me was my anxiety. Before I started my journey, I wouldn't have been able to talk to you. Now, thanks to my course and my Kickstart position, I'm doing a job where I'm talking to different people all day. My confidence has improved, and now I'm not afraid to meet new people and try new things.”

Brandon -- a learner with the Kickstarter programme.

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Barnsley – the place
of possibilities.



Barnsley2030.co.uk #Barnsley2030

“

Thanks to getting some hands-on experience, I feel so much better about applying for jobs. My skill set has grown, and I have more confidence to put myself there. I used to be nervous when presenting or speaking in an interview; now, I can do it with no problems.

”

**20
30**

Barnsley – the place
of possibilities.

Mia -- a learner with the Kickstarter programme.

Barnsley2030.co.uk #Barnsley2030

“

I've always wanted to get into business management, and I didn't know where to start. I worried that I spoke too informally and, without any experience, I wouldn't have a chance. Working with a hardworking team has given me the chance to develop my communication skills, and I'm now more confident working in a business setting than ever before.

”

**20
30**

Barnsley – the place
of possibilities.

Alex -- a learner with the Kickstarter programme.

Barnsley2030.co.uk #Barnsley2030

Further Young People feedback:

“Everyone was extremely helpful in getting me settled in and answering anything I was unsure about.”

“All the team made me feel so welcome and someone was there to show me what I was doing each day. I was also shadowing people which helped me get an insight of what people do in the workplace.”

“I also gained more self-confidence from my time in the office and thus it served a great purpose and I'm thankful for it.”

“I could let my guard down and relax as I'm a part of a great, caring and understanding team.”

“We, as young people, are treated fairly and with respect and dignity [...] I actually feel Barnsley Council have treated me brilliantly since I've been here and I'm so proud to be a part of the Council and [...] to provide the best service I can to the people of Barnsley.”

“I am very happy with my current employment and would continue it past my 12 months in a heartbeat were such an opportunity available. The work is varied and interesting, and the people within my team are very supportive. I think it has and will continue be a valuable experience and I would recommend the Kickstart program for BMBC to other young people.”

“I think it is a very good scheme for young people and would recommend to others.”

“My experience has been positive so far, everyone has been really helpful and welcoming, and more than happy to help when I ask for guidance.”

“I have really enjoyed my time with the council so far and have no complaints or issues whatsoever.”

Manager feedback:

“Our new starter from the Youth Employment Programme has settled in really well thanks to her work ethic and fantastic attitude. With each passing week she gains new skills and invaluable experience that will stand her in good stead when seeking employment in the future. She has become a valued team member helping assist with day-to-day tasks. She is a testament to the programme, and I would not hesitate to take on anyone else from the programme in the future.”

“Our experience with the young person on the Youth Employment Programme so far has been a really positive one. They have supported the Outreach and nursery team within the Family Centre. Both nursery and the outreach team report that they interact really well both with children and families, they are willing to carryout duties as requested. Although young, the young person uses their initiative and ensures that she stays busy. She has also

supported on reception during difficult times due to staff sickness. She has been a real asset to our team."

"I have had a good experience managing the young member of staff. They have come with a fantastic attitude and work ethic. It's been a pleasure to see the young person develop and flourish."

"The stores run like clockwork thanks to the two young people on the Youth Employment Programme who joined our team. All kit for the authority is meticulously accounted for and looked after thanks to their hard work and dedication. They contribute to our values: We're a Team, We'll be Excellent."

"..... has been brilliant since starting here with us. He's shown a real interest in our line of work and is always passionate about what ever task he's given to do".

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BARNSELY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR, GROWTH & SUSTAINABILITY

TITLE: CITY REGION SUSTAINABLE TRANSPORT SETTLEMENT – FUNDING

REPORT TO:	CABINET
Date of Meeting	2 November 2022
Cabinet Member Portfolio	Regeneration and Culture
Key Decision	Yes
Public or Private	Part exempt Exempt Information, Local Government Act 1972, Schedule 12A Part 1 Paragraph [3]

Purpose of report

In September 2021, the South Yorkshire Mayoral Combined Authority (SYMCA) submitted a bid to the Department of Transport (DfT) to secure funding from the City Region Sustainable Transport Settlement (CRSTS). Working to an anticipated, overall expected allocation of £400m, a SYMCA request was to submit a list of schemes that met with the DfT criteria which were:

- Driving growth and productivity through infrastructure investment
- Levelling up services towards the standards of the best; and
- Decarbonising transport, especially promoting modal shift from cars to public transport, walking and cycling

The CRSTS incorporates a consolidation of funding from the previous allocations of the Highway Maintenance Block (HMB), Potholes Fund and the Integrated Transport Block (ITB).

In April 2022 it was announced that the allocation to the SYMCA was £570m, with Barnsley’s allocation being over £70m, which includes a “top slice” of £20m for Highway Maintenance and £5.5m for the Local and Neighbourhood Transport Complementary Programme (LNTCP), which in effect replaces the former Integrated Transport Block (ITB).

Since April both the DfT and SYMCA have been working to finalise the list of schemes and outputs and had requested further information on a number of schemes. With the release of the Integrated Rail Plan, where rail improvements in the Barnsley area were not supported, the DfT removed two of Barnsley’s schemes – the Dearne Valley Parkway Park & Ride (funding to create a car

park at the proposed rail station) and the Barnsley Station Platform Extensions. We will however, use the CRSTS revenue funds to continue with the feasibility for these two schemes

The DfT are now satisfied with the final list of schemes and have HM Treasury approval to release the funds. A report to SYMCA has formally accepted this funding and it is for Cabinet to accept the Barnsley element of this allocation.

The purpose of the report is to seek approval for:

- The acceptance of the overall allocation of £70.3m CRSTS funding from the South Yorkshire Mayoral Combined Authority (SYMCA)
- To present the proposed schemes to be delivered through the CRSTS funds
- To seek approval to undertake feasibility work, submit Strategic Outline and Full Business Cases for the individual schemes for submission to SYMCA
- To advise Cabinet that it may be necessary to negotiate and purchase land and rights over which schemes will be constructed
- To seek formal approval from Cabinet to use Compulsory Purchase Order powers to provide certainty that land and any rights required for the construction over which schemes will be constructed
- To seek formal approval from Cabinet to prepare and progress any statutory procedures required to develop and deliver the proposed schemes to ensure that the overall aims and objectives of the schemes are delivered.

Council Plan priority

Sustainability

Recommendations

That Cabinet:-

- Authorises the acceptance of the overall CRSTS allocated funding of £70.3m for the development of the list of schemes shown in Appendix B, the HMB and the LNTCP funding
- **That the Executive Director of Core Services, in consultation with the Executive Director of Growth and Sustainability, where appropriate and compliant with BMBC processes, be authorised to:**
 - negotiate the terms, conditions of, and final approval of any Grant funding agreement, for the delivery of the Barnsley CRSTS proposed schemes set out in Appendix A (part exempt) attached to this report;
 - conclude the approval and funding processes with SYMCA, appoint consultants to assist with the delivery of schemes, accept tenders, appoint where necessary a contractor to implement the delivery of the proposed schemes, subject to the costs being

- contained within the Grant Funding Agreement;
 - where necessary, apply for any necessary consents, licence arrangements, footpath diversions, traffic regulation orders, closure orders, prepare details of and publish a Side Roads Order under sections 14 and 125 of the Highways Act 1980 to deal with any required changes to the existing highway network to accommodate the scheme, to submit any orders to the Secretary of State for Transport for confirmation and to take all necessary steps to secure confirmation of any Order including (if necessary) supporting the Order at a local public inquiry;
 - Give approval to make a Compulsory Purchase Order under section 239 of the Highways Act 1980 (if necessary) and if needed, to use the enforcement provisions provided to secure the necessary land to construct any of the schemes listed in Appendix B.
- **The Head of Property be authorised to:**
 - Enter into negotiations with any private landowner(s) to acquire privately owned land or property and enter into agreements to occupy land not in the ownership of the local authority. Give approval to make a Compulsory Purchase Order under section 239 of the Highways Act 1980 (if necessary) and if need be, to use the enforcement provisions provided to secure the necessary land to construct any of the schemes listed in Appendix A (part exempt).
 - Also, to complete any variation to any existing leases on the occupation of land owned by the local authority, if required, and where necessary negotiate compensation payments to facilitate the delivery of the proposed Barnsley CRSTS schemes.
- **The Executive Director for Growth and Sustainability be authorised to:**
 - develop and submit the Barnsley CRSTS schemes for Strategic Outline and Full business case as detailed in the appendices to this report, noting that
 - all submitted schemes are still subject to detailed design and cost reviews by SYMCA.
 - submit any change variation requests to SYMCA in relation to the schemes.
 - where necessary to retain external grant funding secured, whilst ensuring that the overall aims and objectives of the scheme are achieved.
 - be authorised to seek any necessary planning permission, (outline or full) for the proposed schemes in relation to the Barnsley CRSTS projects detailed in Appendix A.
 - under the terms of the Barnsley Contract Procedure rules consider whether the works, services or goods can be provided in house or if necessary

- seek tenders for any aspect of the project and appoint the successful tender on the basis of most economically advantageous bid.
- be authorised to undertake all necessary steps to secure delivery of the proposed Barnsley CRSTS projects outlined in Appendix A where funding has been secured.

1. INTRODUCTION

- 1.1 To provide Cabinet with information to consider acceptance of £70.3m CRSTS funding.

2. PROPOSAL

- 2.1 In May 2021, the DfT announced what was then called the Intra City Transport Settlement (ICTS) where Local Authorities were invited to submit a list of schemes to be considered.
- 2.2 Over the summer months, several iterations of the ICTS were put forward with a final business case submission being made in January 2022 – the fund was subsequently renamed the City Region Sustainable Transport Settlement (CRSTS). The list of schemes submitted for the Barnsley bid were presented to Members in December 2021.
- 2.3 In April 2022 an award was made to SYMCA of over £570m. Of the £570m, the allocation for Barnsley MBC is just over £70.3m. £25.5m of this was previously the Highways Maintenance Block (£20m) and Integrated Transport Block (£5m).
- 2.4 In addition to Barnsley's CRSTS capital allocation, the DfT also awarded revenue funding of £5.2m for local authorities to commence project feasibility work. The allocation confirmed for Barnsley of this funding is £1.520m. Cabinet have already accepted these funds (Cab.16.6.2022/100).
- 2.5 Officers within the Strategic Transport team (Highway Design, Transport and Highway Development Management) and the wider Highways & Engineering team have been consulted on the proposed schemes and have provided input into these schemes. They are also working on developing additional schemes when more new funding comes through, or existing schemes need to be varied.
- 2.6 Once acceptance of the overall CRSTS is confirmed and funding has been received, feasibility work will commence and strategic outline business cases prepared, which will enable funding equivalent to 2% of the scheme value to be drawn down to start detailed design and ultimately the scheme construction.
- 2.7 The £25m of the CRSTS allocation that covers former HMB and ITB funding is dealt with through the annual Highways Capital Programme and no businesses cases are required to secure this funding.

2.8 As with all DfT funding, there are a series of objectives the scheme must meet. In the case of CRSTS these are:

- **Driving growth** and productivity through infrastructure investment, how proposed transport interventions will lead to increased growth and productivity
- **Levelling up** services towards the standards of the best, how proposals would increase connectivity from areas that most need access to jobs and amenities to urban centres
- **Decarbonising transport**, especially promoting modal shift from cars to public transport, walking and cycling. Congestion and pollution measures will be assessed positively, proposals should show how they tackle congestion, promote the use of public transport and improve air quality

2.9 The proposed Barnsley CRSTS schemes will focus on investment based on the 3 themes and include a range of projects that align with SYMCA's themes identified in section 2.8 above:

- **A628, A635, Town End and Penistone** - include highways and bus priority interventions to speed bus journey times, improve air quality, reduce congestion and support access to employment. The interventions are intended to make public transport more attractive by making bus services quicker and, therefore, more attractive over the private car.
- **Active Travel Schemes**, which comprise walking and cycling infrastructure that increases cycling and walking connectivity beyond the existing network and help complete the overall network, and provide a safe and attractive alternative to private car use, thus reducing congestion and improving air quality and further encouraging healthy activity. The schemes proposed include high quality infrastructure, including off-road segregated footway level cycle tracks, improved crossing facilities within all routes, rationalisation of street furniture (de-cluttering unnecessary street furniture as well as non-essential highway signs), have higher quality bridleways and public rights of way, and by utilising disused railway lines, provide a more cohesive network that is far more effective for road users, is inclusive for mobility users, and attracts a higher number of walking and cycling trips to employment hubs, schools, town centre, and recreational usage.
- The interventions include better connectivity between the Principal Towns and the Town Centre, giving easier access to new investments, particularly around retail, training, and employment.

- 2.9 Aligning the Barnsley proposed TCF and CRSTS projects with the above themes is a major step change in the direction to encouraging active travel and modal shift throughout the borough, and this could impact on the traditional car user, vehicle /traffic priority and car journey times.
- 2.10 A detailed list of the proposed schemes is attached at Appendix A (exempt).

3 IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

- 3.1.1 Consultation on the Financial Implications of this report has taken place with representatives of the Service Director Finance (Section 151 Officer).
- 3.1.2 Approval is sought to accept £70.3m capital funding to support the City Region Sustainable Transport Settlement (CRSTS) programme to 31 March 2027 for the projects identified in Appendix B (Exempt). Not all of this is new money as the CRSTS incorporates funding previously allocated through the Highway Maintenance Block (HMB) (£20m), and Potholes Fund and the Integrated Transport Block (ITB) (£5.5m). The profile for spending the funds is not prescribed but the Council will have just 5 years to deliver the schemes from date of formal acceptance. Drawdown will be phased as follows: 2% on commencement of Outline Business Case; 10% on commencement of Full Business Case. The balance will be claimed as the work progresses on a quarterly basis.
- 3.1.3 Details of individual scheme costs remain subject to review with SYMCA to ensure consistency of approach and affordability within the overall indicative funding scenarios. These may also change following the preparation of the Outline and Final Business Cases and formal tendering processes. There will be scope to add or drop schemes if the tendered / actual expenditure comes in lower or higher than the estimates agreed with SYMCA to use up to £70.3m of the allocated funding.
BMBC Finance Officers will continue to work closely with the Transport Team to ensure project spend remains within the available CRSTS funding allocation.
- 3.1.4 No financial contribution is required from the Council to progress the recommendations outlined in this report.
- 3.1.6 Update reports on each approved scheme will be provided in due course advising on the outcome of the feasibility work undertaken along with any subsequent Outline and Full Business Cases to support projects.
- 3.1.6 Appendix A (part exempt) provides a summary of the financial implications arising from the recommendations in this report.

3.2 Legal

- 3.2.1 The use of the funds will be subject to SYMCA's terms and conditions.
- 3.2.2 Section 239 of the Highways Act 1980 - Acquisition of land for construction,

improvement etc. of highway – provides powers to highway authorities to acquire land required for the construction of a highway which is to be a highway maintainable at the public expense. At this stage, the need to acquire land is unknown; schemes have not been developed and, should land be required we will use best endeavours to acquire land through negotiation, using CPO powers as a last resort.

- 3.2.3 The Council will not move straight to compulsory purchase action as this is not only contrary to guidance but is a potentially drawn out and a resource intensive process. It should also be noted that at this stage, feasibility design on any of the schemes listed in Appendix A has been undertaken. The compulsory purchase procedure may take 2 years, although an accurate timescale is impossible as there are many unknown variables. The costs associated with the compulsory purchase procedure can be in excess of £100k as well as any acquisition costs. In any event, compulsory purchase must be a matter of last resort after all other options have been exhausted. In the first instance therefore, every effort will be made to acquire all land required to build the schemes by negotiation.
- 3.2.4 However, the Council needs certainty that the schemes can progress, and therefore it is sensible to seek authority to commence CPO proceedings in due course should all other options to secure land have been exhausted.
- 3.2.5 Any Compulsory Purchase Order will follow existing legislative procedures. All parties included in the Order have the right to object to the Secretary of State. On receipt of valid objections, the Secretary of State will appoint an Inspector who will arrange a Public Inquiry.
- 3.2.6 Matters of compensation are not valid objections and should be referred to the Lands Tribunal, separately from the compulsory purchase process for determination. Following the Inquiry, the Secretary of State will make a decision whether to confirm, modify or refuse to confirm the Order.
- 3.2.7 The decision of the Secretary of State can be challenged. Landowners will receive compensation based on the compensation code principles

3.3 Equality

An Equality Impact Assessment (EIA) pre-screening has been completed in accordance with the EIA policy. For the purpose of this report, no potential for unlawful discrimination and / or low level or minor negative impact has been identified, therefore a full EIA has not been carried out. However, for the individual work streams / projects individual EIA's will be undertaken.

3.4 Sustainability

The Sustainable Decision Wheel has been completed which shows positive impacts for the schemes to be delivered.



3.5 Employee

There are no issues arising directly from this report. The recently accepted Revenue Funding as well as this capital funding will enable additional resources to be brought in as and when required. The CRSTS programme funding is released in stages to develop the Strategic Outline and Full Business Cases which will cover existing staff costs.

3.6 Communications

All SYMCA business case submissions are high profile schemes and appropriate communication strategies are being developed linked to the signing of the funding agreement. Releases will also need to be agreed and co-ordinated with SYMCA arrangements.

Timely and accurate information will be provided through appropriate press releases, social media/website updates, local member briefings, and engagement with key stakeholders

4. CONSULTATION

Consultation has taken place with representatives from across Barnsley Council to help improve design which included Planning, Highways and Environmental and Regeneration Services. It is expected that separate consultations will occur with both external and internal stakeholders as the schemes progress through feasibility towards final design

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 The only other option would be for the Council not to accept the Funding. This would result in reputational damage for the Council.

6. REASONS FOR RECOMMENDATIONS

To receive the allocation of over £70.3 m for the delivery of major highway infrastructure, the Highway Maintenance and active travel schemes.

It will help protect the Council's finances in the future, by providing revenue for staff costs.

7. GLOSSARY

SYMCA - South Yorkshire Mayoral Combined Authority (SYMCA) submitted a bid to the DfT – Department of Transport

CRSTS - City Region Sustainable Transport Settlement

HMB - Highway Maintenance Block

ITB - Integrated Transport Block

LNTCP - Local and Neighbourhood Transport Complementary Programme

TCF - Transforming Cities Fund

8. LIST OF APPENDICES

Appendix A: Financial Implications (exempt)

9. BACKGROUND PAPERS

[Details of background papers **MUST** be included]

If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

10. REPORT SIGN OFF

Financial consultation & sign off	Maq Ahmed 6 September 2022
Legal consultation & sign off	Jason Field 6 September 2022

Report Author: Tracey Brewer
Post: Head of Strategic Transport
Date: 6 September 2022

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

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