

POLICY COMMITTEE

(Online meeting)

Tuesday, 20 October 2020 at 6.30pm

Committee Members: The Chairman (Councillor Foster) and Councillors Barrett, Heseltine, Ireton, Lis, Madeley, Metcalfe, Morrell, Mulligan, Myers, Noland, Place, Rose, Welch and Wheeler.

Substitutes: Conservatives – Councillors Handley, Moorby and Whitaker; Independents – Councillors Shuttleworth and Solloway plus (1 vacancy); Labour – Councillor Mercer; Green – Brown.

(Please note that due to Covid-19, this meeting will be held remotely and will be livestreamed here <https://www.youtube.com/channel/UCdfb6ZRbYnZ1-rRiLmjUwg>)

Exclusion of the Public - In accordance with the Council's Access to Information Procedure Rules, Members are recommended to exclude the public from the meeting during consideration of Items \$14 and \$15 on the grounds that it is likely that if Members of the public were present there would be disclosure to them of exempt information as defined in Paragraph 3 (relates to the financial or business affairs of any person including the Authority holding the information) of those Rules and Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

AGENDA

1. **Apologies for absence and substitutes** – To receive any apologies for absence and notification of substitutes.
2. **Confirmation of Minutes** – To confirm the minutes of the meeting held on 15th September 2020.
3. **Public Participation** – In the event that any questions/statements are received or members of the public attend, the public participation session will proceed for a period of up to fifteen minutes.
4. **Declarations of Interest** – All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

(Declarations should be in the form of: a “**disclosable pecuniary interest**” under Appendix A to the Council's Code of Conduct, or “**other interests**” under Appendix B or under Paragraph 15 where a matter arises at the meeting which relates to a financial interest of a friend, relative or close associate.

A Member of Council who has a disclosable pecuniary interest must leave the room and not take part in the discussion or vote. When declaring interests under Appendix B or Paragraph 15 of the Code, Members must move to the public seating area, not vote, and speak only if members of the public are also allowed to speak at the meeting.)

5. **Confirmation of the Council Tax Base 2021/22** – Report of the Chief Finance Officer. Attached.

Purpose of Report – To approve the Council Tax Base for the 2021/22 financial year.

6. **Test and Trace Isolation Payments Discretionary Scheme** – Report of the Chief Finance Officer. Attached.

Purpose of Report – To approve the Test and Trace Discretionary Payments Scheme.

- 6.a **Local Restrictions Support Grant Scheme** – Report of the Chief Finance Officer. To follow.

Purpose of Report -

7. **Apprenticeship Policy** – Report of the Business Support Manager. Attached.

Purpose of Report – To recommend the implementation of an Apprenticeship Policy within the Council.

8. **Reserve Forces Policy** – Report of the HR Manager. Attached.

Purpose of Report – To introduce and implement a Reserve Forces Policy at Craven District Council.

9. **Review of Enforcement Team** – Report of the Strategic Manager for Planning and Regeneration. Attached.

Purpose of Report – To seek approval to implement the revised structure for Planning Enforcement Team and to adopt a new customer charter for the service.

10. **White Paper – Planning for the Future** – Report of the Strategic Manager for Planning and Regeneration. Attached.

Purpose of Report – To seek member approval of the officer comments contained in the appendix to this report as the basis for the Council's response to the Government's consultation on the White Paper: Planning for the Future.

11. **Property Flood Resilience Recovery Support Scheme 2020** – Report of the Director of Services. Attached.

Purpose of Report – To seek approval for the Council to apply for and administer the Property Flood Resilience Recovery Support Scheme 2020 ('the Scheme') established by the Department of Food & Rural Affairs ('DEFRA').

12. **Arts Award Offer at Skipton Town Hall** – Report of the Strategic Manager for Planning and Regeneration. Attached.

Purpose of Report – To provide information to Members on the Arts Award and request permission for ongoing implementation of the scheme at Skipton Town Hall.

13. **Craven Museum Acquisition Opportunity** – Report of the Strategic Manager for Planning and Regeneration. Attached.

Purpose of Report - To provide information to Members on an acquisition opportunity and obtain permission to accept related funding if offered.

Items Exempt from Publication

- \$14. Green Recovery Challenge Fund** – Report of the Strategic Manager for Planning and Regeneration. Attached.

Purpose of Report – To seek approval to submit a funding application to the Green Recovery Challenge Fund.

- \$15. Redevelopment of Former Council Depot Site, Langcliffe Quarry, Settle.** – Report of the Director of Services. Attached.

Purpose of Report - To consider a revised delivery mechanism for the proposed redevelopment of the Council- owned depot/workshop at Langcliffe Quarry

- 16. Items for Confirmation** – The Committee is asked to indicate whether any of the above items should be referred to Council for confirmation.

- 17. Any other items** which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act 1972.

- 18. Date and Time of Next Meeting** – Tuesday, 1 December 2020 at 6.30pm.

Agenda Contact Officer: Vicky Davies

Telephone: (01756) 706486

E-mail: committees@cravendc.gov.uk

12 October 2020

POLICY COMMITTEE

(Online meeting)

15 September 2020

Present – The Chairman, Councillor Foster and Councillors Heseltine, Ireton, Lis, Metcalfe, Mulligan, Myers, Noland, Place, Rose, Welch and Wheeler.

Officers – Chief Executive, Director of Services, Chief Finance Officer (S151 Officer), Strategic Manager for Planning and Regeneration, Solicitor to the Council and Monitoring Officer, Exchequer and Performance Manager, Democratic Services Manager and Democratic Services and Scrutiny Officer.

Apologies for Absence – Apologies for absence were received from Councillors Barrett and Morrell.

Confirmation of Minutes – The minutes of the Policy Committee meeting held on 11 August 2020 were confirmed as a correct record.

Public Participation – There were no members of the public in attendance at the meeting.

Declarations of Interest – There were no declarations of interest.

Start: 6.30pm

Finish: 7.45pm

Minutes for Report

POL.1079

REVENUE BUDGET MONITORING REPORT – QUARTER 1 2020/21

The Chief Finance Officer (s151 Officer) submitted a report which provided an update on the revenue position of the Council, based on the Quarter1 review of income and expenditure to the end of June 2020.

The following information was appended to the report:

- Revenue budget by service department
- Green and amber items on the income and savings plan
- Earmarked reserve detail.

The Chief Finance Officer (s151 Officer) presented the report and particularly highlighted the impact of the Covid-19 pandemic on major income streams, such as car parking and leisure services.

Resolved –

- a) That the outturn revenue budget monitoring position, as at 30 June 2020, is noted.
- b) That the latest position of the savings achieved this quarter and identified as green in Appendix B and that these savings could be transferred to an earmarked reserve for support to the 2020/21 budget and beyond, is noted.
- c) That the revenue budget carry forward of £28,790 for completion of revenue commitments in 2020/21, is noted.
- d) That the significant impact of the Covid-19 pandemic on income and the costs of the Council is noted and that it is likely some draw on reserves will be required in 2020/21. This apportionment will be delegated to the Chief Finance Officer (s151 Officer).

POL.1080

**QUARTER 1 CAPITAL PROGRAMME MONITORING
REPORT 2020/21**

The Chief Finance Officer (s151 Officer) submitted a report which informed the Committee about the Council's Capital Programme position, based on the Quarter 1 review of income and expenditure to the end of June 2020.

A copy of the capital programme detailed analysis was appended to the report for Members' information.

Resolved –

- a) That the Capital Budget position of the 2020/21 Capital Programme, as at 30 June 2020, is noted.
- b) That the 2020/21 Capital Programme and the proposed funding for the projects agreed at Quarter 1, is noted.

POL.1081

QUARTER 1 PERFORMANCE MONITORING UPDATE

The Chief Finance Officer (s151 Officer) submitted a report which presented highlights for Quarter 1 of the financial year 2020/21 in accordance with arrangements set out in the Council's Performance Management Framework.

The Lead Member for Financial Resilience advised that the Council's approach to performance reporting had been updated. Performance summaries were now provided for a number of key service areas containing headline information covering all areas of the Council's Performance Framework.

Resolved – That the proposed changes to service performance reporting arrangements, which will cover reporting for 2020/21 and 2021/22, are noted.

POL.1082

CHANGES TO THE CURRENT PLANNING SYSTEM

The Strategic Manager for Planning and Regeneration submitted a report which sought approval from the Committee on the officer comments contained within the appendix to the report as the basis for the Council's response to the Government's consultation on proposed changes to the current planning system.

Resolved –

- a) That the officer comments contained in the appendix to the report are approved as the basis for Craven District Council's response to the Government's consultation on proposed changes to the current planning system.
- b) That delegated authority be granted to the Strategic Manager for Planning and Regeneration to use the officer comments in the appendix to the report, as amended by the Committee's views, to respond to the detailed questions set out in the consultation document, and forward these to the Ministry of Housing, Communities and Local Government prior to the consultation deadline on 1 October 2020.
- c) That the report is to be presented to Craven Spatial Planning Sub-Committee and the input from this Sub-Committee will refine the Council's response to the Government's current consultation on proposed changes to the current planning system.

POL.1083

CLIMATE EMERGENCY UPDATE

The Chief Executive submitted a report which provided an update on the first 6 months of progress against the Climate Emergency Strategic Plan. Members were advised that the report was the first 6-month review of progress since the Plan was agreed by Council on 25 February 2020.

Resolved –

- a) That the progress that has been achieved against the actions described in the Climate Emergency Strategic Plan, is noted.
- b) That the quantitative progress measures that will be used for the annual review of the plan in February 2021, are noted.

POL.1084

LOCAL ELECTRICITY BILL

The Chief Executive submitted a report which sought Members' support for the Local Electricity Bill 2020.

It was advised that the Local Electricity Bill aimed to enable local community energy generation companies to act as commercial electricity suppliers. This would allow generators to supply electricity locally via the electricity grid at a rate that was competitive for local consumers whilst receiving a price per kWh which would make their schemes economically viable with reasonable setup costs.

Resolved –

- a) That the Committee expresses its support for the Local Electricity Bill 2020.
- b) That the economic and carbon reduction potential for local renewable energy generation that would be enabled by the successful passage of the Local Electricity Bill 2020, is noted.

POL.1085

APPOINTMENTS TO SUB COMMITTEES AND PANELS

The Solicitor to the Council and Monitoring Officer submitted a report which sought to confirm membership of the Craven Employees' Consultative Group and agree terms of reference.

Resolved –

- a) That the following members be re-appointed to the Craven Employees' Consultative Committee for the 2020/21 municipal year; Councillors Foster, Brown, Madeley, Myers and Solloway.
- b) That the terms of reference included as an appendix to the report, are approved.

POL.1086

**APPOINTMENTS TO OUTSIDE BODIES 2020/21 –
YORKSHIRE HOUSING GROUP (CRAVEN AREA
COMMITTEE)**

The Solicitor to the Council and Monitoring Officer submitted a report which sought to agree the appointment of three representatives to serve on the Yorkshire Housing Group (Craven Area Committee) for a three-year term of office ending on the date of the Group's Annual Meeting in September 2023.

Resolved – That Councillors Heseltine, Jaquin and Lis are re-appointed to serve on the Yorkshire Housing Group (Craven Area Committee) for a three-year term of office ending on the date of the Group's Annual Meeting in September 2023

Minutes for Decision

There were no items for decision.

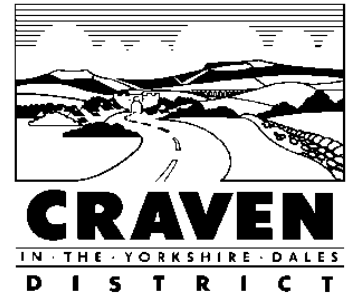
Date and Time of Next Meeting – Tuesday, 20 October 2020 at 6.30pm.

Chairman

Policy Committee – 20th October 2020

**CONFIRMATION OF THE COUNCIL
TAX BASE - 2021/22**

**Report of the Chief Finance Officer (s151 officer)
Financial Resilience – Councillor Mulligan**



Ward(s) affected: All

1. Purpose of Report

1.1 To approve the Council Tax Base for the 2021/22 financial year.

2. Recommendations – Members are recommended to put to Council:

2.1 That in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012 the amount calculated by Craven District Council as its tax base for the whole of the area for 2021/22 financial year is set at 22,363

2.2 The amount calculated by Craven District Council as the tax base for each of its Parishes for the 2021/22 financial year is that as set out in Appendix A to this report.

3. Report

3.1 Council Tax Base figures are calculated annually in accordance with the Local Government Finance Act 1992 (as amended) and relevant regulations and are used by each billing and major precepting authority in the calculation of the basic amounts of Council Tax. The figures must be notified to all major precepting authorities (North Yorkshire County Council, North Yorkshire Police and Crime Commissioner, North Yorkshire Fire & Rescue Authority, levying bodies, and parishes) on request before 31st January 2021.

3.2 The Council Tax Base is a complex calculation requiring forward projections of a number of key variables: these include new builds, properties demolished, and levels of exemptions and discounts. The impact of the economic climate provides further challenge to the projections. Council Tax is accounted for in a separate fund, the Collection Fund, with any deficit or surplus being carried forward and accounted for in the next financial year.

3.3 The Council Tax Base is calculated as the sum of the relevant amounts for each valuation band multiplied by the billing authority's estimated collection rate for the year. For information, comparative tax bases for the current and previous financial years and the number of properties in the Craven District are shown in the table below.

Year	Total Number of Properties (CTB1)	Number of band D equivalent properties (CTB1)	Adjusted council tax base
2021/22	27,786	24,562	22,363*
2020/21	27,584	24,317	22,617*
2019/20	27,414	24,240	22,525*
2018/19	27,321	24,213	22,455*
2017/18	27,181	23,896	22,093*
2016/17	26,989	23,653	21,825*

**The adjusted tax base reflects adjustments for the cost of council tax reduction, discounts and exemptions and an estimated collection rate. Up to this year this estimated collection rate has been 98.60%. The estimate for 2021/22 is 97.6% - the first time a reduction has been estimated for many years.*

- 3.4 There are no parish boundary changes.
- 3.5 The formula used to calculate the tax base takes account of Craven's local discounts / premiums and the localised council tax reduction scheme. The tax base recommended in this report reflects all decisions made by the Council since December 2012 in respect of locally determined council tax discounts.

4. Financial and Value for Money Implications

- 4.1 The reduction in the Council Tax Base from 22,617 to 22,363 is the net effect of a growth in the number of properties from 27584 to 27786 but also taking into account an increase in claims for Council Tax Support (estimated at 15%) and then a general reduction in the collection rate. There is notable uncertainty around both key factors but the immediate risk around collection is mitigated by a prudent bad debt provision. The position with Council Tax Support is being and will continue to be monitored closely.

Before considering any Council Tax increase as part of the budget setting process, and based on the 2020/21 average band D charge of £177.21, this reduced tax base would result in a total reduction of £29k of Council Tax income for the Council.

For every £1 of Council Tax levied, the tax base, as proposed, will enable the Authority to meet £22,363 of expenditure in 2021/22 compared with £22,617 in the current financial year.

5. Legal Implications

- 5.1 The Council tax base is a measure of the Council's taxable capacity, for the setting of its council tax, and legislation sets out the formula for the calculation and the requirement that the tax base is formally approved.

The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 prescribes the formula for calculating the tax base. Section 84 of the Local Government Act 2003 allows the calculation or determination to be delegated to a committee or an officer of the Council.

6. Contribution to Council Priorities

- 6.1 The calculation of the tax base informs the budget setting process for the coming year and so will help to support continued financial resilience.

7. Risk Management

- 7.1 There is a risk if the council tax base is set at a level that could result in a shortfall of income when council tax levels are set. A prudent allowance for non-collection is included in the calculation to minimise the risk. The degree of risk around the estimates informing the calculation is significantly higher than in previous years. A balance has to be struck between an informed estimate that is credible in the current circumstances and the impact on revenue budgets and measures to balance them if an overly pessimistic view was taken that subsequently proved to be incorrect.

8. Equality Impact Analysis

- 8.1 The Council's Equality Impact Assessment Procedure has not been followed. Therefore neither an Initial Screening or an Equality Impact Assessment has been undertaken on the proposed policy, strategy, procedure or function to identify whether it has/does not have the potential to cause negative impact or discriminate against different groups in the community based on •age • disability •gender • race/ethnicity • religion or religious belief (faith) •sexual orientation, or • rural isolation.

9. Consultations with Others

- 9.1 Financial Services, Legal Services

10. Background Documents

- 10.1 Council Tax Valuation List and Council Tax records (report RRV708 and CTB1 return)

11. Appendices

- Appendix A - Analysis of the Tax Base calculation by Parish

12. Author of the Report

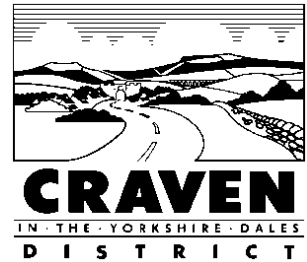
Deborah Davies, Revenues and Benefits Manager
ddavies@cravendc.gov.uk
01756 706294

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

Appendix A: Parish Summary

Parish	21/22 Taxbase	Parish	21/22 Taxbase	Parish	21/22 Taxbase
AIRTON	92.18	ELSLACK	38.05	LANGCLIFFE	163.52
APPLETREEWICK	103.78	EMBSAY w EASTBY	776.45	LAWKLAND	125.93
ARNCLIFFE	39.36	ESHTON	40.48	LINTON	71.33
AUSTWICK	236.53	FARNHILL	210.54	LITTON	33.84
BANK NEWTON	28.70	FLASBY w WINTERBURN	56.66	LONG PRESTON	313.20
BARDEN	32.54	GARGRAVE	757.94	LOTHERSDALE	252.71
BEAMSLEY	67.69	GIGGLESWICK	545.90	MALHAM	66.66
BENTHAM	1218.76	GLUSBURN	1457.44	MALHAM MOOR	20.57
BOLTON ABBEY	44.60	GRASSINGTON	542.53	MARTONS BOTH	142.86
BORDLEY	7.67	HALTON EAST	45.72	OTTERBURN	21.50
BRADLEY	493.08	HALTON GILL	26.46	RATHMELL	140.33
BROUGHTON	30.85	HALTON WEST	27.11	RYLSTONE	70.12
BUCKDEN	98.54	HANLITH	16.55	SCOSTHROP	34.69
BURNSALL	53.85	HARTLINGTON	33.56	SETTLE	1096.75
BURTON IN LONSDALE	251.21	HAWKSWICK	34.31	SKIPTON	5377.83
CALTON	27.02	HAZLEWOOD w STORITHS	40.39	STAINFORTH	107.42
CARLETON	442.96	HEBDEN	111.91	STIRTON w THORLBY	94.33
CLAPHAM	293.47	HELLIFIELD	543.00	SUTTON	1261.48
CONISTON COLD	89.85	HETTON	71.33	THORNTON IN CRAVEN	201.47
CONISTONE w KILNSEY	66.47	HORTON IN RIBBLESDALE	180.91	THORNTON IN LONSDALE	146.22
CONONLEY	539.91	INGLETON	835.72	THORPE	24.87
COWLING	872.84	KETTLEWELL w STARBOTTON	187.45	THRESHFIELD	385.37
CRACOE	80.31	KILDWICK	107.42	WIGGLESWORTH	136.31
DRAUGHTON	126.03	KIRKBY MALHAM	47.59		

All discounts, exemptions and CTR costs are apportioned based on number of band D equivalent properties within each parish. The estimated Council Tax collection rate is 97.6%.

Policy Committee – 20th October 2020**Test & Trace Isolation Payments -
Discretionary Scheme****Report of the Chief Finance Officer (s151 officer)
Financial Resilience – Councillor Mulligan**

Ward(s) affected: All

1. Purpose of Report

1.1 To approve the Test and Trace Discretionary Payments Scheme

2. Recommendations – Members are recommended to:

- 2.1 Approve the Test and Trace Discretionary Payments Scheme at Appendix One; and
- 2.2 Delegate authority to the Chief Finance Officer (s151 Officer) in consultation with the Lead Member for Financial Resilience to make minor technical adjustments should the need arise.

3. Report

- 3.1 The government has introduced a Test & Trace Isolation Support Scheme, to be administered by local authorities. The payment amount is fixed at £500. Alongside this, local authorities have been given the power to make a discretionary payment of the same amount in exceptional circumstances. The exceptional circumstances are deemed to be an individual who meets the main qualifying criteria but is not in receipt of a qualifying benefit.
- 3.2 Between the 28 September 2020 and 31 January 2021, individuals who are told to self-isolate on or after 28 September 2020 will be entitled to a Test and Trace Support Payment of £500 if they:
- Have been told to stay at home and self-isolate by NHS Test and Trace, either because they have tested positive for coronavirus or have recently been in close contact with someone who has tested positive
 - Are employed or self-employed
 - Are unable to work from home and will lose income as a result
 - Are currently receiving Universal Credit, Working Tax Credit, income-based Employment and Support Allowance, income-based Jobseeker's Allowance, Income Support, Housing Benefit and/or Pension Credit

- 3.3 The payment is designed to encourage people to get tested if they have symptoms by providing additional financial support if they will lose income as a result of self-isolating.
- 3.4 The government guidance sets out the operational procedures on how local authorities are expected to receive and determine applications. The local discretionary scheme is intended to be identical to the main scheme in all respects other than the requirement to be in receipt of a qualifying benefit, but should instead be deemed eligible to qualify for one of the benefits)
- 3.5 The applicant is required to demonstrate that they would suffer financial hardship as a result of self-isolating. The government expectation is that the majority of the intended recipients for this payment will be awarded through the eligibility criteria already detailed in the national scheme. However, to ensure any exceptional cases are identified, it will allow local authorities to make a discretionary payment where all other criteria, other than being in receipt of an eligible benefit is met.
- 3.6 The government will reimburse the Council for all payments made in respect of the main scheme. A sum of £23,199 has provisionally been allocated to the council. Funding for the discretionary scheme is a fixed sum to cover all awards made up to 31st January 2021. Craven's share of the national funding is £10,980, so, enough to make 22 discretionary awards of £500 each. On this basis, the scheme needs to ensure that payments will only be made to cover the exceptional circumstances it is intended for.
- 3.7 It is recommended that discretionary payments should be awarded only to people who are not receiving a qualifying benefit for one of the following reasons:
- they or their partner have claimed a benefit and are awaiting a decision
 - they or their partner are appealing a negative decision
 - they or their partner have yet to apply for a qualifying benefit but intend to
 - they or their partner are unable to apply for a qualifying benefit
- 3.8 The applicant must demonstrate that they will suffer financial hardship as a result of not being able to work whilst self-isolating. Evidence and verification of the above will be sought and the Revs and Bens team will need to be satisfied that the applicant has a reasonable expectation of being awarded a qualifying benefit if they apply or if they were able to apply. To assist in this assessment the team will use the Benefit calculator at <https://craven.entitledto.co.uk/home/start>. Potential applicants will be advised to use this calculator in order to see if there are additional benefits they might be eligible for.

4. Financial and Value for Money Implications

- 4.1 As stated in para 3.6 above, the Government has provided fixed funding for the discretionary scheme. The scheme allows for payments to be refused once the fund has been spent in full should we so wish. In addition, we can review the scheme criteria if expenditure against the allocation seems low or if it appears the policy intention is not being delivered.

5. Legal Implications

5.1 There are no legal implications arising as a result of this report.

6. Contribution to Council Priorities

6.1 The schemes will help to support the wellbeing of our communities.

7. Risk Management

7.1 This is a new set of support payments for the council to administer, including a local scheme. Appropriate checks and validations will be applied to claims but processes will also recognise the requirement to make payments to those entitled quickly.

8. Equality Impact Analysis

8.1 The Council's Equality Impact Assessment Procedure has not been followed. Therefore neither an Initial Screening or an Equality Impact Assessment has been undertaken on the proposed policy, strategy, procedure or function to identify whether it has/does not have the potential to cause negative impact or discriminate against different groups in the community based on •age • disability •gender • race/ethnicity • religion or religious belief (faith) •sexual orientation, or • rural isolation.

9. Consultations with Others

9.1 North Yorkshire districts

10. Background Documents

10.1 Government guidance documents – attached

11. Appendices

The proposed discretionary scheme is attached as Appendix 1.

12. Author of the Report

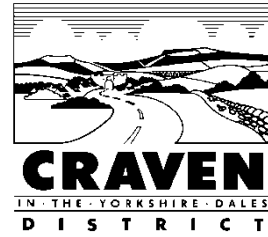
Deborah Davies, Revenues & Benefits Manager
07827 307510
ddavies@cravendc.gov.uk

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

POLICY COMMITTEE

Apprenticeship Policy

Lead Member:- Councillor Metcalfe



Report of the Business Support Manager

1. **Purpose of Report** – To recommend the implementation of an Apprenticeship Policy within the Council
2. **Recommendations** – Policy Committee are recommended to consider :-
 - 2.1 Adopt the Apprenticeship Policy at Appendix 1; and
 - 2.2. Authorise the Chief Executive in consultation with the Lead Member for Internal Services to make minor amendments to the Policy.
3. **Current Situation**
 - 3.1 The Government introduced an Apprenticeship Levy which affected all employers with a pay bill of over £3 million and is set at 0.5% of the total pay bill less £15,000. The levy payment will go direct to the treasury via HMRC and can only be utilised to pay for apprenticeship training.
 - 3.2 An Internal Audit carried out on the 7th January 2020, recommended that an Apprenticeship Policy should be implemented as this would define the scheme, both for "apprenticeship positions" and for upskilling of existing workforce.
 - 3.3 Apprentices have been employed by the Council since 2004. Various training providers have been sourced and these organisations have worked with the Council to ensure that the apprentice are supported throughout their apprenticeship to help gain their relevant qualification.
 - 3.4 We currently have 19 Apprentices placed in Waste Management, Business Support, Customer Services, Finance, Development Control, ICT Services, Asset and Commercial Services, and Licensing Services. This includes 5 employed staff that are upskilling.
 - 3.5 Since 2004 we have employed 30 Apprentices into permanent positions.

AGENDA ITEM 7

4. **The Policy**

- 4.1. The purpose of the Policy is to outline the position on Apprenticeships for new and existing staff (upskilling) and aims to provide clear guidance for managers and apprentices.
- 4.2. The Policy aims to create opportunities for people to start their career and to be the best they can be in a job they do and provide opportunities for career progression.
- 4.3. The Policy explains that Apprenticeships should be considered where possible as the preferred option when developing existing staff skills and preparing them for future roles and service delivery needs.
- 4.4. The Policy gives clear guidance on how to recruit and retain existing staff and the Council's commitment to invest in their staff via national and degree qualifications.

5. **Implications**

- 5.1 **Financial Implications** – None
- 5.2 **Legal Implications** – None.
6. **Contribution to Corporate Priorities** – Have a more cost effective and efficient Council.
7. **Risk Management** – N/A
8. **Equality Impact Assessment** - The Council's Equality Impact Assessment procedure is not required for this update.
9. **Consultations with Others** – N/A
10. **Access to Information : Background Documents** – None.
11. **Author of the Report** – Joanne Garnett – Business Support Manager
jgarnett@cravendc.gov.uk. – 01756 706204
12. **Appendix 1** – Draft Apprenticeship Policy
Appendix 2 – Past and Present Apprentices
Appendix 3 –Upskilling Apprenticeship Agreement



CRAVEN DISTRICT COUNCIL

APPRENTICESHIP POLICY

2020

Apprenticeship Policy

1. Introduction and Scope

Craven District Council is committed to the development of its staff and to the recruitment of a diverse range of talented employees who can make a valuable contribution to the Council.

The Council recognises that apprenticeships offer a unique opportunity to develop new and existing staff into current future roles with nationally recognised qualifications up to and above degree level.

This Policy and the government's apprenticeship funding rules (whilst being liable to change), gives guidance and support to staff and managers to use when considering the use of apprenticeships.

2. Policy Aims

- 2.1. The purpose of this Policy is to outline the position on apprenticeships for new and existing staff (upskilling), and aims to provide clear guidance for managers and apprentices.
- 2.2. The Policy aims to create opportunities for people to start their career and to be the best they can be in a job they do, and provide opportunities for career progression.
- 2.3. This Policy is being proposed to coincide with the Apprenticeship Levy which will lead to 0.5% of the Councils payroll being paid out to the Treasury. The level fund can only be used to pay for the cost of apprenticeship training and the Council will retain the responsibility for payment of salaries.

3. Key Definitions of terms used

- 3.1 **Apprentice:** - Apprentices are aged 16 or over and combine working with studying for a work-based qualification from GCSEs or equivalent up to a degree level. There is no upper age limit and apprentices can be new or existing employees.
- 3.2 **Apprenticeships:** - Apprenticeships are vocational qualifications which include numeracy and literacy development. They are government registered qualifications at levels 2 through to degree level, so can provide a complete development pathway. The cost of education has been traditionally being met by the government, but moving forward, the cost will be paid from the Apprenticeship Levy contribution made by employers where applicable.
- 3.3 **Apprentice Mentor:** - This is someone identified within the Apprentice's workplace who can support them through all aspects of their development and adjustment to work. This is not a formal mentoring relationship, but an informal additional support for the new employee.
- 3.4 **Tutor:** - The apprentice will be nominated a tutor by the education provider. It is the tutor's role to ensure the apprentice is supported with all academic aspects of the qualification in partnership with the line manager and mentor. The tutor may change throughout the course of the programme depending on the education provider's capacity, this should be managed in line with the agreed service level agreement.
- 3.5 **Public Sector Target:** - The public sector target will affect all public sector employers with over 250 staff. The target will be set at 2.3% of the total workforce headcount. The target will need to be delivered annually with 2.3% of staff starting an apprenticeship qualification.

- 3.6 **Apprenticeship Levy:** - The Apprenticeship Levy will affect all employers with a pay bill of over £3,000,000. The levy will be set at 0.5% of the total pay bill less £15,000. The levy payment will go direct to the treasury via HMRC and can only be utilised to pay for apprenticeship training. A digital apprenticeship service is available and digital vouchers will be issued to pay education providers.
- 3.7 **Education Providers:** - Education providers must be registered with the ESFA to deliver apprenticeships in order to be able to access funding. A full list of education providers and the apprenticeships they can deliver are available on the digital apprenticeship service.

4. Recruitment of New Apprentices

- 4.1 All vacancies should be considered as a potential apprenticeship opportunity if an appropriate framework/standard is available.
- 4.2 Where an apprenticeship is deemed appropriate, the role can be advertised through the national apprenticeship service.
- 4.3 Recruitment process and employment checks will conform to the existing Recruitment Policy. However, for apprentices under 25 where 3 years of employment history is not available, then education references or character references' will be acceptable.
- 4.4 The apprentice will be issued with an apprenticeship agreement by the Training Provider and a contract of employment will be provided by the Council.
- 4.5 Apprentice working hours will conform to the European Working Time Directive. Overtime will be paid with prior agreement with line managers and due consideration of supervision and support outside the contractual hours.
- 4.6 Where an apprentice has been employed on an apprenticeship agreement a condition of their terms of employment is the continuation of, and completion of, their apprenticeship training within the agreed period.
- 4.7 The apprentice's employment can be terminated in line with the Council's Disciplinary procedure if: -
- 4.7.1. They commit a serious breach of their obligations as an employee
 - 4.7.2 They persistently fail to meet satisfactory level of conduct or performance relevant to their role as an apprentice
 - 4.7.3 They fail to maintain sufficient attendance and/or fail to attain the necessary standard required by the relevant education provider for them to proceed with training
 - 4.7.4 They cease to be entitled to work in the United Kingdom

5. Support Structure

- 5.1 All newly recruited apprentices should have an identified apprentice buddy/mentor
- 5.2 Buddies/Mentors should be identified by the line manager in advance of the apprentice starting in their role.
- 5.3 At least 20% of their working time needs to be spent 'off the job' which happens outside of their normal day to day working environment.

- 5.4 Apprenticeship training can be delivered in a variety of ways, including face to face meetings on and off site, classroom workshops, e-learning and self-guided study.
- 5.5 Any issues should be raised early to ensure suitable support is sourced and put into place.
- 5.6 Regular meetings should be held with line managers and apprentices to discuss, identify and discuss all aspects of their apprenticeship.

6. Existing Workforce Development (upskilling)

- 6.1 Existing staff are eligible to apply for apprenticeship training and qualifications via the agreed process.
- 6.2 Apprenticeships should be considered where possible as the preferred option when developing existing staff skills and preparing them for future roles and service delivery needs.
- 6.3 Existing staff completing apprenticeship qualifications relevant to their role will continue on their current terms and conditions of employment with the Council, their pay will not be affected.
- 6.4 Existing staff applying for apprenticeship training must have sufficient time remaining on their contract, and number of hours contracted per week, to complete the qualification.
- 6.5 At least 20% of their working time needs to be spent off the job which happens outside of their normal day to day working environment.
- 6.5 Prior to entering into the Apprenticeship, the member of staff would need to complete the Upskilling Apprenticeship Agreement/Form (Appendix 1)
- 6.6 If an existing member of staff fails to complete the apprenticeship qualification this should be treated as any non-completion of training (Appendix 1)

7. Equality, Diversity and Inclusion

Craven District Council is committed to equality of respect and opportunity, and recognises that Apprenticeships can provide development and/or access to employment to those who may not have the opportunity to gain qualifications via traditional study routes.

Apprentices Past and Present

1.	Year commenced	Recruited	Qualification	College	Department	Any other info	Date Apprenticeship completed
2.	2004	Yes	Business Admin	Craven	Waste Management	Development Assistant	12 months
3.	2005	Yes	Business Admin	Craven	Economic Development	Economic Development PA to Director Administrator (Business Support) Debtors (Finance)	12 months
4.		No	Business Admin	Craven	Economic Development	Completed Level 2 and then went on to do beauty	12 months
5.	2007	No	Business Admin	Craven	PA Office	Completed Level 2	12 months
6.	2007	Yes	Business Admin	Craven	Planning and BC	Planning Support/Local Land Charges Assistant Promoted to Enforcement	12 months
7.	2009	No	Motor Mechanic HGV	Keighley	Waste Management	Mechanic workshop =- Completed level 2 and 3	18 months
8.	2010	No	Business Admin	Craven	Planning and BC	Completed NVQ2	12 months
9.	2010	Yes	Business Admin 2 & 3	Craven	Business Support	Completed NVQ2&3 acquired a position at the end of level 3, administration officer	12 months
10	2010	Yes	Business Admin 2 & 3	Craven	Planning and BC	Trainee Planning Support Officer - Completed NVQ Level 2 &3 recruited following	12 months
11	2010	Yes	Business Admin 2 & 3	Craven	Planning and BC	Planning Support Officer Completed NVQ3 recruited following Promoted to Enforcement	12 months
12	2011	Yes	Business Admin 2 & 3	Craven	Business Support Licensing	Trainee Licensing Officer	12 months
13	2011	No	Business Admin 2 & 3	Craven	Business Support	Completed level 2, recruited Skipton Building Society	12 months
14	2011	No	Business Admin	Craven	Business Support	Completed level 2	12 months

15	2012	Yes	AAT, 2, 3 and 4 and Business	Craven	Finance	Trainee AAT student	12 months
16	2012	Yes	ICT	Craven	Info Services	Completed level 2, ongoing with level 3	18 months
17	2012	Yes	Business Admin 2 & 3	Craven	Business Support	Completed level 3, recruited, Clerical Assistant BS	12 months
18	2012	Yes	Business Admin 2 & 3	Craven	Business Support Housing	Completed level 2, recruited, Clerical Assistant BS Promoted to DFG Officer 21 June 2018, Housing	12 months
19	2013	No	Business Admin 2 & 3	Craven	Business Support	Starting L3 September 14	12 months
20	2013	Yes	Business Admin 2 & 3	Craven	Museum	Recruited 2014	12 months
21	2013	Yes	Lifeguard, Craven Pool	Craven	Craven Pool and LC	Lifeguard and fitness level 2	12 months
22	2013	No	Lifeguard, Craven Pool	Craven	Craven Pool and LC	Lifeguard and fitness level 2	12 months
23	2014	Yes	Business Admin level 2 & 3	Craven	Revenue and Benefits	Starting L3 September – recruited Revs and Bens	12 months
24	2014	Yes	Business Admin 2 & 3	Craven	Planning and BC	Starting L3 September – recruited Planning	12 months
25	2014	No	Business Admin 2 & 3	Craven	Business Support/Customer Services	Completed Jan 16 – left authority 7.10.16	12 months
26	2014	No	Motor Mechanic HGV	Craven	Waste Management	Mechanic Apprentice May 2017	18 months
27	2014	No	Business Admin	Craven	Customer Services	Starting L2 September	12 months
28	2014	Yes	ICT level 3 and 4	Craven	Information Services	Started 2014 – recruited 2015 ICT	12 months
29	2014	Yes	Completed level 3 AAT currently studying Level 4 AAT/business Apprentice	Shipleigh College	Finance	July 2018 – recruited	18 months each level
30	2015	No	Business Admin	Craven	Business Support	Started Aug 15	12 months

31	2015	No	Business Admin	Craven	Business Support	Started September 15	12 months
32	2015	No	Business Admin	Craven	Planning and BC	Started September 15	12 months
33	2015	No	Business Admin	York	ECD - Arts Development Live events and promotions Apprenticeship	Apprentice Arts Development Assistant, City of York– started June 2015 Funding received for this Apprenticeship of £2,000 – comes from Creative Employment Programme Grant.	12 months
34	2016	Yes	Completed Level 3 in Business Admin Currently studying level 4 Business Admin	Craven College Craven College level 4	Business Support	Started 1 August 2016 Secured permanent position Business Support 24 July 2017, Clerical Officer. Promoted to Senior Administrator/Team Leader in Business Support 1 May 2018	12 months
35	2016	Yes – temp contract	Completed Business Admin level 2 and 3 currently studying AAT 2 & 3	Craven College Shipley College AAT	Business Support Finance	Started 22 August 2016 Secured Finance 12 month role on 1/8/2017	18 months
36	2016	Yes	Completed Level 2 & 3 Business Admin	Craven College	Planning Support	Started 15 August 2016 secured permanent position in Planning Feb 2018	12 months
37	2016	Yes	Completed level 3 Business Admin Apprentice	Craven College	Revs and Bens	Started 15 August 2016 Secured permanent position Customer Services 4 September 2017	12 months
38	2016		Level 3 Level 4 ICT Network Engineer Apprentice	Craven College QA, Leeds level 4	ICT	Started 25 July 2016, started level 4 training with Q&A April 2018.	18 months
39	2016	No	AAT	Craven	Finance	10 October 2016. Left authority October 2017	18 months
40	2016	Yes	- Completed Level 2 and 3 Business Admin	Craven College	Business Support	26 September 2016 - Recruited to Clerical Assistant 21 May 18	12 months

41	2017	Yes	Completed Level 3 Business Admin	Craven College	Business Support	21 August 2017 - Recruited to Clerical Assistant 21 May 18 Successful in interview for Housing officer DFGs July 2019 3 days a week/Bus support other 2 days	September 2018
42	2017	Yes	Completed Level 3 Business Admin	Craven College	Business Support	4 September 2017 - Recruited to Clerical Assistant, Business Support 21 May 18 Promoted to Committee Officer, Dem Services June 2019	September 2018
43	2017	Yes 1/4/20	Level 2 HGV Mechanic Currently studying – Level 3	Keighley College	Waste Management	21 August 2017	Level 2 completed Sept. 19 – started level 3 Sept 19 – to be completed March 21
44	2017	No	Level 2 Business Admin	Nelson & Colne	Revs and Bens	Resigned 11 May 2018	
45	2017	Yes	AAT Level 2/3/4	Craven College	Finance	4 December 2017	Completed level 3 June 19 started level 4 Sept. 19 – to be completed June 2021
46	2018		Level 3 Standard Business Admin	Craven College	Planning	16 July 2018	Aug 2020
47	2018		Level 3 Standard Business Admin	Craven College	Revs and Bens	3 September 2018	March 2020
48	2018	Yes	Level 3 Standard Business Admin	Burnley College	Business Support	24 September 2018	March 2020
49	2018		Level 3 Standard Business Admin	Craven College	Licensing	24 September 2018	May 2020

50	2018	N/A	LGV Apprentice – level 2 standard	Burnley College	Waste Management	1 December 2018	On hold due to hand injury
51	2018	N/A	LGV Apprentice – level 2 standard	Burnley College	Waste Management	1 December 2018	March 2020
52	2018	N/A	LGV Apprentice – level 2 standard	Burnley College	Waste Management	1 December 2018	May 2020
53	2019		Level 3 Standard Business Admin	Craven College	Property and Assets	7 January 2019	July 2020
54	2019		AAT Level 3 Standard	Shiplay College	Revenue and Benefits	7 January 2019	July 2020
55	2019		ATT Level 3 Standard AAT level 4 Standard	Craven College	Finance	4 March 2019	April 2020 November 2021
56	2019	N/A	LGV Level 2 Standard	Burnley College	Waste Management	5 March 2019 – left CDC Dec 19	
57	2019	N/A	Chartered Town Planner	Leeds Beckett University	Planning	Starts September 19, 2 year degree, new this year	Sept. 2022
58	2019	N/A	Chartered Town Planner	Leeds Beckett University	Planning	Starts September 19, 2 year degree, new this year	Sept. 2022
59	2019	N/A	Level 3 Business Admin Chartered Town Planner Apprenticeship	Leeds Beckett University	Planning	Starts September 19, 2 year degree, new this year.	Sept. 2022
60	2019		Business Admin Level 3 Standard	Craven College	Business Support/Customer Services	23 September 2019	March 2021
61	2019		Business Admin Level 3 Standard	Shiplay College	Business Support/Customer Services	23 September 2019	March 2021

62	2019		Business Admin Level 3 Standard	Craven College	Planning	30 September 2019	March 2021
63	2019		Business Admin Level 3 Standard	Burnley College	Assets and Property	7 October 2019	April 2021
64	2019		ICT Level 3 Standard	Craven College	ICT	4 November 2019	April 2021
65	2020		Accountancy Taxation Professional level 7 (Standard)	CIPFA	Finance	February 2020	Jan 2023
66	2020		Business Admin level 3 Standard	Craven College	Planning	6 July 2020	

Appendix 3

CRAVEN DISTRICT COUNCIL

UPSKILLING APPRENTICESHIP AGREEMENT

This apprenticeship agreement must be in place at the start of the Apprenticeship.

The purpose of the Apprenticeship Agreement is to identify:

- the skill, trade or occupation for which the apprentice is being trained;
- the apprenticeship standard or framework connected to the apprenticeship;
- the dates during which the apprenticeship is expected to take place; and
- the amount of off the job training that the apprentice is to receive.

Before completing the Agreement, please see the notes and references provided on the following two pages.

Apprenticeship Particulars:

Employee name:	
Skill, trade or occupation for which the apprentice is being trained:	
Relevant apprenticeship standard/framework and level:	
Place of work (employer):	

Start date of apprenticeship (see note 3):		End date of apprenticeship (see note 3):	
Start date of practical period (see note 4):		Estimated end date of practical period (see note 4):	
Duration of practical period (see note 4):		Planned amount of off-the-job training (hours) (see notes 9 and 10):	

Signatories:

Apprentice:		Date:
Employer:		Date:

Attached to this document should be a commitment statement. The commitment statement includes what the apprentice, employer and training provider can expect from each other. For example, it will specify the off-the-job training the apprentice will receive.

1. The apprenticeship agreement

The apprenticeship agreement is a statutory requirement for the employment of an apprentice in connection with a recognised apprenticeship framework or approved apprenticeship standard. It forms part of the individual employment arrangements between the apprentice and the employer; it is a contract of service (i.e., a contract of employment) and not a contract of apprenticeship. If all the requirements of section 1 of the Employment Rights Act 1996 are complied with, the apprenticeship agreement can also serve as the written statement of particulars of employment. You are not required to use this template, but the requirements of the legislation as described below must be met when you form your apprenticeship agreement.

2. Why an apprenticeship agreement is required

The Apprenticeships, Skills, Children and Learning Act 2009 (ASCLA) introduced the requirement for an apprenticeship agreement to be in place when engaging an apprentice under a statutory apprenticeship. The requirements for an apprenticeship agreement in relation to a framework apprenticeship can be found in section 32 of ASCLA (as repealed and saved) and the Apprenticeships (Form of Apprenticeship Agreement) Regulations 2012. In relation to standards the requirements can be found in section A1 of ASCLA (as amended by the Enterprise Act 2016) and the Apprenticeships (Miscellaneous Provisions) Regulations 2017.

3. When the apprenticeship agreement must be in place

An apprenticeship agreement must be in place when an individual starts a statutory apprenticeship programme and should remain in place throughout the apprenticeship. The end date, for standards, is when the end-point assessment has been completed. The end date, for frameworks, is when the final relevant qualification has been completed.

4. The 'practical period'

The practical period is the period for which an apprentice is expected to work and receive training under an approved English apprenticeship agreement. The practical period does not include the end-point assessment. For the purpose of meeting the Education and Skills Funding Agency funding requirements, the start date of the practical period must be the same as the start date on the commitment statement, the Individual Learner Record and the Apprenticeship Service account, if applicable.

5. In certain circumstances, an apprenticeship can be completed without an apprenticeship agreement being in place

To *commence* a statutory apprenticeship (when an individual starts their apprenticeship programme) it is a legal requirement that an apprenticeship agreement be in place. The two circumstances in which an apprentice can complete a statutory apprenticeship without an apprenticeship agreement are where (i) they are holding office as an apprentice police constable, or as an apprentice minister of a religious organisation; or (ii) where they have been made redundant with less than six months of their apprenticeship's practical period left to run.

6. Who needs to sign the apprenticeship agreement?

The employer and the apprentice need to sign the agreement – it is an agreement between these two parties only. Training providers sign a separate commitment statement which outlines the planned content and schedule for training, what is expected of and offered by the employer, provider and the apprentice, and how to resolve queries or complaints.

7. What you need to do with the signed agreement

You (the employer) must keep the agreement for the duration of the apprenticeship and give a copy to the apprentice and the training provider.

8. Information needed in an apprenticeship agreement

The apprenticeship agreement must comply with the requirements as provided in ASCLA.

Appendix 3

For frameworks, it must:

- be a written statement of particulars given to the employee in compliance with section 1 of the Employment Rights Act;
- be governed by the law of England and Wales; and
- specify that it is entered into in connection with a qualifying apprenticeship framework.

For standards, it must:

- provide for the apprentice to work for the employer for reward in an occupation for which a standard has been published by the Institute for Apprenticeships;
- provide for the apprentice to receive training in order to assist the apprentice to achieve the standard in the work done under the agreement;
- specify the apprenticeship's practical period; and
- specify the amount of off-the-job training the apprentice is to receive.

9. Specifying the amount of off-the-job training

This is a requirement of the Apprenticeships (Miscellaneous Provisions) Regulations 2017. Off-the-job training is a critical requirement of apprenticeships and, in order to meet the Education and Skills Funding Agency's funding rules, this must be at least 20% of the apprentice's paid hours over the total duration of the apprenticeship (until gateway for standards). Off-the-job training can only be received by an apprentice during their normal working hours. Maths and English, up to and including level 2, does not count towards the minimum 20% off-the-job training requirement. The amount of off-the-job training should be agreed with the main provider. The provider must account for relevant prior learning the apprentice has received, and reduce the content and duration of off-the-job training as necessary to achieve occupational competence. All apprenticeships must be of minimum duration of 12 months and include at least 20% off-the-job training.

10. Off-the-job training definition

Off-the-job training is defined as training which is received by the apprentice, during the apprentice's normal working hours, for the purpose of achieving the standard or framework connected to the apprenticeship. It is not training received by the apprentice for the sole purpose of enabling the apprentice to perform the work to which the apprenticeship agreement relates. More information, including examples of off-the-job training, can be found on gov.uk¹.

11. The apprenticeship agreement does not mean a change to existing contracts or terms and conditions

Any apprenticeship entered into before 15 January 2018 (the date the Apprenticeships (Miscellaneous Provisions) Regulations 2017 came into force) will not be affected by the additional requirements that must be set out in an apprenticeship agreement. Any apprenticeship entered into after 15 January 2018 in connection with an apprenticeship standard must satisfy the requirements of the 2017 Regulations.

¹ <https://www.gov.uk/government/publications/apprenticeships-off-the-job-training>

CRAVEN DISTRICT COUNCIL

UPSKILLING APPRENTICESHIP AGREEMENT FORM (this form is for employed staff who are upskilling via an Apprenticeship)

In consideration of Craven District Council (hereinafter referred to as “the Council”) granting me Financial assistance in accordance with the Scheme of Conditions of Service of the National Joint Council for Local Authorities’, Administrative, Professional, Technical and Clerical Services in respect of my studies for the Apprenticeship/qualification.

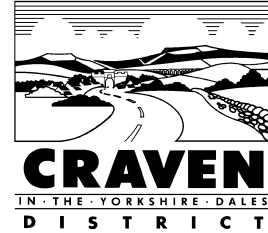
1. In the event of my being successful in passing the said Apprenticeship and/or obtaining the said qualification. I will remain in the service of the Council for a period of two years from the date on which such my Upskilling Apprenticeship is completed and the qualification obtained by me.
2. In the event of my failure to honour the undertaking contained in the last preceding clause therewith as determined by the Council’s Chief Finance Officer. Thereof or in any of the circumstances set out below, I will forthwith repay to the Council or permit the Council to retain any monies which may then be or which thereafter become due and payable by the Council to me, all (or a proportion of) relevant costs of training and all financial assistance given in connection.
3. The circumstances referred to are as follows:-
 - i) My failure to make satisfactory progress in my course of training or study;
 - ii) My discontinuing my studies;
 - iii) My failure to take any course examination without good cause;
 - iv) My failure to pass the Apprenticeship or to obtain the qualification for which I am to train or study; (N.B. I understand one resit is permitted).
 - v) My leaving service of the Council prior to:-
 - (a) Taking the final examination(s) for the Apprenticeship or completing it; or
 - (b) Obtaining the final result of my examination/Apprenticeship or course work

Apprenticeship Particulars:

Employee name:	
Employee Address:	
Apprenticeship Course Title Course duration	
Training Provider	
Cost of apprenticeship <i>(5% employers contribution which is drawn from the Levy fund)</i>	

Signatories:

Apprentice:		Date:
Employer:		Date:



POLICY COMMITTEE

RESERVE FORCES POLICY

Lead Member – Councillor Metcalfe

Report of the HR MANAGER

1. **Purpose of Report** – To introduce and implement a Reserve Forces Policy at Craven District Council
2. **Recommendations** – Policy Committee are recommended to:
 - 2.1 Adopt the Reserve Forces Policy at Appendix One; and
 - 2.2 Authorise the Chief Executive in consultation with the Lead Member for Internal Services to make minor amendments to the Policy.
3. **The Current Position**
 - 3.1 Craven District Council currently does not have a policy in place.
 - 3.2 A number of staff employed are in the Reserve Forces and may be subject to call up and mobilisation to areas of conflict.
 - 3.3 These staff require regular time off for training to maintain their skills and readiness for deployment.
 - 3.4 The training undertaken by reservists enables them to develop skills and abilities that can be of benefit to them as employees and to the employer in terms of service delivery.
 - 3.5 The average reservist receives approximately £8000 of training per annum in skills such as communications, IT and LGV licences. Therefore, the more reservists the Council employs, the more we can benefit from these transferrable qualities.
 - 3.6 Exposure to Reserve Forces also develops core values including teamwork, leadership and the ability to improvise in unfamiliar or difficult circumstances.
4. **Costs to the Council**

AGENDA ITEM 8

- 4.1 CDC will make payments for summer camp and annual camp
- 4.2 Contributions to their pension scheme if the Reservist chooses to remain within the scheme
- 4.3 Additional training during working time will be granted reasonable time off with pay, provided that the training cannot be arranged for non-working time, in accordance with national terms and conditions of employment.

5 Financial Assistance

- 5.1 Additional salary costs are available for the Council in regards to finding a temporary replacement or for overtime costs if they exceed the Reservists salary (maximum £110 a day)
- 5.2 Agency fees and non-recurring advertising costs can also be covered in relation to replacing the Reservist.
- 5.3 Help for up to £2000 when it comes to training the replacement whilst the Reservist is on mobilisation
- 5.4 Financial assistance when the 5 days' handover occurs before mobilisation and returning to work.
- 5.5 Provided with help regarding the re-training of the Reservists when returning to work
- 5.6 75% of up to £300 specialist clothing costs can also be funded by Legislation for the replacement of the Reservist.

6 Implications

6.1 **Financial Implications:** - No direct financial implications at this stage.

6.2 **Legal Implications:** - None at present.

7 **Contribution to Corporate priorities** - Resilient Communities - creating sustainable communities across Craven

8 **Risk Management** – None

9 **Equality Impact Assessment** - The Council's Equality Impact Assessment procedure is not required for this update

10 **Consultations with Others** – N/A.

11 **Access to Information: Background Documents** – None.

AGENDA ITEM 8

12 **Author of the report** – Jacquie Hodgson – HR Manager

13 **Appendices-**

Appendix 1 New Draft Reserve Forces Policy



CRAVEN DISTRICT COUNCIL

Reserve Forces Policy

Draft 2020

1.0 INTRODUCTION

- 1.1 The Council recognises the vital role of the Reserve Forces and the valuable contribution they make to the defence of the country, to the district and to the civilian workplace. The Council is fully supportive of employees who are members of or who wish to join the Volunteer Reserve Forces (VRF) and recognises the knowledge and breadth of experience such membership can bring to the workplace. These consist of the Royal Naval Reserve (RNR), the Royal Marines Reserve (RMR), the Territorial Army (TA) and the Reserve Air Forces (FAFR and RAUXAF).
- 1.2 The following policy has been prepared to set out the Council's approach to leave required as part of mobilisation and training commitments for Reservist employees and the procedures that should be followed in both of these circumstances.

2.0 WHO DOES THE POLICY APPLY TO?

- 2.1 The principles set out within the policy apply to all employees who are members of the Volunteer Reserve Forces (VRF).

3.0 GENERAL PRINCIPLES

- 3.1 The Council recognises the vital role of Britain's Reserve Forces and the valuable contribution that Reservists make to our Defence, their communities and their civilian workplace.
- 3.2 The Council supports membership of the Reserve Forces by its employees.
- 3.3 The Council will not unreasonably refuse a request to release an employee from work if they are mobilised for active duty, whether voluntary or compulsory.
- 3.4 Employees will be granted up to 10 days' leave, with pay, to attend training at summer camp and a further 15 days' to attend an annual camp, in accordance with national terms and conditions of employment.
- 3.5 Employees who are required to undertake additional training during working time will be granted reasonable time off with pay, provided that the training cannot be arranged for non-working time, in accordance with national terms and conditions of employment.
- 3.6 Employees will not be unreasonably refused time off to attend voluntary additional training, but this will be unpaid.
- 3.7 The Council will support employees who are compulsorily mobilised for service in the Armed Forces.
- 3.8 During the period of compulsory or voluntary mobilisation, the contract of employment will be continuous but there will be no entitlement to pay or pay benefits.

- 3.9 Employees will be provided with management support in preparation for, during and after mobilisation.
- 3.10 The Council will comply with the provisions of the Reserve Forces Act 1996 and the Reserve Forces (Safeguard of Employment) Act 1985.
- 3.11 If the employee receives a call out notice, then they must provide at least 28 days' notice (short notice) and 90 days for a pre-planned call out to their Manager so it can be discussed about how the employee's role can be covered.
- 3.12 The Council do have the right to apply for a deferral, exemption or revocation on the grounds that the employees' mobilisation could have a serious effect on the business.

4.0 LEGISLATION

- 4.1 In most instances the Council's relationship with a Reservist employee will be like that of any other employee. However, there are areas where a Reservist's status may affect the operations of the Council. Legislation exists to define the rights and liabilities that apply to both parties.
- 4.2 There are two main pieces of legislation relating to employers and the Volunteer Reserve Forces:-
- ◆ The Reserve Forces Act 1996 (RFA 96) which provides the powers under which Reservists can be mobilised for full-time military service.
 - ◆ The Reserve Forces (Safeguard of Employment) Act 1985 (SOE 85) which provides protection of employment for those to be mobilised and reinstatement to employment for those returning from mobilised service.

5.0 DUTIES AND RESPONSIBILITIES

Individual Employees

- 5.1 Employees are responsible for the following:-
- ◆ Informing the Council of their status as a Reservist.
 - ◆ Providing sufficient notice of their requirement for leave to attend training activities as a Reservist (eg annual camp) to allow their manager to appropriately plan for their absence.
 - ◆ Seeking permission from their manager prior to applying for voluntary mobilisation.
 - ◆ Informing the Council as soon as practicably possible after receiving a call-out order, providing details of the date and potential duration of their mobilisation.

- ◆ Contacting their manager on their demobilisation to arrange a date to return to work. This should be no later than three weeks after the last day of the mobilisation.
- ◆ Completing form the Application for Reservist Leave (Appendix 1) and forwarding to their manager at the commencement and completion of any periods of mobilisation.
- ◆ Contacting the Human Resources Team on demobilisation to arrange a health check to ensure the Reservist and the Council is protected from a health perspective.

Managers

5.2 Managers are responsible for the following:-

- ◆ Facilitating and supporting attendance at training sessions and annual camps for any members of their team who are Reservists.
- ◆ Assessing applications for voluntary mobilisation and allowing them wherever possible.
- ◆ Completing the Application for Reservist Leave Form (Appendix 1) and forwarding to the Human Resources Team at the commencement and completion of any periods of mobilisation.
- ◆ Supporting any members of their team returning from periods of mobilisation in an empathetic manner, offering training and a local re-induction, where appropriate.
- ◆ Raising awareness of and ensuring the Reservist contacts the Occupational Health and Safety Service for a health assessment following demobilisation.
- ◆ Raising awareness of the Counselling Service available for employees.

The Human Resources Team

5.3 The Human Resources Team will be responsible for the following:-

- ◆ Providing support, advice and guidance regarding the application of this policy and clarifying any procedural/ technical issues.
- ◆ Reviewing the operation of the policy on an on-going basis.

6.0 PROCESS

Practical Support for Training

6.1 Training for the Volunteer Reserve Forces is made up of weekly training, occasional training days and an annual continuous training period of 15 days' (annual camp).

6.2 The Council is committed to providing support to enable attendance at these events and the following will be granted to allow this:-

- ◆ Up to 10 days' leave, with pay, to attend training at summer camp, in accordance with national terms and conditions of employment.
- ◆ Where employees are required to undertake additional training during working time reasonable time off will be granted, with pay, provided that the training

cannot be arranged for non-working time, in accordance with national terms and conditions of employment.

- ◆ Employees will not be unreasonably refused time off to attend voluntary additional training, but this will be unpaid.
- ◆ Managers will facilitate work rotas as far as possible to allow attendance for annual camp and other training commitments.

6.3 In order to be granted time off employees should provide as much notice as possible, ideally at least one month or longer, to allow appropriate planning for absences. Employees should apply for all leave for Reserve Training, by completing the form at Appendix 1 and submitting to their manager.

Mobilisation

6.4 Mobilisation is the process of calling Reservist employees into full-time service with the Regular Forces in order to make them available for military operations. All volunteer Reservists are liable to be mobilised at any time, if required. In most cases, this will be voluntary. However compulsory mobilisation will be used when required.

6.5 Should an employee Reservist wish to apply for voluntary mobilisation, prior agreement must be sought from the manager before making such an application.

6.6 There is no statutory requirement for the Services to give notice of mobilisation, but in practice they aim to give both employers and employees 28 days' notice of call-out. The Ministry of Defence will issue the Reservist with a mobilisation pack, containing details of the date and anticipated duration of mobilisation. A copy of the mobilisation pack will also be provided to the Council as the Reservist's employer.

6.7 Once a mobilisation has been agreed, the manager should advise the Human Resources Team who will write to the employee confirming acceptance of the mobilisation, using the letter at Appendix 2.

6.8 Mobilisation will normally last for between 3 and 12 months. During the time of the mobilisation, the employee will be placed on unpaid authorised leave. They will receive pay in lieu of their usual monthly salary from the Ministry of Defence (MoD). The issued mobilisation pack should contain all relevant forms for completion by the Council. The Ministry of Defence will pay the employee's Local Government Pension contributions over to the Council. In all other respects, the conditions of the Council's unpaid leave policy will apply.

6.9 Where the mobilisation of an employee results in additional costs, such as having to pay overtime to use other employees to cover the work, or advertising for a temporary replacement, then the Council may be able to claim financial assistance from MoD. Details of how to make any such claim, along with a form for this purpose will be contained within the mobilisation pack. Any claim must be lodged with the MOD no later than 4 weeks from the date of demobilisation. All such forms must be completed in conjunction with the relevant Finance Officer.

- 6.10 In the event of a compulsory mobilisation of any employee, the Council may consider applying for an exemption or deferral. However, the grounds for seeking exemption or deferral are extremely limited and the Council would have to demonstrate serious difficulty in the ability to provide Services if the employee were to be mobilised at that time. Therefore such an application would only be made in exceptional circumstances.
- 6.11 During any period of mobilisation, the employee's post will be held open for their return. Their role may be filled with a temporary replacement for the duration of the mobilisation period only.
- 6.12 Managers should ensure that details of both when the employee commences their mobilisation and when they return from their mobilisation are forwarded to the Human Resources Team in good time in order to ensure their pay is suspended and restarted appropriately.

Financial Assistance

- 6.13 The Council are to make defence – funded employer contributions to their pension scheme, if the employer withdraws the contribution and the Reservist chooses to remain within this scheme.
- 6.14 Additional salary costs are available for the Council in regards to finding a temporary replacement or for overtime costs if they exceed the Reservists salary (maximum £110 a day).
- 6.15 Agency fees and non-recurring advertising costs can also be covered in relation to replacing the Reservist.
- 6.16 The Council can also have help for up to £2000 when it comes to training the replacement whilst the Reservist is on mobilisation.
- 6.17 The Council can also have financial assistance when the 5 days' handover occurs before mobilisation and returning to work.
- 6.18 The Council will also be provided with help regarding the re-training of the Reservists when returning to work.
- 6.19 75% of up to £300 specialist clothing costs can also be funded by Legislation for the replacement of the Reservist.

Returning to Work Following Demobilisation

- 6.20 Following any period of mobilisation, Reservists will be entitled to a period of leave from the MOD (and funded by the MOD) of up to 1 month. During this time any employee who has been mobilised will be required to contact their manager to arrange a date for returning to work.

- 6.21 Demobilisation can be a difficult time, with a Reservist returning to work after a potentially challenging period in deployment. It is therefore important to ensure a smooth reintegration into the team, including the provision of a local re-induction and an update on changes and developments within both their immediate team and the wider organisation. This can help to prevent any feeling of dislocation.
- 6.21 Where the job role or duties have changed since mobilisation a period of skills training may be required in order to assist them with any new or amended aspects of their role. Any essential training should also be planned to take place as soon as possible after the employee returns from active duty in order to ensure a timely update or refresher training as necessary.
- 6.22 Reservists must contact the Human Resources Team to arrange for a health assessment upon demobilisation for support and to ensure the protection of themselves and the Council. There should also be the offer of support from the Counselling Service available to employees.

7.0 CHALLENGING THE PROCESS/A DECISION

- 7.1 If an employee feels that they have been dealt with unfairly or unreasonably, they will have the right to pursue the matter further through the Council's Grievance Procedure.

8.0 RECORDS

- 8.1 All correspondence and associated documentary evidence will be held on the employee's personnel file and be available for inspection by the employee on request.

9.0 FURTHER INFORMATION

- 9.1 Further information on this policy can be obtained from the Human Resources Team in the first instance.
- 9.2 Employees who are members of a Trade Union may also obtain further information from their Representative.



APPLICATION FOR RESERVIST LEAVE

PART 1 – TO BE COMPLETED BY THE EMPLOYEE:	
FIRST NAME	
SURNAME	
JOB TITLE	
CONTRACTED HOURS	
AMOUNT OF PAID RESERVIST LEAVE REQUIRED	
DATES OF PAID RESERVIST LEAVE	From: To:
AMOUNT OF UNPAID RESERVIST LEAVE REQUIRED	

<p>DATES OF UNPAID RESERVIST LEAVE REQUIRED</p>	<p>From: _____ To: _____</p>		
<p>REASON LEAVE IS REQUIRED (PLEASE DETAIL BELOW – IF ANNUAL CAMP PLEASE GIVE EXACT DATES OF CAMP)</p>			
<p> </p>			
<p>PART 2 – TO BE COMPLETED BY THE LINE/DEPARTMENTAL MANAGER</p>			
<p>I grant paid/unpaid (delete as appropriate) Reservist leave for the employee above. I confirm the leave has been recorded appropriately.</p>			
<p>NAME</p>	<p> </p>		
<p>JOB TITLE</p>	<p> </p>		
<p>SIGNED</p>	<p> </p>	<p>DATE</p>	<p> </p>



APPENDIX 2

LETTER CONFIRMING ACCEPTANCE OF MOBILISATION

Dear **INSERT NAME**

Thank you for forwarding on the details associated with your mobilisation request from **INSERT PARTICULAR FORCE AS APPROPRIATE** to serve as a **INSERT ROLE IF APPROPRIATE**.

This letter is to confirm that it has been agreed that you can be released from your role with the Council from **INSERT DATE LEAVE COMMENCES**. It has also been noted that your date of return will be **INSERT DATE OF RETURN**.

I also confirm that for the period that you are mobilised you will be on unpaid leave from the Council and that we have a statutory obligation to reinstate you in your former employment on completion of your mobilisation period.

WHERE EMPLOYEE IS A MEMBER OF THE LOCAL GOVERNMENT PENSION SCHEME INCLUDE - With regard to your pension, the Ministry of Defence will pay your Local Government Pension contributions over to the Council. Your details will therefore be forwarded to North Yorkshire County Council who will deal with your pension administration. If you have any questions or problems please contact them on telephone number 01609 536335 or email them with your query at pensions@northyorks.gov.uk.

I would like to take this opportunity of wishing you all the best for a safe deployment and we look forward seeing you on your safe return.

Yours sincerely

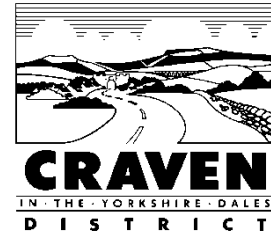
**A Another
Human Resources**

Policy Committee – 20 October 2020

Review of Enforcement Team

Report of the Director of Services

Lead Member – Cllr Richard Foster



Ward affected: All Wards in Craven outside of the Yorkshire Dales National Park

1. Purpose of Report

- 1.1 To seek approval to implement the revised structure for Planning Enforcement Team and to adopt a new customer charter for the service.

Recommendations

- 2.1 Approve the increased Investigative and Compliance resources for the Enforcement Team
- 2.2 Approve a supplementary estimate to increase the budget for the Enforcement Team by £41,370 pa
- 2.2 Agree the adoption of the Enforcement Team Customer Charter

3. Background

- 3.1 The Select Committee reviewed the performance of the Planning Enforcement Team of Craven District Council and this was presented to the Policy Committee on the 4 February 2020. All three recommendations were approved.
- 3.2 The Policy Committee on 4th February 2020 concluded “That whilst agreed in principle, further discussions by officers are required in relation to recommendation two. A report on a supplementary estimate will be submitted to Policy Committee in March 2020 or as soon as practically possible.”
- 3.3 Officers have assessed the level of resources and the additional processes required to achieve the conclusions of the findings of the Select to have an Enforcement Team that is able to be more proactive in meeting the requirements of Members and the public. To achieve this, it is proposed to establish a customer charter with associated targets to understand performance.

AGENDA ITEM 9

4. Planning Enforcement Customer Charter

- 4.1 It is important to be able to monitor the on-going performance of the Enforcement Team and so assess of the resources and efficiency of the Team. To achieve this, it is proposed to publish the Planning Enforcement Customer Charter so that it is clear what the public can expect from the Team and also establish the standards that the Team will comply with.
- 4.2 The proposed Planning Enforcement Customer Charter is below:

Planning Enforcement Customer Charter

The Craven District Council Planning Enforcement Team is required to:

- Register and acknowledge all complaints within 5 working days
- Keep all complainants details confidential unless written permission is obtained
- Visit a site of alleged unauthorised works to a Listed Building within 1 working day
- Visit a site of alleged unauthorised works to a Protected tree within 1 working day
- Visit a site for all other types of alleged unauthorised works within 6 working days of the complaint registration.
- Ensure that complainants are regularly updated on the progress of the investigation
- Inform complainants of the findings and conclusion of the investigation within 6 weeks
- Notify the complainant with a revised timescale if the case is complex and we have not been able to reach a decision within 6 weeks.
- Visit all large construction sites of 10 or more dwellings and/or those sites agreed with the ward councillor as of concern to the public at least once per month to monitor compliance with the planning permission”.
- Provide opportunities for members of the public to provide constructive feedback on the Enforcement Team’s performance
- Annually make public the performance of the Enforcement Team

- 4.2 To measure the performance against the Charter the following targets are proposed:

- Register and acknowledge all complaints within 5 working days
- Visit a site of alleged unauthorised works to a Listed Building within 1 working day
- Visit a site of alleged unauthorised works to a protected tree within 1 working day
- Visit a site for all other types of alleged unauthorised works within 6 working days.

AGENDA ITEM 9

- Inform complainants of the findings and conclusions of the investigation within 6 weeks
- Visit all large and high public interest construction sites at least once per month

4.3 To ensure transparency, the performance against these targets will be reported to the Planning Committee every six months.

5. Staff Structure

5.1 The current staff structure comprises of a team leader and 46 hours' worth of investigative and compliance officers (scale 5) and 22 hours of a tree officer.

5.2 In comparison with the structure 10 years ago there was a team leader, 74 hours of an investigative and compliance officer and 37 hours for a tree officer.

5.3 The cost of the current structure is £75,614 plus on-costs (approx. £94,517)

5.4 It is proposed to address the need to increase the investigative strength of the team and to provide 5 days per week cover for working with customers to improve the overall service. The proposed structure will see an increase to 96 hours of investigative and compliance officer time.

5.5 The cost of the proposed structure is £108,710 plus on-costs (approx. £135,887)

6.0 Comparisons with Similar Authorities

6.1 The table below sets out comparisons for the number of staff in the planning enforcement functions for Craven DC and also the two most similar neighbouring authorities.

Local Authority	Population	No. staff in Planning Enforcement
Craven DC (current)	57,142 (Minus the National Park)	2.2 FTE
Craven DC (proposed)	57,142 (Minus the National Park)	3.6 FTE
Ribble Valley BC	60,888 (No National Park)	1.5 FTE
Richmondshire DC	53,730 (Minus the National Park)	1 FTE

6.2 The proposed level of resources is significantly higher than similar authorities but this reflect the desire of Select to provide a more proactive service.

7. Management Support

7.1 As part of wider support to the Development Management and Enforcement

AGENDA ITEM 9

Teams it is proposed to employ a further Principal Planning Officer to provide both additional capacity with the team but to also to support service transformation.

8. Implications

Financial Implications

- 8.1 The full year increase in salary costs for the additional investigative and compliance officer time is £41,370 inc. on-costs. The costs for 2020/21 are estimated to be £10,342 inc. on-costs.

Legal Implications

- 8.2 There are no legal implications arising from this report

9. Contributions to Corporate Priorities

The proposals in this report support the Council priority of “Enterprising Craven” to ensure good quality development.

10. Risk Management

- 10.1 There are no risks arising from this project.

11. Consultation with Others

12. Appendices

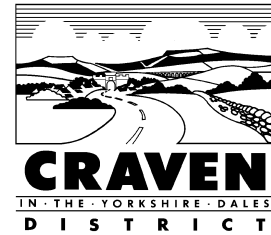
None

13. Author of the Report

David Smurthwaite, Strategic Manager, Planning and Regeneration
dsmurthwaite@cravenc.gov.uk 01756 706409

Policy Committee – 20/10/2020

White Paper: Planning for the Future.



Report of the Strategic Manager for Planning and Regeneration

Ward(s) affected: All wards wholly or partly outside the Yorkshire Dales National Park

1. **Purpose of Report** – To seek member approval of the officer comments contained in the appendix to this report as the basis for the Council's response to the Government's consultation on the White Paper: Planning for the Future.
2. **Recommendations** – Members are recommended to:
 - 2.1 Approve the officer comments contained in the appendix to this report as the basis for Craven District Council's response to the Government's consultation on the White Paper.
 - 2.2 Grant delegated authority to the Strategic Manager for Planning and Regeneration to use the officer comments set out in the appendix to this report, as amended by the committee's views as necessary, to inform the Council's final response to the detailed questions set out in the White Paper to the Ministry of Housing, Communities and Local Government prior to the consultation deadline on the 29th October 2020.
 - 2.3 To note that this report was presented to a meeting of Craven Spatial Planning Sub Committee held on the 22nd September 2020 and that the input of this subcommittee will also refine the Council's response to the Government's White Paper.
- 3 **Report**
 - 3.1 On 6 August 2020 the Government published a White Paper: Planning for the Future which proposes a fundamental and comprehensive reform of the planning system that will require new legislation and regulations to be introduced. These changes, if approved, will take some time to enact and become operational.
 - 3.2 Given the fact that the White Paper proposes significant reform of the current planning system, it is appropriate, that members of this committee have an opportunity to discuss these proposals and asked to approve the officer comments contained in the appendix, which will form the basis of the Council's final response to the White Paper.

- 3.3 The appendix to this report sets out officer comments on proposals included in the White Paper, having consulted with the Councils Development Management, Strategic Housing and Legal Teams. A full copy of the White Paper: Planning for the Future can be viewed at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907956/Planning_for_the_Future_web_accessible_version.pdf

- 3.4 The White Paper proposals can be summarised under the three headings as follows:

Streamlining the Planning Process

- Propose a new style, simplified local plan which will identify 3 types of zoned land (growth, renewal & protection);
- Each local planning authority to be bound by housing targets set by Government, calculated using a standard method for establishing housing requirement figures;
- Development Management policies in local plans to only relate to growth and renewal zones. Updated NPPF to be the primary source of policy for development management;
- Local Plans to be subject to a single statutory 'sustainable development' tests, replacing the tests of soundness, providing updated requirements for deliverability and environment assessments, and abolish the Duty to Cooperate;
- The introduction of a quicker, simpler framework for assessing environmental impacts to replace existing Strategic Environmental and Habitats Regulations Assessments;
- Local Planning Authorities (LPAs) & the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the plan making process;
- Local Plans to be based on a standard template, be visual, map-based and use digital tools to support a new civic engagement process;
- Neighbourhood Plans should be retained as an important means of community input and communities given support to make better use of digital tools;
- Decision making should be faster and more certain, with firm deadlines and make greater use of digital technology;
- A stronger emphasis on build out through planning.

Focus on Design and Sustainability

- To amend the NPPF to ensure that it targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits;
- Facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver the Government's commitment to be net zero by 2050;
- Local Plans to be supplemented by locally prepared design guidance and codes;
- Government to set up a new body to support authorities to produce these codes and expect each LPA to employ a chief officer for design;
- Expect new development to be beautiful by introducing a 'fast track for beauty', which would automatically permit proposals for high quality developments where they reflect local character;
- To further embed national leadership on delivering better places, we will consider how Homes England's strategic objectives can give greater emphasis to delivering beautiful places;
- Conserving and enhancing our historic buildings and areas in the 21st century.

Infrastructure Delivery

- Community Infrastructure Levy (CIL) and the current system of planning obligations to be replaced by an Infrastructure Levy;
- The scope of the Infrastructure Levy could be extended to capture change of use through permitted development rights;
- Ensure that the new Infrastructure Levy allows LPAs to secure more on-site affordable housing provision;
- More freedom could be given to LPAs over how they spend the Infrastructure Levy.

3.5 For each of these proposed reforms, the White Paper firstly describes each proposal, then sets out any alternative options for the proposals and finally asks for responses to detailed questions about each proposal. The appendix to this report summarises in tabular format each proposal listed at paragraph 3.4 above, any alternative options, followed by officer comments relating to each proposal. If members wish to read the detailed questions on each proposal they can do this by referring to the full consultation document (See web link to the White Paper above).

3.6 Officer comments, if acceptable to the committee, will be used by the Strategic Manager for Planning and Regeneration to answer the questions in the White Paper. Any changes to these comments or additional comments agreed by the committee at the meeting will also be used to respond to the consultation.

4 **Implications**

4.1 **Financial and Value for Money (vfm) Implications** – No direct financial implications in responding to the consultation. The financial impact of any subsequent changes made to the planning system would be considered in due course.

4.2 **Legal Implications** – Responding to the consultation shall ensure that the Council has had some input into the proposals which are intended to shape the future of the planning system.

4.3 **Contribution to Council Priorities** – The Council's response to the Government on this document will assist in making the Government aware of the Council's priority to create sustainable communities across Craven.

4.4 **Risk Management** – None

4.5 **Equality Impact Assessment** – No new policy or procedure is proposed in this report which would give rise to a requirement for an Equality Impact Assessment.

5. **Consultations with Others** – Legal Services, Financial Services, Strategic Housing Team and Development Management Team.

6 **Access to Information : Background Documents** – None

7. **Author of the Report** – Ruth Parker; e-mail: rparker@cravenc.gov.uk

Note : Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

8. **Appendices** –

Appendix – Officer comments on the Government's White Paper: Planning for the Future (October 2020).

Officer Comments on the Government’s Consultation on the ‘White Paper: Planning for the Future’

(Report to Policy Committee 20th October 2020)

1. STREAMLINING THE PLANNING PROCESS:

Proposal: A new style, simplified local plan which will identify 3 types of zoned land

Proposal: Areas identified as Growth areas would automatically be granted outline planning permission for the principle of development, while automatic approvals would also be available for pre-established development types in other areas suitable for building.

<p>Summary of Proposal</p>	<p>Local Plans should identify three types of land. All areas of land would be put into one of the following areas/zones:</p> <ol style="list-style-type: none"> <p>Growth areas – suitable for substantial development. To include land suitable for comprehensive development including new settlements, urban extensions, areas for redevelopment. Growth areas will benefit from outline permission or Permission in Principle granted by adoption of the Local Plan. Detailed planning permission could be secured either by a reformed reserved matters process; a Local Development Order prepared by the LPA; or for proposals such as new towns the government will consider whether a Development Consent Order will be appropriate.</p> <p>In <i>growth</i> areas the White Paper states that the government will legislate to require that a masterplan and site-specific code are agreed as a condition of the permission in principle. The White Paper suggests that these codes and masterplans should be in place prior to detailed proposals coming forward and could be developed subsequent to the local plan being approved.</p> <p>Renewal Areas – suitable for development. This would cover existing built areas where smaller scale development is appropriate, including infill of residential areas, development in town centres and in rural areas not protected e.g., small sites within or on edge of a settlement. There would be a statutory ‘presumption in favour’ of development being granted for the uses specified as being suitable in each area. Consent would be granted by either a new permission route for pre-specified forms of development which gives automatic consent if the scheme meets certain requirements (linked to fast track to beauty proposal) or for other types of development a faster planning application process determined in line with the local plan and an updated NPPF.</p>
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	<p>In <i>growth</i> and <i>renewal</i> areas a proposal could come forward which is different to the local plan, but a specific planning application would be required.</p> <p>3. Areas that are Protected – ANOBs, Conservation Areas, Local Wildlife Sites, areas of significant flood risk, important green space (LGS), gardens and open countryside. Defined nationally and locally. Any development proposals in <i>protected</i> areas would come forward as now through a planning application and judged against an updated NPPF.</p> <p><i>Growth, Renewal and Protected</i> areas would be annotated and colour coded on an interactive web-based local plan map and linked to relevant policies.</p> <p>For <i>Growth</i> and <i>Renewal</i> areas the local plan key and accompanying text would set out suitable development uses as well as limitations on height and/or density. These could be specified for sub areas e.g. it may be appropriate for some areas to be identified as suitable for higher density residential development, or for high streets and town centres to be identified as distinct areas.</p> <p>For <i>Protected</i> areas, the local plan key and accompanying text would explain what is permissible by cross reference to the NPPF.</p>
<p>Alternative Options</p>	<ol style="list-style-type: none"> 1. Local Plans to identify two types of land: Combine <i>Growth</i> and <i>Renewal</i> areas into one category and extend permission in principle to all land within this category. 2. Limit permission in principle to <i>Growth</i> areas with other areas of land, as now, identified for different forms of development determined by the LPA and subject to the existing development management process.
<p>Officer comments (to form the basis of the Council's response to the consultation)</p>	<p>The White Paper states that <u>all</u> areas of land would be put into one of the three categories.</p> <p>There is concern that the concept of zoning and specifically <i>renewal</i> zones, which would cover areas not within the 'Protection' zone and include existing built areas/settlements and sites on the edge of settlements, is not an appropriate approach in rural districts such as Craven. The current local plan policy approach provides a clearer and more certain approach to planning policy on the edge of villages and small towns. It is considered that the term <i>Renewal</i> is not a good one as it implies significant change and growth, whereas that may not be the case, especially in rural areas.</p> <p>Officers are concerned that there will be pressure from local communities and groups to designate land, particularly on the edge of settlements as <i>Protected</i> rather than <i>renewal</i> or <i>growth</i> areas. It is considered that this resistance to change will be compounded in rural areas by the terminology used for these zones. Neither</p>

substantial 'growth' or 'renewal' seem appropriate for some smaller market towns and villages in rural areas. Should the 'Growth' zones be divided into 'Major Growth' or 'Urban Growth' and 'Minor Growth' or 'Rural Growth' to avoid this resistance to change in rural areas? The proposed three zone approach may not be sufficiently nuanced for rural areas. This is likely to be an issue that is debated during local plan examinations.

The categorisation of *growth*, *renewal* and *protected* areas for all land allows no scope for any 'white land', which is not allocated or designated for any specific use or reason and is currently found in adopted local plans. The continued presence of 'white land' in local plans is considered to be an appropriate approach. As land constraints do not respect natural boundaries there may be a need to consider leaving "white" land undesignated in between protected and renewal areas, for example as land that abuts a conservation area may not be suitable as a renewal area, given the impact that development may have on the conservation area. Development proposals on this 'white' land could come forward as a planning application and be determined and judged against an updated NPPF, local plan policy and local design guides/codes.

Protected areas include Conservation areas, which exist within existing settlements. This means that the central areas of many settlements will not fall into '*Growth*' or '*Renewal*' categories and instead in urban areas there will be a patchwork of designations, rather than swathes of land zoned for growth or renewal. The proposed zoning system seems to oversimplify the need for some areas to be the subject of regeneration/renewal and protection.

Dividing all land into areas implies that impacts can be neatly contained in their respective areas. The natural environment is a cross-boundary consideration that cannot sit within such a rigid and basic approach. Wildlife cannot easily be protected when it is located outside "*protected*" areas and/or migrates across spatial areas under this approach. With this framework, it is difficult to envisage how these proposals are compatible with and can deliver the Environment Bill's proposals on net gain and improvement plans.

The suggestion that design codes and masterplans relating to *growth* areas to be in place prior to proposals coming forward and developed before a local plan is adopted leaves potential for an awkward gap, delay, conflict and resulting uncertainty.

It is considered that out of the three options for securing detailed planning permission within *growth* areas, the first is the most appropriate and the other two options are not suitable.

The focus of the White Paper relates to increasing housing delivery through a simpler, faster planning system that aims to facilitate a more diverse and competitive housing industry. There seems to be no scope in the new zoning proposals for the protection of employment land. Officers are concerned that this proposed approach could lead

	<p>to their loss to the detriment of employment land supply and an imbalance between housing and employment. The White Paper contains little mention of how planning should align with local industrial strategies and how these will in turn impact on demand for housing and infrastructure.</p> <p>To be sustainable, growth zones must include substantial green infrastructure, and mixed uses including new employment land and community services. Any new strategic zoning for growth must ensure that these land uses and appropriate infrastructure, including roads, are appropriately planned for as 'sub areas' or as standards which are relevant to new population levels.</p> <p>Out of the two alternative options presented it is considered that the second option is more preferable, as this would allow planning applications in areas outside <i>growth</i> areas to be determined by the LPA in line with local plan policies and where relevant an updated NPPF.</p>
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Proposal: Each local planning authority to be bound by housing targets set by Government, calculated using a standard method for establishing housing requirement figures which ensures enough land is released in areas where affordability is worst, to stop land supply being a barrier to enough homes being built;

<p>Summary of Proposal</p>	<p>The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.</p> <p>A SM would distribute the national housebuilding target of 300,000 new homes annually and 100,000 new homes by the end of the Parliament having regard to size of existing settlements, affordability of places, existing land constraints e.g. designated areas of environmental & heritage value, opportunities to better use brownfield land, the need to make an allowance for land required for other development; and the inclusion of an appropriate buffer to account for unimplemented permissions as well as offering choice to the market.</p> <p>Using a SM for setting housing requirements would significantly reduce the time it takes to establish the amount of land release in each area, which has historically been a time consuming process.</p> <p>Use of SM would make it the responsibility of LPAs to allocate land suitable for housing to meet the requirement. LPAs would continue to have choices about how to do this e.g. brownfield development, infilling, urban extensions or new settlements.</p>
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	<p>This approach should ensure that enough land is planned for and with sufficient certainty about its availability for development, therefore this proposal removes the existing need for LPAs to demonstrate a five-year housing land supply of land.</p> <p>In order to continue to ensure that enough land in the supply is delivered the White Paper proposes to maintain the Housing Delivery Test and the presumption in favour of sustainable development.</p> <p><i>Note: The Craven Local Plan did not incorporate the SM because transitional arrangements allowed the Council to continue to examination of the plan using the 2012 NPPF. This NPPF required Council's to undertake, potentially in conjunction with other authorities, their own Strategic Market Housing Assessment (SHMA).</i></p>
<p>Alternative Options</p>	<p>No alternative options presented for this proposal.</p>
<p>Officer comments (to form the basis of the Council's response to the consultation)</p>	<p>Whilst the Council is generally sympathetic to the SM for establishing housing requirements, it is the view of officers that LPAs should be allowed to challenge these requirements. For example, this may be necessary where local constraints have been underestimated by the Government and indicate a lower requirement is appropriate or where a Council's strategy for economic growth and affordable housing indicate a higher housing requirement is appropriate</p> <p>A binding housing target calculated using a SM would significantly change the current NPPF policy of LPAs establishing a housing requirement figure for a plan area informed by a local housing needs assessment (SHMA). If the proposed SM was used it should definitely take into account, the extent of existing land constraints such as flood risk and other key environmental constraints. However, there is a question of how will land constraints be factored into the SM? Are they an absolute constraint and what will be the evidential basis for balancing need vs the constraint in an area?</p> <p>The White Paper expects existing brownfield sites to be used to provide new housing before land constraints are taken into account. More rural areas have a limited amount of brownfield sites, therefore greenfield sites will continue to have a role to play in terms of future housing growth.</p> <p>In terms of making an allowance for land required for other non-residential development this method will need some form of evidential basis. What will this be based on?</p> <p>In terms of the inclusion of an appropriate buffer to account for unimplemented permissions, this is a factor that is currently considered as part of the land supply exercise, rather than in setting the housing requirement. The buffer appropriate for each area will depend on the lapse rate which can vary significantly between areas, and the</p>

type of land that is allocated. How will an appropriate buffer for an area be calculated? Clarification of this issue from the Government will be requested.

The White Paper proposes to remove the requirement to demonstrate a five-year land supply and officers would support this, especially given the fact that justifying the deliverability of sites (via land owner evidence) within a five-year period is often difficult. However, the examination of a Local Plan should ensure that there is enough land identified to come forward in the first and second five years of the plan.

Officers have the following general questions about the proposed SM:

However the SM is formulated, how transparent should the Government be in explaining how it derives the specific numbers in each area? How often would a review of housing requirement figures be carried out using the SM to ensure the calculation is up to date?

How will the standard method be resilient to legal challenge from local planning authorities or third parties?

Within a district that contains two Local Planning Authorities, such as the Craven Local Planning Authority and the Yorkshire Dales National Park Authority will a housing requirement, calculated using a standard method, be provided for the entire district or for each local planning authority? If a figure will be provided for an entire district, LPAs need an agreed method of how this figure would be split between the two Local Planning Authorities.

Answers to these questions will be requested from the Government.

In terms of the affordability of places and the extent of existing urban areas being appropriate indicators of the quantity of development to be accommodated, it is the view of officers that affordability in the areas of greatest demand, where house values far outstrip local incomes i.e. in more rural parts of the district, will not be addressed simply by building more homes, particularly where the supply is likely to be limited by environmental and sustainability constraints. Therefore, whilst affordability and the extent of existing urban areas are two indicators of the quantity of new housing needed, environmental and sustainability constraints must also be factored in.

Affordable housing cannot be seen in isolation and the shortfall must inform the overall housing supply. Given the environmental constraints that exist within the district, it is unlikely that enough homes will be delivered to address affordable housing need and a higher proportion of affordable homes may well be needed under a new system. Viability (and its impact on land values) is therefore another indicator, likely to limit affordable housing delivery. Any solution that relies on densification must be treated with caution. Those in affordable housing need have limited housing options and cannot easily move to a new house as household size grows. The COVID-19 pandemic has shown the necessity and value of having enough indoor and outdoor space and anecdotally, house builders report increased demand for homes with space, particularly as more people work from home. If

densification means more flats and smaller family homes for those in affordable housing need, this cannot be an acceptable solution. All homes should be 'beautiful'.

It is the view of officers that care must also be taken to ensure that any affordable homes delivered are truly affordable to those who live and work locally and that enough provision of affordable rented housing is made to meet the needs of those for whom home ownership, even subsidised, is not an option.

It is unclear if the standard methodology will provide an assessment of need for affordable housing that has in the past been part of the Objectively Assessed Need (OAN) for housing in a Strategic Housing Market Assessment (SHMA). The relationship between the standard methodology and the assessment of the need for affordable housing should be clarified and should result in data which will result in those in need being able to be provided with genuinely affordable homes based on local circumstances.

The Government has also published a consultation document titled 'Changes to the Current Planning System', which proposes changes to the standard methodology (SM) for assessing housing need. Following approval of the officer comments on these proposals, by both Craven Spatial Planning Sub Committee and Policy Committee in September, these comments informed the Council's response, which was sent to MHCLG on the 1st October.

The White Paper proposes that the results of the revised approach for assessing local housing need, set out in the 'Changes to the Current Planning System' consultation document should be used as a binding housing requirement for each Districts' Local Plan. The Council's response to this consultation stated that before the revised standard method is approved, before transitional arrangements commence, and before the SM becomes a housing requirement, there should be a further consultation on the inputs and detailed calculations of the SM and what the results of the SM would be for each local planning authority. It is considered that this response is relevant to this specific White Paper proposal.

The 'Changes to the Current Planning System' document also proposes to raise the site threshold below which affordable housing contributions will not be required outside designated rural areas, to 40 or 50 dwellings, for an initial 18-month period. It is considered that this proposal conflicts with this White Paper proposal to ensure that enough land is released in areas where affordability is worst. The Council's response to the 'Changes to the Current Planning System' suggested that the current national threshold of 10 dwellings is retained or a lower threshold is applied in rural districts like Craven which are constrained environmentally and are unable to meet their current affordable housing need. It is considered that this response is relevant to this specific White Paper proposal.

Proposal: Development Management policies established at national scale and an altered role for Local Plans.

<p>Summary of Proposal</p>	<p>Development Management (DM) policies contained in a local plan to only relate to growth and renewal zones. Updated NPPF to be the primary source of policy for development management. DM policies would be restricted to clear and necessary site or area specific requirements, including broad height, scale and/or density limits for land included in <i>Growth and Renewal areas</i>. An updated NPPF would be primary source of policies for development management. The aim of this proposal is to turn local plans from a long list of general policies to specific design standards for the whole plan area or for smaller areas/sites included in design guides. Design guides and codes would provide certainty and reflect local character and preferences about the form and appearance of development, and ideally produced at the same time as a local plan, either to be included or prepared as SPDs.</p>
<p>Alternative Options</p>	<ol style="list-style-type: none"> 1. In exceptional circumstances, where a locally defined approach is justified, limit scope for LPAs to include general DM policies in local plans to specific matters and to standardise the way they are written. 2. Allow LPAs a similar level of flexibility to set DM management policies as under the current local plans system, but to not allow policies which duplicate the NPPF.
<p>Officer comments <i>(to form the basis of the Council's response to the consultation)</i></p>	<p>There needs to be scope for a local plan to contain DM policies that reflect local circumstances that are not site/area specific and that override the NPPF where necessary. The assessment of whether a local plan DM policy is justified would be done by an inspector via the local plan examination process.</p> <p>In terms of the first alternative option presented, there is concern that the inclusion of general DM policies in a local plan would be restricted to exceptional circumstances and the content of the policies would be required to be written in a standardised way, which would limit the ability of such policies being able to reflect local circumstances.</p> <p>Alternative option 2 is favoured as this reflects the current local plans system which allows for policies in plans to reflect local circumstances without repeating NPPF policy.</p>

Proposal: Local Plans to be subject to a single statutory ‘sustainable development’ tests, replacing the tests of soundness, providing update requirements for deliverability and environment assessments, and abolish the Duty to Cooperate;

Proposal: Introduce a quicker, simpler framework for assessing environmental impacts to replace existing Strategic Environmental Assessments, Sustainable Appraisal and Environmental Impact Assessment.

<p>Summary of Proposal</p>	<p>Abolish the Sustainability Appraisal (SA) system and replace SA, SEA & EIA with a simplified framework for assessing the environmental impacts of plans, known as a single statutory ‘Sustainable development test’. The existing system of SA, SEA & EIA can lead to duplication of effort and overly long reports. A simpler framework will need to meet the following objectives:</p> <ul style="list-style-type: none"> • Processes for environmental assessment and mitigation need to be quicker and speed up the decision making and delivery of development projects. The environmental impacts of a plan or project should be considered early in the process. • Requirements for environmental assessment and mitigation need to be simpler to understand and consolidated in one place as far as possible. • Any new system will need to ensure that environmental improvements are achieved whilst meeting domestic and international obligations for environmental protection. Note: this will be the subject of a separate consultation in the autumn. <p>Remove the Duty to Cooperate.</p> <p>Introduce a slimmed down assessment of deliverability of the plan.</p> <p>These current systems and test will be replaced by a single statutory ‘sustainable development test’.</p>
<p>Alternative Options</p>	<p>Reform of the existing tests of soundness to make them easier for a suitable strategy to the found sound e.g., tests less prescriptive about the need to demonstrate deliverability. Instead LPAs would be required to identify a stock of reserve sites which could come forward if needed.</p>
<p>Officer comments <i>(to form the basis of the Council’s response to the consultation)</i></p>	<p>Whilst it is accepted that the current SA of LP’s is cumbersome and complex, this proposal would mean that there would be no formal requirement to examine alternative realistic plan options, which is a good method of embedding sustainability. This must surely be retained, along with community engagement on them. It is therefore difficult to see how realistic options would to be tested. Clarification of this issue from the Government will be requested.</p> <p>There seems to be a lack of detail provided in the White Paper on how the ‘sustainable development’ test will work. The detail provided seems to focus on what elements of the current local plans system will be</p>

removed/abolished rather than providing any detail about the 'sustainable development tests'. It is considered that more level of detail is required on this proposal and this will be requested.

The SEA process is designed to support decision-making by identifying, characterising and evaluating the likely significant effect of the plan on the environment, and determining how adverse effects may be mitigated or where beneficial effects may be enhanced. There is no detail as to how the simplified process will continue to provide the same level of protection. It is most important that simplification of the current system of environmental assessment does not turn into dilution of the environmental protection afforded by the existing legal framework.

In terms of the proposal to remove the Duty to Cooperate, para 2.19 of the White Paper states that further consideration will be given to the way in which strategic cross boundary issues can be planned for.

There is a need for LPAs and other prescribed bodies including infrastructure providers etc. to continue to come together, to share best practice and discuss cross boundary issues. It is officer's view that the existing Duty to Cooperate process is a positive one which has produced local plans that have effectively identified and considered local strategic issues that cross planning boundaries.

This process of cooperation needs to be retained. In reforming the planning system there is a good opportunity for plan preparation and cross boundary issues to be dealt with in a synchronised manner and thereby keep some form of meaningful duty to cooperate. For example, where there are/could be significant cross boundary issues there are opportunities for authorities to prepare their plans along the same timeframe.

As there is little detail provided in the White Paper of how cross boundary issues can be planned for in the future, there is no clear indication of the direction or future of strategic planning. Without a strategic framework it is difficult to envisage how sustainable patterns of development will be arrived at.

In terms of a slimmed down assessment of deliverability of the plan the current test of soundness includes 'effectiveness', requiring plans to be deliverable over the plan period and based on effective joint working on cross boundary strategic matters, and 'justified', taking into account reasonable alternatives and based on proportionate evidence. Again, there is little detail provided as to how a slimmed down assessment of deliverability will form part of the single 'sustainable development test'.

Clarification of this issue from the Government will be requested.

Alternative option suggests the tests would be less prescriptive about the need to demonstrate deliverability. Instead LPAs would be required to identify a stock of reserve sites which could come forward if needed. This approach currently exists as a Strategic Housing & Employment Land Availability Assessment (SHELAA), which each LPA is already required to prepare and maintain.

Proposal: LPAs & the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the plan making process.

<p>Summary of Proposal</p>	<p>Statutory duty for a LPA to adopt a new local plan by either 30 months from the legislation being brought into force, or 42 months for LPAs who have adopted a local plan within the previous three years or where a local plan has been submitted to the Secretary of State for examination.</p> <p>Plan making process to include 5 key stages: Stage 1 (6 months) – call for suggestions for <i>Growth Renewal and Protection areas</i>. Stage 2 (12 months) – LPA drafts the local plan and produces any necessary evidence to justify the plan. Stage 3 (6 weeks) – LPA submits the local plan to the Secretary of State for Examination together with Statement of Reasons to explain why it has drawn up the plan as it has, and publicises the plan for public to comment on. Stage 4 (9 months) – Local Plan examined by a Planning Inspector to consider whether three categories/zones shown in the local plan meet the ‘sustainable development’ test. Examiner can simply state agreement with the whole or parts of the Council’s Statement of Reasons, and/or comments submitted by the public. Stage 5 (6 weeks) – Local Plan map, key and text are finalised and come into force.</p> <p>Stages 1 & 3 should embody ‘best in class’ ways of ensuring public involvement.</p> <p>Continued requirement for a LPA to review a local plan at least every five years or sooner if there has been significant change in circumstances. Where a review concludes that an update is required the 30-month deadline would apply.</p> <p>LPAs that fail to get a local plan in place or keep it up to date would be at risk of government intervention e.g., issuing of directions and preparation of a plan in consultation with local people.</p>
<p>Alternative Options</p>	<ol style="list-style-type: none"> 1. Existing examination process could be reformed to speed up the process e.g., removal of ‘the right to be heard’ so that participants are invited to appear at hearings at the discretion of the inspector. 2. Less complex/controversial local plans could be examined through written representations only. 3. Removal of the examination stage and require LPAs to undertake a process of self-assessment against a set of criteria and guidance. The Planning Inspectorate could audit a certain number of completed local plans each year to assess whether the requirements of the statutory sustainability test had been met.

<p>Officer comments <i>(to form the basis of the Council's response to the consultation)</i></p>	<p>Officers have concerns that the 30 or 42-month deadline for adoption of a new local plan is unrealistic/over ambitious and question whether a local plan prepared within this timeframe would be fit for purpose and whether this timetable allows for an effective democratic process.</p> <p>It seems that this proposal would involve a significant level of public consultation at an early stage of the process (stages 1 & 3), which runs over relatively short periods of time. Officers question whether the time periods set for these stages are long enough to ensure effective public engagement is carried out.</p> <p>Meaningful public engagement is a key element of current local plan preparation process and should remain so in the future. The White Paper proposals provide less opportunity for the public to engage in the development management process (sites in Growth areas would have outline approval and in renewal areas there would be a statutory presumption in favour of development granted to certain uses) and places emphasis on public involvement at the plan preparation stage, however, effective engagement with local communities during the early stages of plan preparation takes a considerable amount of time and is often difficult, and experience shows that the public engages more with the DM process. There is concern that this proposed approach will disenfranchise some members of the public from the entire planning process.</p> <p>One important method of engaging with local communities during local plan preparation is organising public meetings and exhibitions, which take time to organise and run, especially within a large rural district, such as Craven which contains a range of different settlements. The difficulty relating to the organisation of such events in a dispersed rural district will be compounded in the event that, the outcome of local government reorganisation, results in Craven becoming part of an even larger rural district across North Yorkshire. In order to carryout meaningful engagement with local communities, the timetable for the preparation of local plans needs to reflect the time it takes to effectively do this.</p> <p>No definition is provided of what is meant by 'best in class' ways of ensuring public involvement. Clarification of this issue from the Government will be requested.</p> <p>A 12-month period to draft a local plan and produce evidence in stage 2 seems particularly unrealistic. The NPPF (2019) states that in order to be justified, local plans should be based on proportionate evidence. Whilst the evidence should be proportionate the same key pieces of evidence base documents are required to justify local plan policy in both a rural district or a large urban authority.</p>
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	<p>The White Paper contains little evidence on how the proposed approach will speed up planning and provide flexibility, given the likely time it will take to develop new plans and design codes capable of dealing with significant complexity.</p> <p>Alternative options:</p> <p>In terms of option 1, there is concern that this will not allow all participants to fully engage in the examination process. This is particularly relevant given that, as a result of other White Paper proposals the public will have less opportunity to engage in the planning application process for sites that are located in <i>growth</i> and <i>renewal</i> areas.</p> <p>In terms of option 2, most local plans are complex in some way and are controversial. If this option is adopted the written representation process would have to be comprehensive. What criteria would be used to determine which local plan are examined in this way?</p> <p>There is concern that option 3 would not provide sufficient scrutiny around whether plans meet the necessary legal and policy tests.</p>
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Proposal: Local Plans to be based on a standard template, be visual, map-based and use digital tools to support a new civic engagement process;

<p>Summary of Proposal</p>	<p>Interactive, map-based Local Plan will be built upon data standards and digital principles.</p> <p>To support this proposal, the government will publish a guide to the new local plan system along with data standards and digital principles including clear expectations around the more limited evidence that will be expected to support 'sustainable' local plans.</p> <p>This guide will be accompanied by a 'model' template for local plans and subsequent updates.</p> <p>These guides will be provided in advance of new legislation being brought into force.</p> <p>To support open access to planning documents and improve public engagement, plans should be fully digitised and web-based rather than document based. Digital tools have the potential to transform how communities engage with local plans.</p> <p>Government to provide support for LPAs in producing local plans and in engaging with communities using digital methods, via setting up of pilots between LPAs and emerging ProTech sector.</p>
<p>Alternative Options</p>	<p>No alternative options presented for this proposal.</p>

<p>Officer comments <i>(to form the basis of the Council's response to the consultation)</i></p>	<p>There is officer support for the use of a standard template for local plans to be visual, map based and use digital tools. The authority's adopted local plan is digitally mapped and some digital tools are currently used in public engagement, however there is scope to increase the use of such tools to improve the public engagement process. There is however, still a place for non-digital approaches to engage with the public/communities and the White Paper provides little detail on how and where non-digital approaches will improve engagement with those who lack skills, resources and confidence to use digital technology. Current methods used to engage with local communities, including public meetings and exhibitions play an important role in effectively engaging dispersed rural communities of all ages. Any reform of the planning system should recognise the role that these methods play in engaging with those who do not use digital technology, the time it takes to organise and run such events and they should be encouraged.</p> <p>The planning system is a positive force. An opportunity exists for LPAs to improve and change the way they engage with the public to ensure they effectively engage in the early stages of plan making and this should include both digital and no-digital methods to engage with the public.</p> <p>The White Paper recognises that the proposed reforms require resourcing and this is supported, however there is little detail about the specific skills gap which needs to be addressed, for example relating to digital planning, design, net zero carbon and climate resilience.</p> <p>Paragraph 2.45 of the White Paper proposes a shift in plan making processes from documents to data and that through this shift new digital civic engagement processes will be enabled. Clarification will be sought in relation to what the difference is between data driven rather than document driven local plans.</p>
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Proposal: Neighbourhood Plans should be retained as an important means of community input and communities given support to make better use of digital tools

<p>Summary of Proposal</p>	<p>Neighbourhood Plans should be retained in the reformed planning system but there is a need to consider whether their content should become more focused to reflect the proposals for local plans, as well as the opportunities which digital tools and data offer to support their development and improve accessibility for users. By making Neighbourhood Plans easier to develop, the White Paper encourages their continued use. The White Paper asks whether there is scope to extend and adopt the concept of Neighbourhood Plans so that very small areas e.g. individual streets can set their own rules for development.</p>
<p>Alternative Options</p>	<p>No alternative options presented for this proposal.</p>

<p>Officer comments <i>(to form the basis of the Council's response to the consultation)</i></p>	<p>Officers do not object to this proposal, however feel that the Government should ensure that all LPAs, particularly small rural authorities, are sufficiently resourced to support neighbourhood planning groups in preparing Neighbourhood Plans.</p> <p>The use of digital tools to assist the process of Neighbourhood Plan production is supported, however there is a need for parishes to be supported with training etc. in the use of these tools. In terms of improving accessibility for users of a Neighbourhood Plan, digital tools and approaches are supported, however there is still a place for non-digital approaches to engage with the public/communities and the White Paper should acknowledge this.</p> <p>There is support for the content of Neighbourhood Plans to be focused on specific areas or issues, as the Neighbourhood Plans that have been made/currently in preparation within the district have had a wider focus on the same issues the Local Plan deals with.</p>
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Proposal: Decision making should be faster and more certain, with firm deadlines and make greater use of digital technology

<p>Summary of Proposal</p>	<p>Decision making should be faster and more certain, within firm deadlines and should make greater use of data and digital technology.</p> <p>To achieve this the White Paper proposes:</p> <ul style="list-style-type: none"> • Greater digitalisation of the application process to make it easier for applicants to have certainty when they apply and engage with LPAs. • A new, more modular, software landscape to encourage digital innovation and provide access to data. • Shorter and more standardised applications. • Data rich planning application registers will be created so that planning application information can be easily found and monitored at a national scale. • Data that underpins the planning system, including decisions and developer contributions need to be standardised and be digitally accessible. • A digital template for planning notices will be created. • Greater standardisation of technical supporting evidence e.g., flood risk, heritage and highway matters. • Clearer and more consistent planning conditions, with standard national conditions to cover common issues. • A streamlined approach to developer contributions. • Delegation of detailed planning decisions to planning officers where the principle of development has been established.
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	<p>There should be a clear incentive on the LPA to determine an application within the statutory time limits. Failure to meet these time limits could involve the automatic refund of the planning application fee.</p> <p>The power to call in decisions by the Secretary of State remains together with the right for applicants to appeal against a decision by a LPA.</p>
<p>Alternative Options</p>	<p>No alternative options presented for this proposal.</p>
<p>Officer comments <i>(to form the basis of the Council's response to the consultation)</i></p>	<p>This proposal for a more streamlined development management process is broadly welcomed, however there is concern as to whether the proposal to limit the number of DM policies in local plans will have an impact on the LPAs being able to make faster and more certain decisions with a reduced number of local plan policies that relate to locally specific issues.</p> <p>In terms of the delegation of detailed planning decisions to planning officers, it is not clear where this will be set out in law and whether a national scheme of delegation is considered.</p> <p>Will this proposal either mean a lesser role for traditional LPA planning committees or those Committees will scrutinise the detailed elements of a scheme even more deeply, the principle not being for consideration?</p> <p>Officers agree that the removal of considering the principle of development and, for example, whether there is a sufficient 5 Year Housing Land Supply, will free up officer time to consider the design of the scheme, however whether this will allow LPAs to determine applications within the statutory time limits without the sanctions of refunding the planning fee or automatically granting of planning permission, as proposed remains to be seen. Especially given the fact that the removal of these considerations would be replaced by the need to consider whether proposals are in line with locally prepared design codes and guides.</p> <p>The importance of pre-application discussions in the new system should continue to be highlighted in the NPPF. It is also considered that an updated NPPF should provide a clear message that LPAs can refuse to validate submitted applications which do not meet national and local validation requirements, including community involvement.</p> <p>The proposed standardised Infrastructure Levy promises to standardise contributions and affordable housing provision, and is intended to end the months of negotiation of Section 106 agreements and discussions around and viability. Officers have concerns that this will be achieved.</p>

	The Government envisages that, giving greater certainty about the principle of development, few appeals are expected. Again, there is concern as to whether this will happen and that in reality appeals will still take up a significant amount of Development Management time and resource.
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Proposal: A stronger emphasis on build out through planning

Summary of Proposal	The updated NPPF will make it clear that masterplans and design codes for sites prepared for substantial development (<i>Growth areas</i>) should seek to include a variety of development types by different builders which allow more phases to come forward together. Government to explore future options to support faster build out as proposals for the new planning system are developed.
Alternative Options	No alternative options presented for this proposal.
Officer comments <i>(to form the basis of the Council's response to the consultation)</i>	There is little detail provided in the White Paper as to how this proposal could be implemented. Whilst there is support for <i>growth areas</i> to include a variety of development types there is concern that obtaining the commitment of different builders to ensure that more phases come forward together may be problematic. It is expected that debates on build out rates will form as significant part of future local plan examinations.

2.FOCUS ON DESIGN AND SUSTIANABILITY

Proposal: To amend the NPPF to ensure that it targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits.

Summary of Proposal	To provide clarity about the role that local, spatially specific policies can continue to play, such as identifying important views, opportunities to improve public access or places where renewable energy or woodland and forestry creation could be accommodated. In reviewing the NPPF the government wants to ensure that it provides a clear robust basis for development management decisions more generally, so that reliance no longer needs to be placed on generic policies contained in Local Plans.
Alternative Options	No alternative options presented for this proposal.

<p>Officer comments <i>(to form the basis of the Council's response to the consultation)</i></p>	<p>As stated above there is a proposal for an updated NPPF to be the primary source of policy for development management (DM), however more detail is required on how national DM policies e.g. on energy efficient buildings, help to adapt to climate change and help achieve the government's commitment to be net zero by 2050.</p> <p>There also needs to be scope for local plans to contain local DM policies that reflect local circumstances that are not necessarily site/area specific and that override the NPPF where necessary and not just in exceptional circumstances.</p> <p>There is little detail provided in the White Paper on how an updated NPPF will target areas that can most effectively play a role in mitigating and adapting to climate change and how these areas will be identified.</p> <p>It may be that further detail on this proposal will be provided via consultations on the updated NPPF, however clarification of this specific White Paper proposal from the Government will be requested.</p>
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Proposal: Facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver the Government's commitment to be net zero by 2050.

<p>Summary of Proposal</p>	<p>The White Paper states that the planning system is only one of the tools that we need to use to mitigate and adapt to climate change.</p> <p>From 2025 the government expects new homes to produce 75-80% lower CO2 emissions compared to current levels. These homes will be 'zero carbon ready' with the ability to become fully zero carbon homes over time without the need for further costly retrofitting work.</p> <p>The government wants to ensure that planning standards and buildings regulations are met, for both new homes or for retrofitting old homes and will help to ensure that homes are delivered that are fit for the future and cheaper to run. The Government expects that these high standards are monitored and enforced and is committed to exploring options for the future energy efficiency standards, beyond 2025.</p>
<p>Alternative Options</p>	<p>No alternative options presented for this proposal.</p>
<p>Officer comments <i>(to form the basis of the Council's response to the consultation)</i></p>	<p>Many local authorities, including Craven District Council, have put forward Climate Emergency Strategic Plans in response to their climate change declarations. This proposal supports to mitigate climate change – for example requiring all new streets to be tree-lined and there are ambitious improvements in the energy efficiency standards for buildings. However, there is a noticeable lack of detail as to how existing climate change mitigation and</p>

	<p>energy efficiency requirements will be built upon in practice. There is concern that the White Paper proposals will remove local innovative responses to Climate Emergency.</p> <p>The White Paper provides little detail of how housing delivery will be complemented with a much needed national retrofit strategy to reduce energy demand. Clarification of this specific White Paper proposal will be requested.</p> <p>The White Paper recognises that the planning system is one tool to use to mitigate and adapt to climate change, however there is little recognition for local plans to be 'climate ready'. While proposals for a zonal approach to plan making makes reference to environmental constraints such as flood risk, there is no specific mention of other environmental challenges. There is also no mention of how low and zero carbon infrastructure will be treated in the different zones/areas. Nor is it clear where energy efficiency standards will be set out. Will these issues/standards be addressed in national DM policy set out in the NPPF or will they remain in Buildings Regulations? What role will local design codes and guides play in dealing with these issues. Clarification of this issue will be requested?</p>
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Proposal: Local Plans to be supplemented by locally prepared design guidance and codes, prepared with local community involvement and ensure that codes are more binding on decisions about development.

Proposal: Government to set up a new body to support authorities to support the delivery of locally prepared design codes and propose that each LPA to employ a chief officer for design.

<p>Summary of Proposal</p>	<p>Government expects national design guidance to have a direct bearing on the design of new communities. However, to ensure that schemes reflect the diverse character of our country, as well as what is provably popular locally, it is important that local guides and codes are prepared wherever possible.</p> <p>The White Paper proposes that the existing routes for bringing forward design guides and codes remain (including those prepared by LPAs to supplement a local plan, by neighbourhood planning groups or by applicants bringing forward proposals for significant new areas of development).</p> <p>These local guides and codes will only be given weight in the planning process if they can demonstrate that they have been prepared with effective inputs from the local community, considering empirical evidence of what is popular and characteristic in the local area.</p>
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	<p>Where locally produced guides and codes are not in place it will be made clear in national policy that National Design Guide, National Model Design Code (due to be published in the autumn) and Manual for Streets should guide decisions on the form of development.</p> <p>In order to support LPAs in transitioning to the new planning system, which will require a step change in the design, prioritisation and leadership skills, the government will explore options for establishing a new expert body which can help LPAs make effective use of design guide and codes.</p> <p>The Government also proposes to bring forward proposals later this year for improving the resourcing of planning departments more broadly, however the White Paper proposes that each LPA should appoint a chief officer for design and place making, as recommended by the Building Better, Building Beautiful Commission.</p>
Alternative Options	No alternative options presented for this proposal.
Officer comments <i>(to form the basis of the Council's response to the consultation)</i>	<p>Officer support for the preparation of local design guidance and codes, however more detail is needed on the content of them and how they can be sensitively applied to different contexts. It is considered appropriate that locally prepared design codes and guides could relate to a wide range of design issues from architectural design to quality of open space etc.</p> <p>It seems that where local guides and codes are not in place proposals will be judged against the principles and standards set out in national design guidance. Officers question how appropriate these documents will be for local decision making and whether there will be any flexibility of their interpretation at the local level?</p> <p>It is the view of officers that LPAs need adequate support to deal with the step change in design skills required by LPAs to both prepare, use and assess codes and guides, therefore officers support the concept of an expert body to provide this support. Specifically, significant resourcing will be needed to ensure that design codes address critical issues including climate change, decarbonisation, health & wellbeing and place making etc.</p> <p>The White Paper states that locally produced design codes and guidance will only be give weight if it can be demonstrated that they have been prepared with local community involvement and based on evidence. Will this be tested at examination to enable locally prepared design codes and guidance to have the full weight of the local plan?</p> <p>Officers are keen to see more detail relating to proposals for improving the resourcing of planning departments more broadly, expected later this year. Given the proposals for front loading of public engagement in local plan preparation, the concepts of permission in principle in <i>growth</i> areas, presumption in favour of development in</p>

	<p><i>renewal</i> areas and ‘fast track for beauty’, does this mean that the government expect there to be a shift in resources within planning departments from Development Management to Spatial Planning Teams? The appointment of a Chief Officer for Design and Place Making is broadly welcomed, however this shouldn’t place undue resource burdens on each authorities’ planning department.</p>
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Proposal: Expect new development to be beautiful by introducing a ‘fast track for beauty’, which would automatically permit proposals for high quality developments where they reflect local character.

<p>Summary of Proposal</p>	<p>The White Paper proposes to implement this proposal in three ways:</p> <ol style="list-style-type: none"> 1) Through updating the NPPF by making it clear that schemes which comply with local design codes and guides have a positive advantage and greater certainty about their prospects of swift approval. 2) Where local plans identify <i>Growth areas</i>, the government will legislate to require a masterplan and site specific-specific code are agreed as a condition of the permission in principle which is granted through adoption of the local plan. 3) To legislate to widen and change the nature of permitted development so that it enables popular and replicable forms of development to be approved easily and quickly, helping to support ‘gentle intensification’ of our towns and cities, but in accordance with important design principles. ‘Pattern books’ in the form of style guides for “popular and replicable designs” could be used for permitted developments and schemes in land designated for <i>renewal</i>.
<p>Alternative Options</p>	<p>No alternative options presented for this proposal.</p>
<p>Officer comments (to form the basis of the Council’s response to the consultation)</p>	<p>There are questions on whether the scope of the national and local design codes will really address local and site-specific environmental considerations, and how the environmental protections provided by the current EIA process will be retained in the new ‘fast track’ process. A lot of detail is lacking as to the use of national and local design codes alongside environmental assessment requirements.</p> <p>In terms of the first way this proposal will be implemented, the same comment applies to this proposal that is raised above in that where local guides and codes are not in place proposals will be judged against the national design guidance. Officers question how appropriate these documents will be for local decision making and whether there be any flexibility of their interpretation at the local level?</p> <p>The White Paper is unclear as to whether areas identified for ‘<i>protection</i>’ will benefit from the fast track process. If not the fast-track route may be more limited, particularly in urban areas that are protected e.g. Conservation Areas.</p>

	The White Paper states that design codes and masterplans can either be produced in tandem with the new-style local plans or can be drafted separately at a later stage. Clarification will be requested of what weight will be given to these codes and masterplans for the proposal and whether they would be tested at examination set out above also applies to this proposal?
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Proposal: To further embed national leadership on delivering better places, we will consider how Homes England’s strategic objectives can give greater emphasis to delivering beautiful places

Summary of Proposal	The Government is committed to taking a leadership role in the delivery of beautiful and well-designed homes and places. The Building Better, Building Beautiful Places Commission recommended that Homes England should attach sufficient value to design as well as price and give greater weight to design quality in its work. The White Paper proposes to engage Homes England, as part of a forthcoming spending review process, to consider how its objectives might be strengthened to give greater weight to design quality and assess how design quality and environmental standards can be more deeply embedded in all Homes England’s activities.
Alternative Options	No alternative options presented for this proposal.
Officer comments <i>(to form the basis of the Council’s response to the consultation)</i>	Broadly there is officer support for this proposal. Given the emphasis placed on achieving good design and beautiful places in the White Paper, it is hoped that further public consultation will take place on the outcome of further engagement with Homes England as part of the forthcoming Spending Review process.

Proposal: Conserving and enhancing our historic buildings and areas in the 21st century

Summary of Proposal	<p>It is envisaged that local plans will clearly identify the location of internationally, nationally and locally designated heritage assets, such as World Heritage Sites and conservation areas, as well as locally important features such as protected views.</p> <p>Ensure historic buildings play a central part in the renewal of cities, towns and villages and many will need to be adapted to changing uses and challenges such as mitigating and adapting to climate change. Key to this will be ensuring the planning consent framework is responsive to sympathetic changes, and timely and informed decisions are made.</p>
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	In order to achieve this the NPPF will be updated for listed buildings and conservation areas to ensure their significance is conserved while allowing, where appropriate, sympathetic changes to support their continued use and address climate change.
Alternative Options	No alternative options presented for this proposal.
Officer comments (to form the basis of the Council's response to the consultation)	<p>The authority's adopted local plan already clearly identifies, on the proposals map, the location of internationally, nationally and locally designated heritage assets such as listed buildings, conservation areas, schedule ancient monuments, registered park and gardens etc.</p> <p>The authority identifies locally important features such as protected views within Conservation Area Appraisals and there is the potential for these to be identified within any new local plan.</p> <p>The inclusion of designated heritage assets such as conservation areas within <i>protected</i> areas, which will exist alongside <i>renewal</i> areas in existing urban areas, is welcomed as development proposals that come forward in these areas would be subject to more stringent development controls set out in an updated NPPF. However, these stringent controls would have to be balanced against the aims of this proposal that the planning consent framework is responsive to sympathetic changes.</p>

3.INFRASTRUCTURE DELIVERY

Proposal: Community Infrastructure Levy (CIL) and the current system of planning obligations to be replaced by an Infrastructure Levy.

Summary of Proposal	<p>A fixed rate Infrastructure Levy, set nationally, would replace Section 106 and CIL. The Infrastructure Levy would address issues in the current system as it would:</p> <ul style="list-style-type: none"> • Be charged on the final market value of development based on the applicable rates at the point planning permission is granted. • Be levied at point of occupation, with prevention of occupation being a potential sanction for non-payment. • Include a value based minimum threshold below which the levy is not charged, to prevent low viability development becoming unviable, based on average build costs per square metre and allowance for land costs. • Provide greater certainty for developers about what the level of developer contributions is expected alongside new development. • Be delivered through Permitted Development.
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	<ul style="list-style-type: none"> • Allow LPAs to be able to specify the forms and tenures of on-site provision. • Allow local authorities to borrow against Infrastructure Levy revenues so that they could forward fund infrastructure.
Alternative Options	<ol style="list-style-type: none"> 1. The Infrastructure Levy could remain optional and would be set by individual local authorities'. However, as planning obligations (S106 agreements) would be consolidated into a single Infrastructure Levy, the government anticipates that there would be a significantly greater uptake of the infrastructure levy as opposed to CIL. 2. The national rate approach could be taken, with the aim of capturing more land value than currently to better support the delivery of infrastructure. This would ensure that the landowners who benefit from increases in value as a result of planning permission contribute to the infrastructure and affordable housing that makes the development acceptable.
Officer comments <i>(to form the basis of the Council's response to the consultation)</i>	<p>It is considered that if this simplification of developer contributions can provide more certainty for developers and reflect the infrastructure needs of a rural district like Craven, this would be helpful and is welcomed.</p> <p>This proposal aims to raise more revenue than the current system, with land value capture also playing a greater role. However, it is the view of officers that the same amount of value overall be captured by the Infrastructure Levy to support greater investment in infrastructure, affordable housing and local communities as the viability of the adopted local plan, including consideration of these types of infrastructure has been tested at examination. However, officers would question whether a levy based on a nationally set flat rate, value based charge is appropriate for all areas and it is considered that setting of any Infrastructure Levy should be flexible enough to reflect local circumstances. Any rates should reflect the needs of the District and should at least have an element of local input.</p> <p>The White Paper states that an Infrastructure Levy would be both more effective at capturing increases in value and would be more sensitive to economic downturns. Therefore, it is considered that the incorporation of local circumstances and flexibility are vital to ensuring that the charging of a levy does not affect viability.</p> <p>There is little detail provided in the White Paper on how the minimum threshold below which the levy would not be charged, would be set to reflect local land values and build costs, and whether there would be any flexibility in applying this threshold to specific sites and areas. For example, developments that are only just viable in an uncertain market may be hindered by an unyielding levy liability, thereby undermining the actual purpose of the White Paper. Also if the Levy is based on final development value, would high quality design pay more for materials and a greater amount of Levy than a poorer quality scheme?</p>

	<p>This proposal would allow local authorities to borrow against Infrastructure Levy revenues so that they could forward fund infrastructure. This is supported as it would allow authorities to borrow against future funding streams for the Levy, to enable them to develop and plan infrastructure delivery. However, there are no detail provided of how investment will be coordinated at a strategic level and there is concern that this approach could result in financial risk, which would not necessarily guarantee delivery of the required infrastructure.</p> <p>Section 106 agreements do more than just secure payment of contributions and delivery of a specific affordable housing percentage, something which the government has not addressed in the White Paper. Examples include securing affordable housing in perpetuity, securing sustainable travel methods, and obtaining mitigation which cannot be conditioned on a planning permission.</p> <p>Whether the system used to collect developer contributions is under s106 obligations or under the new Infrastructure Levy, the importance lies in the detail of the operation. The chosen mechanism should be capable of providing sufficient resources in areas which are key to delivering corporate objectives in all authorities, including Craven, based on delivering jobs, sustainable and inclusive economic growth as well as addressing key issues such as the provision of affordable housing.</p> <p>The new levy will certainly require better legislation and a less complex procedure than its predecessor in order to be effective.</p>
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Proposal: The scope of the Infrastructure Levy could be extended to capture change of use through permitted development rights

<p>Summary of Proposal</p>	<p>The scope of the Infrastructure Levy would be extended to better capture changes of use which require planning permission and for some permitted development rights including office to residential conversions, new demolition and rebuild. This approach would increase the levy base and would allow these developments to better contribute to infrastructure delivery and making development acceptable to the community. Self and custom-built development would be exempt from the Infrastructure Levy.</p>
<p>Alternative Options</p>	<p>No alternative options presented for this proposal.</p>
<p>Officer comments <i>(to form the basis of the Council's response to the consultation)</i></p>	<p>It is the view of officers that the proposal to capture development carried out under some permitted development rights would be a welcome step. Although, partly a result of historic development, there is no objective justification as to why development proposals should be required to contribute differently towards infrastructure depending on whether the development is through a planning application or is permitted development.</p> <p>The prospect of permitted development contributing to affordable housing via the Levy is particularly welcomed, especially the extension of the Levy to include some permitted development such as office to residential conversions.</p>

Proposal: Ensure that the new Infrastructure Levy allows LPAs to secure more on-site affordable housing provision.

Summary of Proposal	<p>Affordable housing provision is currently secured by local authorities via Section 106, however where an authority has adopted CIL, this levy cannot be spent on affordable housing.</p> <p>With S106 planning obligations removed, the government propose that under the Infrastructure Levy, authorities will be able to use funds raised through the levy to secure affordable housing. This could be secured through in-kind delivery on-site, which could be made mandatory where an authority has a requirement.</p> <p>Local authorities would have a means to specify the forms and tenures of the onsite provision, working with a nominated affordable housing provider who could purchase a dwelling at a discount from market rate, as now, with the discount being secured through the Infrastructure Levy rather than S106.</p> <p>Local authorities would still have control over tenure mix and any First Homes discount would also be deducted from the Levy. This proposal would continue to deliver on-site affordable housing at least at present levels.</p> <p>The government recognises that there is some risk for the LPA associated with this proposal and this risk can be mitigated through policy design e.g. in event of a market fall, LPAs could be allowed to ‘flip’ a proportion of affordable units back to market units which the developer can sell, if Levy liabilities are insufficient to cover the value secured through in-kind contributions. Or if the value secured through in-kind units is greater than the final levy liability, the developer would have no right to reclaim overpayments. The government could provide standardised agreements.</p> <p>There is a need to ensure developers are incentivised to deliver high build and design quality for their in-kind affordable homes. To ensure developers are not rewarded for low standard homes under the Levy, LPAs could have an option to revert back to cash contributions if no provider was willing to buy the homes.</p>
Alternative Options	<p>Create further requirements around the delivery of affordable housing by creating a ‘first refusal’ right for LPAs or any affordable housing provider acting on their behalf to buy up to a set proportion of on-site units at a discounted price, broadly equivalent to build costs. The proportion would be set nationally in addition to a threshold, below which on-site delivery was not required and cash payment could be paid in lieu. Where on site units are</p>

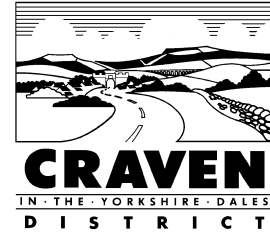
	<p>purchased, these could be used for affordable housing or sold on to raise money to purchase affordable housing elsewhere.</p> <p>The LPA could use Infrastructure Levy funds, or other funds, to purchase units.</p>
<p>Officer comments <i>(to form the basis of the Council's response to the consultation)</i></p>	<p>It is officers view that the Infrastructure levy should not result in an overall reduction of affordable housing provision and it should aim to secure at least the same amount of affordable housing under the Levy and as much on-site provision as at present, as the viability of s106 contributions and transfer values has been tested at the Local Plan examination as part of its evidence base. There is no financial justification to reduce the proportion or the developer subsidy per dwelling set out in the adopted local plan.</p> <p>If this proposal really can provide more certainty for developers, without resulting in an unjustified reduction in affordable housing, then it is welcome.</p> <p>The system should maximise opportunities for on-site provision. Developer subsidy in Craven is currently high and this level of developer subsidy should be retained in order to maximise affordable housing provision. This will ideally be on-site, so offsetting provision against the Levy will be preferable, unless the site or development is unsuitable for onsite provision, in which case the requirement could be 'relocated'.</p> <p>It is not appropriate for the developer to decide which units may be sold at a discount under alternative proposals as the need for affordable homes to be well integrated with market ones is paramount in the interests of balanced and mixed communities and local authorities will work hard to achieve this. This is not a view shared by most developers, so the fear is that affordable homes and their occupiers may end up being segregated by this approach.</p> <p>A key problem with many local authorities is being able to efficiently expend small pots of monies accrued for affordable housing purposes. There will need to be mechanisms to ensure that any units offered to meet affordable housing requirements meet usual quality standards and an authority must be free to reject them if quality standards are not met.</p> <p>Whilst this proposal is broadly welcomed, there is concern that contributions to affordable housing could be offset by the requirement to grant discounts for First Homes and the proposed flexibility to spend receipts on 'improving services or reducing council tax' as set out within the proposal relating to local authorities having more freedom over how they spend the Infrastructure Levy (see below).</p> <p>In terms of the ability of LPAs to be able to 'flip' a proportion of affordable units back to market units, there is little detail provided in the White Paper as to how this is to be agreed, secured, delivered, varied or monitored on a site by site basis.</p>

Proposal: More freedom could be given to LPAs over how they spend the Infrastructure Levy

Summary of Proposal	<p>Currently the Neighbourhood Share of the CIL ensure that up to 25% of the levy is spent on priorities in the area that development occurred, with funding transferred to parish councils. There are fewer restrictions on how this funding is spent and this provides an incentive to local communities to allow development in their area. The White Paper proposes to keep the Neighbourhood Share.</p> <p>There is scope for even more flexibility around spending. For example, local authorities could be given more flexibility, allowing them to spend receipts on their policy priorities once core infrastructure obligations have been met. In addition to the provision of local infrastructure and delivery and enhancement of community facilities, which could include improving services or reducing council tax.</p> <p>Under this approach it may be necessary for an authority to consider ring fencing a certain amount of Levy funding for affordable housing to ensure that affordable housing continues to be delivered on site at current, or higher, levels.</p>
Alternative Options	<p>Permitted uses of the Levy could remain focused on infrastructure and affordable housing, as they broadly are at present. LPAs would continue to identify the right balance between these to meet local needs.</p>
Officer comments <i>(to form the basis of the Council's response to the consultation)</i>	<p>CDC has not introduced a CIL, however if an Infrastructure Levy was introduced which retained the Neighbourhood Share this is broadly welcomed.</p> <p>The proposal allowing LPAs to have more flexibility around spending Infrastructure Levy receipts and the ability to ring fence Levy funding for affordable housing is broadly welcomed.</p>

Policy Committee – 20 October 2020

PROPERTY FLOOD RESILIENCE RECOVERY SUPPORT SCHEME 2020



Report of the Director of Services

Lead Member: Councillor Lis

Ward(s) affected: All

1. **Purpose of Report**

To seek approval for the Council to apply for and administer the Property Flood Resilience Recovery Support Scheme 2020 ('the Scheme') established by the Department of Food & Rural Affairs ('DEFRA').

This will enable Craven district residents affected by flooding event in February 2020 to access grant funding for flood resilience works.

Under the terms of the Scheme, the costs of the grant funding are provided by DEFRA, although the Council will have to bear the administrative costs of the Scheme.

2. **Recommendations** – Members are recommended to:

2.1 Approve the participation of the Council in the DEFRA Property Flood Resilience Recovery Support Scheme 2020.

2.2. Provide delegated authority to the Council Solicitor to enter into a Memorandum of Understanding with DEFRA to enable the Council to participate in the scheme.

2.3 Provide delegated authority to the Director of Services to administer the scheme in accordance with DEFRA Local Authority Guidance published in April 2020 and the terms of the Memorandum of Understanding.

3. **Scheme Background & Overview**

3.1 Following a severe weather event which has significant area wide impacts, Government will determine whether central support is available to help communities and businesses recover. Following Storm Ciara, Storm Dennis and subsequent adverse weather events in February 2020, DEFRA established the Property Flood Resilience Recovery Support Scheme 2020.

- 3.2 A local authority is eligible to join this scheme if a minimum of 25 properties in the districts area were internally flooded during this weather event. The Council are aware of 29 properties in the district which meet the criteria set by DEFRA and the Council is therefore eligible under the scheme.
- 3.3 The purpose of the scheme is to assist property owners (residential and commercial) to improve the flood resilience of their individual properties when they repair them after a flood. Implementation of the Scheme should ensure that if flooding were to reoccur, damage levels would be considerably lower and householders and businesses could return to their properties more quickly.
- 3.4 Grants of up to £5,000 per eligible property are available. An eligible property is where the inside of the property has been flooded and there has been damage to the fabric of the building requiring repair.
- 3.5 The scheme is time limited and ends on 1 July 2022.
- 3.6 Guidance has been issued by DEFRA which details eligibility criteria and sets out a framework for how Authorities should administer a local Property Flood Resilience Scheme.
- 3.7 Eligible applicants are required to identify proposed works under the scheme by obtaining a flood risk assessment survey and quote for identified work. The survey and quote are then submitted to the Council for approval. If works are approved, applicants are required to commission the work and submit a claim once works have been completed.
- 3.8 The cost of a survey is covered by the scheme (up to £500, taken from the maximum grant of £5,000). In order to make the scheme accessible, local authorities can reimburse contractors directly.
- 3.9 Craven District Council will receive applications and administer payments. North Yorkshire County Council have agreed to assist with any applications which require further technical assessment.

4. **Implications**

4.1 **Financial and Value for Money (vfm) Implications –**

The costs of administering the scheme must be met by the Council, with no additional funding available from Government. Costs to the Council will be in staff resources and will be determined by the amount of applications received.

The Council are aware of 29 eligible properties, but this figure could change if the scheme is approved and advertised. However, given the information currently available, it is felt that administration of the scheme can be met from existing resources.

4.2 **Legal Implications**

A Memorandum of Understanding (MoU) between Craven District Council and DEFRA establishes the responsibilities of the Council and DEFRA under the scheme.

The MoU is in standard format (issued by DEFRA), and is designed to administer the fund provided by DEFRA under section 31 Local Government Act 2003 in order to administer the Scheme. The MOU includes key objectives, the claims process and data protection principles, and ensures that the Scheme operates in accordance with relevant guidance.

4.3 **Contribution to Council Priorities**

Enabling households and communities to become more flood resilient contributes to supporting the wellbeing of our communities.

4.4 **Risk Management**

If not approved, eligible households will be unable to claim grant funding for property flood resilience works under the scheme. Households and businesses may miss opportunities to prevent or limit damage of any future adverse weather event.

If approved, in order to effectively administer the scheme, the Council requires both administration and technical staff resources, not funded by Government. Administration resources will need to be found within existing resources. For technical resources, the Council will work closely with North Yorkshire County Council, who have already agreed to provide specialist support to assess claims.

4.5 **Equality Analysis**

An Equality Impact Assessment Initial Screening Form has been completed and there are no apparent equality issues under the scheme.

5. **Consultations with Others**

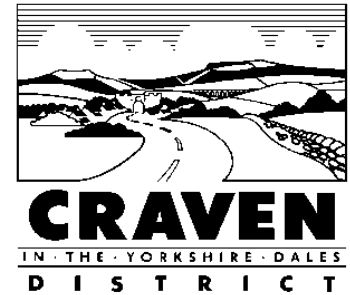
Assistance with this scheme, if approved, will be provided by North Yorkshire County Council. Initial consultation has been held with the lead flood officer.

6. **Access to Information: Background Documents**

Defra – Property Flood Resilience Recovery Support Scheme; Local Authority Guidance April 2020

7. **Author of the Report**

Tracy McLuckie, Environmental Services Manager
Telephone: 01756 706338
E-mail: tmcluckie@cravendc.gov.uk

Policy Committee – 20th October 2020**Arts Award offer at Skipton Town Hall****Report of the Strategic Manager****Lead Member – Cllr Simon Myers**

Ward(s) affected: All

1. Purpose of Report

To provide information to Members on the (Trinity College London) Arts Award programme and request permission for ongoing implementation of the scheme at Skipton Town Hall.

2. Recommendations – Members are recommended to:

- 2.1 Note the purpose of the Arts Award scheme.
- 2.2 Approve implementation of the scheme and associated costs of administration.
- 2.3 Provide delegated authority for the Council Solicitor to enter into an agreement with Trinity College London, in respect of the administration of the scheme.

3. Report**3.1 Background**

- 3.2 As Members are aware, the purpose of the Town Hall redevelopment project is to create a Cultural Hub for the District, serving all of its community.
- 3.3 Following the recent situation with Covid-19, it is also envisaged that the Town Hall Cultural Hub will form a focal point of our wellbeing and economic recovery in the District.

3.4 About the scheme

- 3.5 The Arts Award scheme inspires young people (up to age 25) to grow their arts and leadership talents: it's creative, valuable and accessible, and can be achieved at five levels - four qualifications and an introductory award.
- 3.6 The objective is to support young people who want to deepen their engagement with the arts, build creative and leadership skills and achieve a nationally recognised qualification.
- 3.7 Arts Award can be completed in any area of the arts from fashion to poetry,

rapping to dancing, sculpture to film. Young people can be an artists or performers, or develop skills in essential roles like marketing or stage management.

Young people will be able to:

- take part in different arts activities
- be inspired by artists and arts organisations
- experience arts events
- share creative skills with others
- put together a portfolio or arts log

For Silver and Gold Awards they will also get to:

- set their own arts challenges
- organise their own projects
- research arts careers within the creative & cultural sector

Successful completion of the accredited awards result in the following:

Bronze – Level 1 Award in the Arts

Silver – Level 2 Award in the Arts

Gold – Level 3 Certificate in the Arts

The qualifications are moderated and awarded by Trinity College London.

- 3.8 It is considered that the scheme could fit well with the other activities on offer at atSkipton Town Hall. The Arts Award is an excellent first step for young people toward a career in the creative and cultural sector. The scheme complements our vision and purpose as a cultural hub for the whole community in Craven, and supports the work being done by Great Place Lakes & Dales project toward improving opportunities in the cultural sector for young people in the area.
- 3.9 As an operational arts and heritage venue, which also houses the Craven Cultural Services team, the Town Hall Cultural Hub is incredibly well-placed to meet the needs of young people working toward the Arts Award. The Town Hall is able to facilitate hands-on opportunities to engage with creativity and heritage through engagement with the on-site team and cultural partners, and is also well placed to demonstrate the management side of operating an arts venue and museum, and how cultural development is undertaken.
- 3.10 The key obligations of the Council in respect of the scheme are set out in the Appendix to this report.

4. Financial and Value for Money Implications

- 4.1 The cost of developing a Craven Museum –specific Bronze Arts Award offer is covered by the National Lottery Heritage Funded project Stories & Treasures of Street & Dale.

- 4.2 The first year of external moderation costs are also met with this external funding. We intend to run the bronze award for 12 young people in 2021.
- 4.3 Cultural Services staff and volunteers from Craven Arts and Skipton Camerata have had training in facilitation of Arts Award. This training was funded as part of the Stories & Treasures project as above.
- 4.4 It is anticipated that year 2 (2022), would facilitate 12 bronze awards and 12 silver awards, at a cost of £800 in log book and moderation fees. This would come from the Cultural Services – Skipton Town Hall education outreach budget.
- 4.5 It is anticipated that year 3 (2023) would see the introduction of the gold award for 3 young people in addition to bronze and silver. This would cost an additional £155, and the total annual cost for the third year would be £955.

5. Legal Implications

- 5.1 The Council is required to sign an Arts Award Centre agreement with the qualification administrators Trinity College London, in order to register as a recognised Arts Award Centre and the recommendation requests delegated authority be given to the Council Solicitor to enter into this agreement.

6. Contribution to Council Priorities

- 6.1 **Financial Sustainability**
Delivery of the scheme supports young people in gaining accredited qualifications in the cultural sector. Combined with other initiatives to support and develop the cultural economy, and retain young people to live and work in the area, participation in the scheme makes a contribution to Financial Sustainability.
- 6.2 **Resilient Communities**
Cultural engagement has been proven to improve quality of life and health; supporting and developing schemes for cultural benefit, and funding for cultural engagement projects, contributes to resilience of Craven communities.
- 6.3 **Enterprising Craven**
Supporting young people to develop their own artistic content and giving them a forum to deliver this, encourages more engagement with this audience and contributes to the wider objective of Skipton Town Hall and the emerging village halls network.

7. Risk Management

- 7.1 The level of risk to the Council is considered low, as we have budget available for the associated costs and the internal skills to facilitate delivery.

8. Equality Impact Analysis

An EIA will be completed before implementation of the scheme.

9. Consultations with Others

None

10. Background Documents

Arts Award Centre Agreement

11. Appendices

Appendix 1 – Arts Award Centre Duties

12. Author of the Report

Danielle Daglan, Cultural Services Manager
01756 706222
ddaglan@cravendc.gov.uk

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

APPENDIX 1

ARTS AWARD CENTRE DUTIES

The Council shall perform the following duties for the benefit of candidates taught and/or prepared by you in order to take an Arts Award Qualification at your centre:

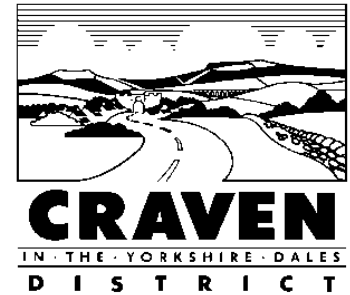
1. coaching and preparing candidates for Arts Award Qualifications, including making the Arts Award specification (toolkit) available to candidates and Advisers;
2. enrolling candidates and dealing with any candidate's query in accordance with Trinity's procedures;
3. appointing and co-ordinating Advisers, and overseeing their contact with and assessment of candidates taking Arts Award Qualifications at your centre;
4. ensuring the safekeeping of candidates' Portfolios and submitting these for Moderation;
5. subject to clause 3, hosting Arts Award Qualifications at suitable venues providing adequate amenities for candidates, Advisers and Moderators;
6. distributing results and certificates to candidates;
7. assisting Trinity with complaints and appeals by candidates and Advisers, and assisting Trinity with conducting investigations and general monitoring duties;
8. upholding the terms and requirements of Trinity's Arts Award specifications and regulations, information and guidance notified to you from time to time as applicable to the Arts Award Qualifications, and ensuring these are communicated to candidates and teachers as appropriate; and
9. providing such other services as may be reasonably necessary to your role as an Arts Award Centre.

Policy Committee – 20th October 2020

Craven Museum Acquisition Opportunity

Report of the Strategic Manager

Lead Member – Cllr Simon Myers



Ward(s) affected: All

1. Purpose of Report

To provide information to Members on an acquisition opportunity and obtain permission to accept related funding if offered.

2. Recommendations – Members are recommended to:

- 2.1 Note the significance of the object to Craven Museum's collections.
- 2.2 Give permission to accept V&A Purchase Grant funding (if offered) and submit an application for partial match to the Headley Trust, and give permission to contribute the funder-required local funding from existing Cultural Services revenue budgets.

3. Report

3.1 Background

A Roman Lead 'Pig' Ingot with excellent provenance and significance to the Craven area was recently offered for sale at auction.

The object is one of a pair found by Sir Thomas Ingilby c.1731 at Heyshaw Bank; its companion has been in the British Museum since 1772, whilst this ingot has remained at Ripley Castle with the Ingilby family.

The ingot would be a fantastic addition to Craven Museum collections; it is a significant object which visitors would remember as they go on to explore Craven; the object has a powerful story to tell by being displayed in the area where it was mined and made, and is given further context by the supporting collections at the Museum.

Unfortunately, it was not possible for CDC to secure funding in time to participate in the auction.

In order to save the object from being sent abroad and to give Craven Museum the opportunity to acquire it, RN Myers & Son antiques (Gargrave) purchased the object entirely at own risk and has subsequently offered the object to the Museum at cost.

Given Cllr Myers is the owner of R N Myers & Son Antiques, and to avoid any conflict of interest, we are bringing this report to Members for their consideration.

3.2 Significance of the object for Craven Museum

It is extremely unusual to find two Roman lead ingots from any area; to have two from this area of Craven, where lead mining was a significant reason for the presence of Roman's is particularly important.

The cast inscription dates it to AD81, and this very specific date of manufacture can help underpin the wider research into relations between Romans and local tribe the Brigantes at this time.

By being able to display such a powerful evidential object we will be able to open up discussions concerning the relations between the Brigantes and the Romans in the area, including issues of slavery, trade and transport, giving these a human context and allowing visitors to understand the Museum's collections in a new light.

As Members are aware, Craven Museum is undergoing a complete redesign of its displays as part of the Skipton Town Hall redevelopment project, and as part of this process we will be re-telling the story of lead mining in the Craven area; by including this ingot in the permanent display we can show in a tangible way the importance and antiquity of the process in the region. Additionally, it will add context to the wider displays of Roman objects from Kirk Sink Villa and Elslack Roman Fort.

Additionally, our lead mining holdings were collected over a number of decades by the noted geologist and historian Arthur Raistrick who envisioned the lead mining collection as a regional resource. As such, it contains rare aspects of early mining including medieval tools and a lead ingot cast in a sand mould from the 1600s. The Roman lead ingot would add an earlier strand to this collection which would be of great interest to researchers and visitors and would be used as a key object to support both our formal and informal learning programmes.

We have consulted Dr Roger Martlew (The Yorkshire Dales Landscape Research Trust) who confirms the impeccable provenance of the ingot, and who supports our funding bid/s to acquire the item.

4. Financial and Value for Money Implications

The price of the object is £22,941.50. This is the price paid at auction by the vendor less VAT. Due to the object being valued by auctioneers and sold at auction, an independent valuation is not required.

A funding application has been made to the V&A Purchase Grant Fund for the maximum of 50% of the purchase price, £11,470.

If this application is successful then The Headley Trust, who support archaeological acquisitions part-funded by the V&A, will accept an application for a further £9.470.

There is local commitment of the remaining £2000.75 required by funders. This can be met within the existing Cultural Services budget (£950 from the annual acquisition budget and the remaining £1050,75 from the exhibitions budget).

5. Legal Implications

The object would become the legal property of Craven Museum, and as such we would have a requirement to care for it appropriately, as with the rest of the collections.

6. Contribution to Council Priorities

6.1 Financial Sustainability

Making strategic acquisitions to Craven Museum collections enables us to retain interest and attract new visitors, with likely positive impact on donations and secondary retail spend, which contributes to the financial sustainability of Skipton Town Hall.

6.2 Resilient Communities

Cultural engagement has been proven to improve quality of life and health; supporting and developing our cultural assets contributes to resilience of Craven communities.

7. Risk Management

7.1 The level of risk to the Council is considered low, as we have budget available for the associated costs and the internal skills to take care of the object within our collections.

8. Equality Impact Analysis

None

9. Consultations with Others

V&A Purchase Grant Fund Manager
Dr Roger Martlew, archaeological expert

10. Background Documents

None

11. Appendices

None

12. Author of the Report

Danielle Daglan, Cultural Services Manager
01756 706222
ddaglan@cravendc.gov.uk

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.