

NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER

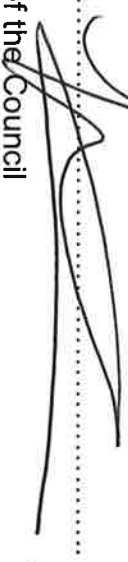
Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I, J-P Campion, as Strong Leader, delegate the decisions Draft Affordable Housing Supplementary Planning Document detailed in the Forward Plan to the Cabinet Member/Officer detailed below:

Cabinet Member Councillor Anne Hingley

Dated: 14/3/14

Signed:


.....
Leader of the Council

NOTICE OF DECISION OF CABINET MEMBER

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me by the Leader, I have made the following decision:

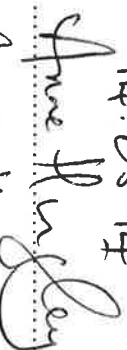
Subject	Decision	Reason for decision	Date for Decision to be taken
Draft Affordable Housing Supplementary Planning Document	To approve the Draft Affordable Housing Supplementary Planning Document for consultation between Thursday 3 rd April and Friday 16 th May 2014.	To enable consultation to be undertaken on the Draft Affordable Housing Supplementary Planning Document.	18 th March 2014

I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.

Dated:

14.03.14

Signed:



Councillor:

ANNE HINGRAY
Cabinet Member

To: Cabinet Member for Place Shaping, Councillor A Hingley

From: Mike Parker
Director of Economic Prosperity and Place

11th March 2014

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to update members on the recent Affordable Housing Supplementary Planning Document (SPD) Early Engagement consultation and to present an overview of responses. The report also outlines the content of the Draft Affordable Housing SPD and outlines the arrangements for undertaking consultation on this.

2. RECOMMENDATION

The Cabinet Member for Place-Shaping is asked to decide that:

- **The Consultation Statement and Draft Affordable Housing SPD set out at Appendices 1 and 2 to this report are approved for public consultation.**

3. BACKGROUND

- 3.1 Members will recall that the Affordable Housing SPD Early Engagement Leaflet was reported to overview and Scrutiny in September 2013 and that a recommendation was made to Cabinet to approve the consultation.
- 3.2 Regulation 12 of The Town and Country Planning (Local Planning) (England) Regulations 2012 require that before a Local Planning Authority adopts an SPD, it prepares and publishes a draft. Alongside this draft, it is necessary to publish details of the early engagement consultation undertaken, the responses received and how those responses have been considered within the Draft SPD. This information has been collated into a consultation statement and this can be found at Appendix 1 to this report.

4. THE AFFORDABLE HOUSING SPD

- 4.1 Early Engagement consultation was undertaken between 3rd October and 1st November 2013. A total of 18 representations were received from 14 respondents. Of these, 11 were from organisations and 7 were from individuals. Five statutory consultees responded to the consultation. The responses were all supportive of the preparation of the SPD. The consultation responses together with details of how they have been addressed within the Draft SPD are set out within the Consultation Statement which forms Appendix 1 to this report.
- 4.2 A stakeholder workshop was also held as part of the consultation. This workshop was aimed at Registered Providers (RPs) and those developers which are active within the District. The workshop began with a presentation which set out the background to the SPD and then provided an opportunity to discuss the consultation questions set out within the early engagement leaflet. A summary of the stakeholder workshop is also set out within the Consultation Statement.

- 4.3 The Draft SPD has been informed by the comments received in response to the early engagement consultation. The SPD covers the following:
- Background to the need for an affordable housing SPD and purpose of the document.
 - Overview of current housing need.
 - Overview of current national and local planning policy relating to affordable housing.
 - Definition of affordable housing.
 - Detailed guidance on the affordable housing provision which will be required as part of new residential development and how that should be provided as well as guidance for those wishing to bring forward exceptions sites.
 - Guidance on reduced affordable housing contributions in situations where development would otherwise be financially unviable.
 - Funding for affordable housing.
 - The design and construction standards sought.
- 4.4 The SPD cannot set new policy; it can only provide further explanation as to how the existing policies will be implemented. Therefore the development standards set out within the SPD are aspirational rather than a requirement. There is also some uncertainty over development standards which has been brought about by the Housing Standards Review which was available for consultation last year. The Review proposes a set of national standards which are delivered through building regulations with some options to impose a higher standard locally in relation to specific criteria but only where a higher building regulations standard has been tested for viability and is required as part of a Local Plan which has undergone an Examination in Public. Therefore, such standards could only be required through a review of the Local Plan rather than through an SPD.
- 4.5 Regulation 12 and 13 of The Town and Country Planning (Local Planning) Regulations 2012 require that a Local Planning Authority provides an opportunity for people to comment on a Draft SPD before it is adopted. Therefore, the Draft Affordable Housing SPD will be made available for consultation for a six week period commencing in early April 2014. The consultation is legally required to cover a minimum period of four weeks, however, because Easter falls during the four week period the consultation will be extended to six weeks. During this time the Draft SPD will be available on-line and at the Worcestershire Hub in Kidderminster and the District's three libraries. Facilities will be put in place for representations to be made electronically or in hard copy.
- 4.6 The Draft SPD was reported to members of the Local Development Framework Review Panel on 27th January 2014. Since then, the Draft has been further updated based on comments received from internal colleagues and issues raised by the Panel. The Full Draft SPD is set out at Appendix 2 to this report.

5. NEXT STEPS

- 5.1 Subject to approval, officers will arrange for a consultation to be undertaken between Thursday 3rd April and Friday 16th May 2014. Following the consultation period, all comments made will be summarised and considered in the preparation of the final SPD. The representation summaries and responses, together with the final SPD will be reported to Members during Summer 2014.

6. FINANCIAL IMPLICATIONS

6.1 The costs of preparing the Affordable Housing SPD will be met from existing budgets.

7. LEGAL AND POLICY IMPLICATIONS

7.1 The Affordable Housing SPD will be prepared in accordance with the requirements of The Town and Country Planning (Local Planning) (England) Regulations 2012. Once adopted, the Affordable Housing SPD will become a material consideration in the determination of planning applications. However, it will not set out new planning policy.

8. EQUALITY IMPACT NEEDS ASSESSMENT

8.1 An Equality and Diversity Screening Assessment will be carried out on the draft SPD.

9. RISK MANAGEMENT

9.1 If the Affordable Housing SPD was not to be progressed, the District Council would run the risk of not being in the strongest possible position to deliver affordable housing.

10. CONCLUSION

10.1 The District Council is committed to producing an Affordable Housing SPD as part of the recommendations from the Housing Review Panel which have been endorsed by Overview and Scrutiny and Cabinet. As part of this process, consultation on a draft SPD needs to be undertaken. This report seeks approval of the proposed Draft SPD for consultation.

11. CONSULTEES

- Principal Solicitor
- Housing Services Manager

12. BACKGROUND PAPERS

- Adopted Core Strategy (December 2010)
- Adopted Site Allocations and Policies Local Plan (July 2013)
- Adopted Kidderminster Central Area Action Plan (July 2013)
- Recommendations from Housing Review Panel (February 2013)