



8 September 2023

CABINET – 18 SEPTEMBER 2023

A meeting of Cabinet will be held at 6.00pm on Monday 18 September 2023 in the Council Chamber at the Town Hall, Rugby.

Members of the public may also view the meeting via the livestream available on the Council's website.

Mannie Ketley
Chief Executive

A G E N D A PART 1 – PUBLIC BUSINESS

1. Minutes.

To confirm the minutes of the meeting held on 31 July 2023.

2. Apologies.

To receive apologies for absence from the meeting.

3. Declarations of Interest.

To receive declarations of –

(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and

(c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

Note: Councillors are reminded that they should declare the existence and nature of their interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a prejudicial interest, the Councillor must withdraw from the room unless one of the exceptions applies.

Membership of Warwickshire County Council or any Parish Council is classed as a non-pecuniary interest under the Code of Conduct. A Councillor does not need to declare this interest unless the Councillor chooses to speak on a matter relating to their membership. If the Councillor does not wish to speak on the matter, the Councillor may still vote on the matter without making a declaration.

4. Question Time.

Notice of questions from the public should be delivered in writing or by e-mail to the Chief Executive at least three clear working days prior to the meeting (no later than Tuesday 12 September 2023).

Growth and Investment Portfolio

5. Submission of Community Infrastructure Levy (CIL) Charging Schedule for Examination.
6. Creation of a CIL and Local Plan Monitoring Officer Post.
7. Newton and Biggin Neighbourhood Area designation.
8. Thurlaston Village Design Statement.

Leisure and Wellbeing Portfolio

Nothing to report to this meeting.

Finance, Performance, Legal and Governance Portfolio

Nothing to report to this meeting.

Communities, Homes, Digital and Communications Portfolio

9. Home Environment Assessment and Response Team (HEART) Housing Assistance Policy

Regulation and Safety Portfolio

Nothing to report to this meeting.

Change and Transformation Portfolio

Nothing to report to this meeting.

Operations and Traded Services Portfolio

Nothing to report to this meeting.

The following item contains reports which are to be considered en bloc subject to any Portfolio Holder requesting discussion of an individual report

Nothing to report to this meeting.

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be considered.

Any additional papers for this meeting can be accessed via the website.

The Reports of Officers are attached.

Membership of Cabinet:

Councillors Poole (Chair), Daly, Picker, Ms Robbins, Ms Watson-Merret and Willis.

CALL-IN PROCEDURES

Publication of the decisions made at this meeting will normally be within three working days of the decision. Each decision will come into force at the expiry of five working days after its publication. This does not apply to decisions made to take immediate effect. Call-in procedures are set out in detail in Standing Order 15 of Part 3c of the Constitution.

If you have any general queries with regard to this agenda please contact Claire Waleczek, Democratic and Support Services Manager (01788 533524 or e-mail claire.waleczek@rugby.gov.uk). Any specific queries concerning reports should be directed to the listed contact officer.

AGENDA MANAGEMENT SHEET

Report Title:	Submission of Community Infrastructure Levy (CIL) Charging Schedule for Examination
Name of Committee:	Cabinet
Date of Meeting:	18 September 2023
Report Director:	Chief Officer – Growth and Investment
Portfolio:	Growth and Investment
Ward Relevance:	All wards
Prior Consultation:	All Group Leaders
Contact Officer:	Neil Holly, Development Strategy Manager neil.holly@rugby.gov.uk
Public or Private:	Public
Report Subject to Call-In:	Yes
Report En-Bloc:	No
Forward Plan:	Yes
Corporate Priorities:	This report relates to the following priority(ies): <input checked="" type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input checked="" type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024 <input type="checkbox"/> This report does not specifically relate to any Council priorities but
(C) Climate (E) Economy (HC) Health and Communities (O) Organisation	
Summary:	This report recommends to Council that it approves the submission of the CIL draft charging schedule for examination.
Financial Implications:	The cost of the CIL examination, totalling £8,995 will be met within existing departmental budgets.

Risk Management/Health and Safety Implications:	At the time of writing, a number of objections have been received to the proposed £5/sqm charge for industrial, light industrial and storage and distribution uses. Objections will be considered by the independent examiner and, if they so request, objectors have a right to be heard by the examiner. Officers will assess and respond to the objections, drawing on the evidence provided by the viability consultants in their report and further input from the viability consultants if required. There is a risk, however, that the objectors will seek to persuade the examiner that the charging schedule doesn't meet the basic conditions. This could lead to modifications or even a recommendation that the charging schedule doesn't proceed to approval.
Environmental Implications:	If the CIL is approved it could raise revenue that may be used to implement environmental initiatives. A climate and environment impact assessment is attached as Appendix 2.
Legal Implications:	Under Section 212 Planning Act 2008, before the Council approves its CIL charging schedule it must appoint an independent and appropriately qualified examiner to examine the draft. Due to the level of objections received in relation to the £5/sqm charge the examination is likely to be heard by way of a Hearing where the evidence provided by the Council will be challenged by those opposing the charge.
Equality and Diversity:	An Equality Impact Assessment of the CIL draft charging schedule was undertaken and appended to the 20 March 2023 cabinet report.
Options:	<p>Option 1 – Cabinet recommends to Council that it approves the submission of the CIL draft charging schedule for independent examination.</p> <p>Option 2 – Cabinet does not approve the submission of the CIL draft charging schedule for independent examination.</p>
Recommendation:	<p>IT BE RECOMMENDED TO COUNCIL THAT –</p> <p>(1) the draft Community Infrastructure Levy (CIL) charging schedule be submitted for independent examination; and</p> <p>(2) delegated authority be given to the Chief Officer for Growth and Investment to make minor grammatical and presentational</p>

amendments as necessary to the CIL charging schedule prior to its submission for examination.

**Reasons for
Recommendation:**

To allow the CIL charging schedule to progress to the independent examination stage.

Cabinet - 18 September 2023

Submission of Community Infrastructure Levy (CIL) Charging Schedule for Examination

Public Report of the Chief Officer – Growth and Investment

Recommendation:

IT BE RECOMMENDED TO COUNCIL THAT –

- (1) the draft Community Infrastructure Levy (CIL) charging schedule be submitted for independent examination; and
- (2) delegated authority be given to the Chief Officer for Growth and Investment to make minor grammatical and presentational amendments as necessary to the CIL charging schedule prior to its submission for examination.

1. INTRODUCTION

- 1.1. Part 11 of the Planning Act 2008 enables local authorities to levy a charge on new development to fund infrastructure within their area. This known as the Community Infrastructure Levy (CIL).
- 1.2. There is a process set out in the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended) for adopting a CIL. The next stage in that process is independent examination of the Council's draft CIL charging schedule.

2. EXAMINATION OF CIL CHARGING SCHEDULE

- 2.1. Cabinet on 31 July 2023 approved the draft CIL charging schedule (Appendix 1) for four weeks' public consultation. That public consultation runs from Monday 7 August to 4 September 2023. At the time of writing this report, the consultation had not closed.
- 2.2. The 31 July 2023 Cabinet report provides background to the preparation of the CIL charging schedule:
<https://www.rugby.gov.uk/meetings/meeting/1373/cabinet>
- 2.3. Before the charging schedule can be approved by Council and brought into effect it must be submitted for independent examination. The purpose of the independent examination is to determine whether the charging schedule meets the applicable legal requirements (referred to in the legislation as the 'drafting requirements').

- 2.4. Following the examination, the examiner will make recommendations. They can recommend that the charging schedule be approved by the Council without modification, be modified to remedy areas of non-compliance with the drafting requirements or be rejected.
- 2.5. This report seeks authority to submit the draft charging schedule for examination. As decision makers there is a responsibility that when submitting the draft charging schedule that such recommendations are based upon the evidence that has been considered in drafting the charging schedule. Alongside the draft charging schedule, a report on the public consultation and copies of any consultation responses received will also be sent to the examiner. Supporting evidence, including the viability assessment, infrastructure funding position statement and interim CIL spending strategy (all appended to the 31 July 2023 cabinet report) will also be sent to the independent examiner.
- 2.6. Following conclusion of the examination, if successful, Council will be asked to approve the charging schedule and bring the CIL into effect.

3. CONCLUSION

- 3.1. It is recommended that the CIL charging schedule is submitted for independent examination.

Name of Meeting: Cabinet
Date of Meeting: 18 September 2023
Subject Matter: Submission of Community Infrastructure Levy (CIL)
Charging Schedule for Examination

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY **YES** **NO**

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink
1	https://www.rugby.gov.uk/meetings/meeting/1373/cabinet

Appendix 1 – Draft Community Infrastructure Levy Charging Schedule



RUGBY BOROUGH COUNCIL
DRAFT COMMUNITY
INFRASTRUCTURE LEVY
CHARGING SCHEDULE
JULY 2023



1. CONTENTS

1. Contents	4
2. Introduction	6
3. Supporting Evidence	6
4. Viability Assessment.....	7
5. Calculating the Charge	7
6. Exemptions.....	8
7. CIL Reporting and Administration	9
Appendix 1 – Proposed Community Infrastructure Levy Charging Schedule	11
Appendix 2 – CIL Instalments Policy.....	14

NOTE

The information contained within this guide is intended to assist applicants, developers and landowners to understand Rugby's Community Infrastructure Levy (CIL). It is not intended to replace the need to read and understand the CIL Regulations and government guidance, and affected parties are advised to seek their own professional advice.

2. INTRODUCTION

- 2.1. In 2010, government introduced the Community Infrastructure Levy (CIL) as the preferred mechanism for securing developer contributions towards infrastructure to support growth in an area. The money raised can be used to fund a wide range of infrastructure such as transport schemes, schools, community facilities, health and social care facilities, parks, green spaces and leisure facilities.
- 2.2. Rugby Borough Council is seeking to implement CIL across its administrative area, and this document sets out the draft charging schedule and a summary of how it has been derived. The proposed charging schedule is set out at Appendix 1.
- 2.3. Section 106 agreements and Section 278 highways agreements will continue to be used to secure mitigation, including (but not limited to) of those impacts that are not classified as infrastructure as well as affordable housing. The amended CIL Regulations no longer contain a restriction on the pooling of monies from more than five S106 obligations to fund a single infrastructure project and both CIL and S106 funding can be secured towards the same piece of infrastructure without the limitation of pooling.

3. SUPPORTING EVIDENCE

- 3.1. Preparation of the Charging Schedule is supported by the following evidence documents, which can be found on the Council's website:
 - The Local Plan, adopted June 2019, which set out infrastructure requirements to support the delivery of planned development within the Local Plan 2011-2031;
 - A CIL Viability Assessment, undertaken by consultants BNP Paribas on behalf of the Council (July 2023 – see below);
 - An Infrastructure Funding Position Statement, which compares the likely CIL income from anticipated new developments with the cost of infrastructure; and
 - An Interim CIL Spending Strategy, which provides a draft infrastructure list.
- 3.2. Councils are required to show evidence on how much revenue they have been generating from S106 obligations in 'recent years' (shown in Table 2) and the level of affordable housing delivered (Table 3). Further information on monitoring of local plan targets is set out on the Council's website in the Authority Monitoring Report. BNP Paribas examined the impact of their proposed rates on affordable housing and concluded in paragraph 7.16 that *"This study demonstrates that the proposed CIL charges are set at a level which will ensure an appropriate balance between delivering affordable housing, sustainability objectives, necessary infrastructure and the need for landlords and developers to achieve a return in line with the NPPF."*

Table 1 - Section 106 obligations

Financial Year	Revenue Generated (£)
2015/16	446,840.84
2016/17	454,356.65
2017/18	2,404,072.55
2018/19	2,316,434.36
2019/20	622,620.08
2020/21	1,853,685.69
2021/22	£5,071,798.90

(Source: RBC Planning Dept)

Table 2 - Affordable Housing Performance

Financial Year	Units delivered
2016/17	6
2017/18	47
2018/19	208
2019/20	260
2020/21	233
2021/22	79

(Source: RBC Housing Department)

4. VIABILITY ASSESSMENT

4.1. The Council appointed BNP Paribas to undertake an assessment of the ability of developments across the borough to accommodate CIL. The draft charging schedule, shown in appendix 1 reflects the conclusions of the viability assessment. Different charging rates are set for residential development in the Rugby urban area and in the rural areas, based on viability. Apartments within the Rugby urban area are zero rated. The strategic sites of Houlton, Coton Park East and South West Rugby are zero rated for residential development but are not zero rated for convenience retail, industrial, light industrial or storage and distribution uses. Figure 1 in appendix 1 is a map of the residential CIL charging zones for the borough, categorised as urban, rural and strategic sites.

5. CALCULATING THE CHARGE

5.1. The amount of CIL charge a development is liable to pay is calculated according to Schedule 1 of the CIL (Amendment) (England) (No. 2) Regulations 2019. The method involves multiplying the relevant CIL rate for the type/location of the development by the net additional floorspace – and factoring in an inflation measure to allow for changes in building costs over time. A summary of

the method is set out below:

CIL rate x Net additional new build floorspace x Inflation measure

- 5.2. The inflation measure used will be the national 'All-in Tender Price Index' published by the Building Cost Information Service (BCIS) or the Royal Institution of Chartered Surveyors (RICS). The inflation measure involves dividing the Index costs from the year planning permission is granted, by the Index costs from the year the Charging Schedule is adopted. Full details of the method are set out in the Regulations.
- 5.3. The CIL Regulations specify that where the overall chargeable amount on a scheme is less than £50, it is deemed to be zero.
- 5.4. In certain circumstances, where a development includes the demolition of an existing building, the existing Gross Internal Area (GIA) can be deducted from the proposed floorspace. These deductions in respect of demolition or change of use will only apply where the existing building has been in continuous lawful use for at least six months in the 3 years prior to the development being permitted and is still in situ on the day planning permission is granted.

6. EXEMPTIONS

- 6.1. Most development that involves the creation of buildings that people normally use will be liable to pay CIL¹. However, the Regulations provide for several exemptions to CIL² against which the levy will not be charged, including:

- New buildings or extensions under 100 sqm of gross internal floor space, which do not involve the creation of a new dwelling;
- Dwellings built by 'self-builders'
- The change of use, conversion or subdivision of a building that does not involve an increase in floorspace;
- The creation of a mezzanine floor within a building;
- Temporary development permitted for a limited period;
- Buildings into which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery;
- Vacant buildings brought back into the same use;
- Structures which are not buildings, such as pylons or wind turbines;
- Affordable housing (defined as social rented and intermediate housing) provided through a local housing authority, registered provider or charitable body; and
- Development by charities for charitable purposes.

- 6.2. CIL is charged on the gross internal floorspace³ of new development. Where planning permission is granted for a development that involves the extension or demolition and then rebuild of a building in lawful use⁴, the level of CIL payable will be calculated based on the net increase in

¹ This includes development permitted by a general consent (including permitted development)

² Under Part 6 of the CIL Regulations 2010 (as amended)

³ The gross internal floorspace is the internal area of the building, and should include rooms, circulation and service space such as lifts and floorspace devoted to corridors, toilets, storage, ancillary floorspace (e.g. underground parking) etc.

⁴ The definition of lawful use is contained in Schedule 1 Part 1 of the CIL (Amendment) (England) (No. 2) 2019 states that "...contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits

floorspace. This means that the existing floorspace contained in the building to be extended or demolished will be deducted from the total floorspace of the new development when calculating the CIL liability.

- 6.3. The Council can claw back any CIL relief where a development no longer qualifies for that relief within a period of seven years from the commencement of the development. For example, should a charity develop a building for charitable purposes and subsequently sell the building to the open market within seven years, then the Council will be able to claw back the CIL that would have been charged on the building had it been originally used for private use. Should a self-builder find that they must sell or rent the new dwelling within 3 years of the commencement of the development then the Council will then seek to clawback any CIL relief provided.
- 6.4. Under CIL Regulation 55, a Council can choose to offer exceptional circumstances relief if charging CIL would have an unacceptable impact on the economic viability of a particular development. Exemptions can also be made for charitable institutions, where this would not constitute State Aid (under CIL Regulation 45). However, the Council does not at present propose to make these exemptions available.

7. CIL REPORTING AND ADMINISTRATION

- 7.1. CIL revenue will be spent on the infrastructure needed to support development in the authority, the Council will produce an Infrastructure Funding Statement which will be published annually by 31 December. The Infrastructure Funding Statement reports on all funds secured, received and spent in the previous financial year for CIL and S106. The authority will use 5% of the CIL revenue to fund the administration costs of the Levy.
- 7.2. CIL is payable on the day development is commenced. Payment can be made in instalments (if eligible) as set out in the instalments policy in Appendix 2.
- 7.3. Below is some further guidance that may be helpful:
 - When an application for planning permission is submitted when CIL is payable, it must include an 'Additional CIL Information' form together with any relief or exemption claim forms completed with details of the development. This enables Rugby BC to calculate the amount of CIL payable. These documents must be submitted with your planning application.
 - The person who intends to pay CIL must assume liability prior to commencement by submitting an assumption of liability form.
 - If CIL chargeable permitted development is to be carried out, there is a requirement to submit a notice of chargeable development before development begins.
 - A commencement notice must be submitted for any other CIL chargeable development that requires planning permission.
 - If the circumstances of an exemption or relief have changed (a 'disqualifying event') Rugby BC must be notified.
 - On commencement the liable person must pay CIL in accordance with the instalments policies. A demand notice will be sent with details of how much to pay and the details of the instalments required.

the chargeable development.”

- If you receive any notice from Rugby BC, such as a demand notice, information notice or stop notice you must make the payment, provide the information or stop work on your development as requested in the notice.
- If you don't assume liability, submit a commencement notice, submit a notice of chargeable development, notify the council of changes to circumstances affecting an exemption or relief or reply to an information notice this may incur a financial penalty (surcharge) that will be added to the amount of CIL you have to pay.
- Late payment of CIL incurs a financial penalty (statutory late payment interest) that will be added to your CIL and failure to pay may lead to enforcement action and legal proceedings.
- The liability to pay CIL is registered as a land charge and is not removed until the full amount of CIL has been paid and any period for disqualifying events has expired.

- 7.4. You can appeal if you think we've mis-calculated the amount of CIL you need to pay and/or any relief or exemption you've claimed. You can also appeal our decision on apportioned liability, a surcharge, deemed commencement and a CIL stop notice (see appeals guidance). You can't appeal against the principle of paying CIL or negotiate the amount payable.
- 7.5. The CIL forms, guidance notes and further information is available on the Planning Portal website: Planning Portal – CIL at <https://www.planningportal.co.uk/planning/policy-and-legislation/CIL/about-CIL>.
- 7.6. Detailed guidance on CIL appeals is available on the Valuation Office and Planning Portal websites: Valuation Office CIL appeals guidance at <https://www.gov.uk/guidance/community-infrastructure-levy-how-to-make-an-appeal#:~:text=DH1%203UW-Contact,refer%20to%20the%20Planning%20Portal>.
- 7.7. Planning Portal - CIL appeals at <https://www.gov.uk/guidance/appeal-a-community-infrastructure-levy-enforcement-notice>
- 7.8. The Community Infrastructure Levy ((Amendment) (England) (No.2) Regulations 2019) came into force on 1 September 2019. Under these regulations, Infrastructure Funding Statements (IFS) have replaced CIL Regulation 123 Lists as the mechanism through which projects are identified for CIL funding. The IFS will be published annually and provide a summary of all financial and non-financial developer contributions relating to S106 and CIL within the Borough. It will include a statement of infrastructure projects that Rugby Borough Council intends to, or may be, wholly or partly funded by CIL. It will also set out the CIL spending protocol setting out the process that the Council will undertake for allocating CIL receipts.

APPENDIX 1 – PROPOSED COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE

Purpose

This schedule sets out the Community Infrastructure Levy charging rates proposed by Rugby Borough Council.

Date of Approval

This charging schedule will be approved by Rugby Borough Council at a meeting of its full Council at a date to be determined subject to the receipt of a favourable Examiners report.

Effective Date

This Charging Schedule shall take effect on a date to be determined by full Council.

Charging Rates per sq.m.

Development Type	Rugby Urban Area	Rural Area
Residential houses – 11 units or more	£60	£160
Residential houses – 10 or fewer units	£100	£200
Residential development on strategic sites	Nil	Nil
Residential apartments – 10 of fewer units	Nil	£200
Residential apartments – 11 or more units	Nil	£160
Convenience retail	£100	£100
Industrial, light industrial, storage and distribution	£5	£5
All other uses	Nil	Nil

Notes:

- 1 Residential unit numbers refer to net figures.
- 2 Residential excludes student accommodation, HMOs, retirement living or sheltered housing; extra care housing or housing-with-care and residential care homes and nursing homes as defined by Paragraph: 010 Reference ID: 63-010-20190626 of the Planning Practice Guidance.
- 3 Strategic Sites are Coton Park East, Rugby Radio Station (Houlton) and South West Rugby as shown on the Residential charging zones map at Figure 1 below.
- 4 Apartments are separate and self-contained dwellings within the same building. They generally have

shared access from the street and communal areas from which individual dwellings are accessed. Apartment buildings have dwellings on more than one floor and are subdivided horizontally by floor. 5 Other chargeable residential development (e.g. residential extensions over 100 sq m and annexes) will be charged at the relevant zone rate.

6 'Industrial' is use class B2, 'light industrial' is use class E(g)(i), and 'storage and distribution' is use class B8 in each case as defined in Schedules 1 and 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Calculating the Chargeable amount of CIL

CIL is charged on all new developments which create more than 100m² of floor space and on those developments which create 1 or more new dwellings, even where the floor space is less than 100m². The chargeable amount of CIL is calculated on the gross internal area of the net increase in floor area. The amount to be charged for individual developments will be calculated in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010, as amended.

Indexation

The CIL Regulations specify that the index to be used is the —National All-in Tender Price Index published from time to time by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors; and the figure for a given year is the figure for 1st November of the preceding year. In the event that the All-in Tender Price Index ceases to be published, the index to use will be The Retail Prices Index.

Figure 1 Residential CIL Charging Zones

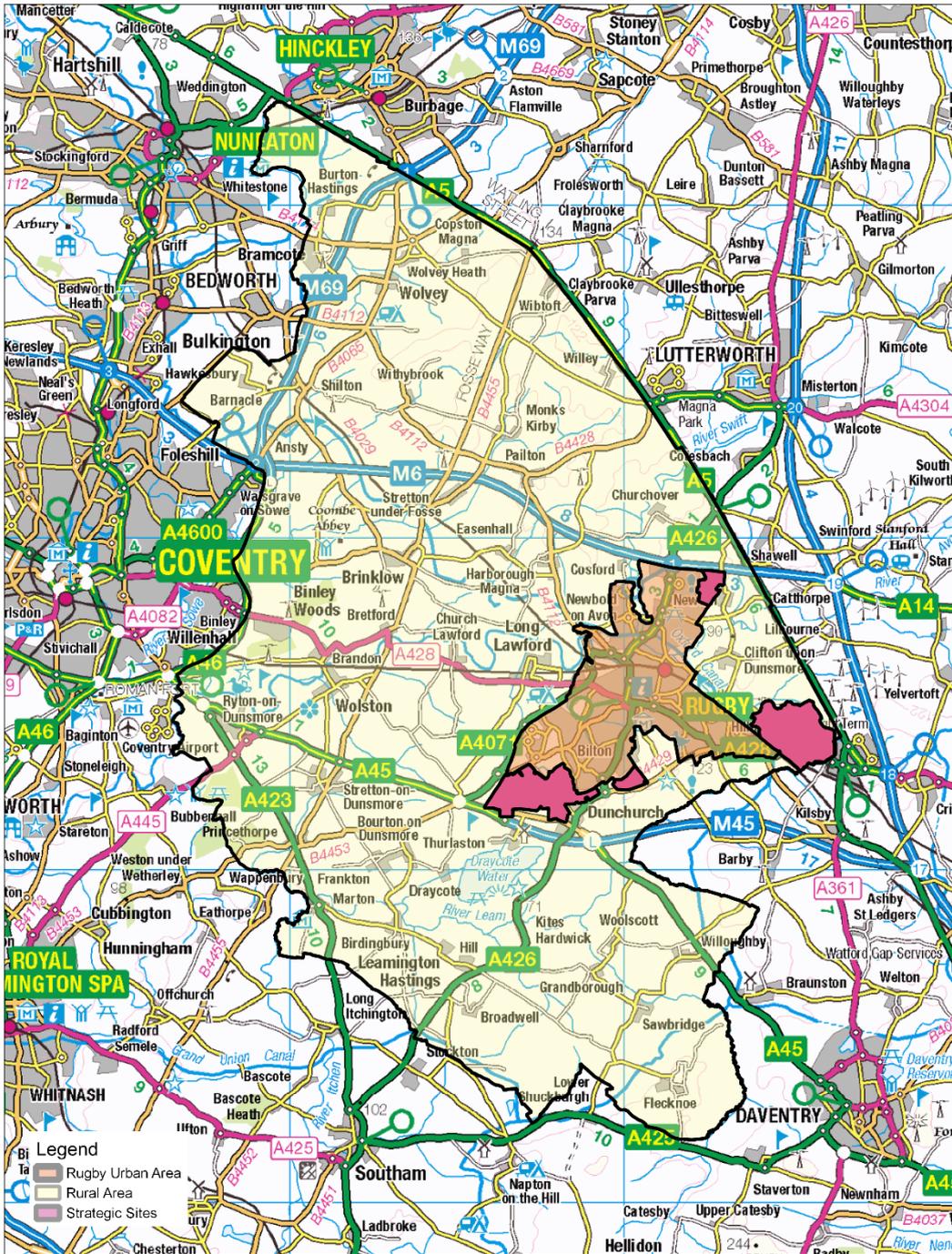


Figure 1: Residential CIL Charging Zones

Date: July 2023
Scale: 1:99,992.632122



Development Strategy

© Crown copyright & database rights 2023
Ordnance Survey 100019417



APPENDIX 2 – CIL INSTALMENTS POLICY

This policy has been prepared in accordance with Regulation 69B of the CIL Regulations 2010 (as amended) The Council will allow payment of CIL by instalments according to the total amount of liability as follows:

Amount of Liability	Number of Instalments	Payment Periods
£50 - £50,000	1	<ul style="list-style-type: none"> Total amount payable within 60 days of commencement.
£50,001 - £150,000	2	<ul style="list-style-type: none"> £50,000 payable within 60 days of commencement. Balance payable within 120 days of commencement.
£150,001- £300,000	3	<ul style="list-style-type: none"> £50,000 payable within 60 days of commencement. Balance payable in a further two instalments of equal amounts within 120 and 240 days.
More than £300,000	4	<ul style="list-style-type: none"> £50,000 payable within 60 days of commencement. Balance payable in a further three instalments of equal amounts within 120, 240 and 360 days.

The instalments policy only applies in cases where the persons liable for paying CIL have complied with all the relevant regulations. Regulation 70 of the CIL Regulations 2010 (as amended) sets out that a CIL instalments policy will only apply in the following circumstances:

1 Where the Council has received CIL Assumption of Liability Form prior to commencement of the chargeable development, and;

2 Where the Council has received a CIL Commencement Notice prior to the commencement of the chargeable development If either of these requirements are not complied with, the instalments set out above will not apply and the total liability will become payable within 60 days of the commencement of the chargeable development.

If development is completed prior to the date payments are required of the instalments, full CIL payment should be made on completion.

N.B. For outline applications which permit development to be implemented in phases, each phase of the development is a separate chargeable development. In such cases the instalments policy will apply to each separate chargeable development.

Date of effect: This policy will come into effect on the date of adoption of the CIL Charging Schedule by Full Council.

Appendix 2 – Climate Change and Environmental Impact Assessment for Draft CIL Charging Schedule

Rugby Borough Council

Climate Change and Environmental Impact Assessment

Submission of Community Infrastructure Levy (CIL) Charging Schedule for Examination

CONTEXT

In 2019 the UK Parliament set a commitment in law to reach net zero carbon emissions by 2050. Achieving this target will require considerable effort with public bodies, private sector organisations, the third sector and individuals working together to take action. Rugby Borough Council declared a climate emergency in 2019, in doing so committed to:

- To move the Council's operations towards Carbon Neutrality by 2030.
- To establish action to tackle climate change as a key driver of all decision-making.
- To provide community leadership in reducing the impact of Climate Change.
- To take action to mitigate the impact of climate change on a Borough wide basis and beyond, through adaptation.

The Council's Corporate Strategy (2021-24) [link](#) sets ambitious outcomes in relation to Climate Change. These ambitions must now be progressed through the decisions which the Council makes.

It is therefore important that Rugby Borough Council gives due regard to climate change when making decisions. In the context of the Council's business, Climate Change includes carbon emissions, biodiversity, habitat loss and environmental destruction. When putting forward recommendations for decision, officers must assess how these recommendations are likely to influence our climate change commitments by completing the following Climate Change and Environmental Impact Assessment.

A copy of this Climate Change and Environmental Impact Assessment, including relevant data and information should be forwarded to the Deputy Executive Director.

If you require help, advice and support to complete the forms, please contact Dan Green, Deputy Executive Director.

SECTION 1: OVERVIEW

Portfolio and Service Area	Growth and Investment
Policy/Service/Change being assessed	The report recommends to Council that it approves the submission of the draft CIL charging schedule for independent examination.
Is this a new or existing Policy/Service/Change?	This would be a new charge.
If existing policy/service please state date of last assessment	Not applicable.
Ward Specific Impacts	Borough-wide.
Summary of assessment Briefly summarise the policy/service/change and potential impacts.	The report recommends to Council that it approves the submission of the CIL draft charging schedule for independent examination. The independent examination will consider whether or not the charging schedule meets the basic conditions (legal requirements) it is required to meet. If the examination is successful the charging schedule can be approved by the Council. If the authority introduces CIL it could use some of the revenue generated to fund environmental enhancements.
Completed By	Neil Holly, Development Strategy Manager
Authorised By	Nicola Smith, Chief Officer Growth & investment
Date of Assessment	14 August 2023

SECTION 2: IMPACT ASSESSMENT

Climate Change and Environmental Impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner	Timescales
Energy usage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None at this stage			
Fleet usage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None at this stage			
Sustainable Transport/Travel (customers and staff)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None at this stage			
Sustainable procurement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None at this stage			
Community leadership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None at this stage			
Biodiversity and habitats	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None at this stage			
Adaptation/Mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None at this stage			
Impact on other providers/partners	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None at this stage			

SECTION 3: REVIEW

Where a negative impact is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

Review date	Next stage of the adoption process – approval of the charging schedule following independent examination
Key points to be considered through review	No negative impacts have been identified at this stage.
Person responsible for review	Neil Holly, Development Strategy Manager
Authorised by	Nicola Smith, Chief Officer Growth & investment

AGENDA MANAGEMENT SHEET

Report Title:	Creation of a CIL and Local Plan Monitoring Officer Post
Name of Committee:	Cabinet
Date of Meeting:	18 September 2023
Report Director:	Chief Officer – Growth and Investment
Portfolio:	Growth and Investment
Ward Relevance:	All wards
Prior Consultation:	All Group Leaders
Contact Officer:	Neil Holly, Development Strategy Manager neil.holly@rugby.gov.uk
Public or Private:	Public
Report Subject to Call-In:	Yes
Report En-Bloc:	No
Forward Plan:	Yes
Corporate Priorities:	This report relates to the following priority(ies): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input checked="" type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024 <input type="checkbox"/> This report does not specifically relate to any Council priorities but
Summary:	This report seeks approval for the creation of a new post on the establishment of CIL and Local Plan Monitoring Officer.
Financial Implications:	The cost of the new post full time post, if appointed on the mid-point on Grade D would be £35,580 per year.

Risk Management/Health and Safety Implications:

The principal risks identified are:

- That the Council will be unable to attract a suitable candidate to the new role. This is a material risk.
- That CIL income proves inadequate to cover the cost of the new role.

Environmental Implications:

None arising from this report

Legal Implications:

Under Section 212 Planning Act 2008, before the Council approves its CIL charging schedule it must appoint an independent and appropriately qualified examiner to examine the draft. The examiner will determine whether the CIL charging schedule has met the relevant requirements. If the charging schedule meets the relevant requirements then the Council may proceed to approve it and bring it into effect. Under Regulation 61 of the Community Infrastructure Levy Regulations 2010 the Council may apply up to 5% of CIL collected to administrative expenses incurred by it in connection with that collection.

Equality and Diversity:

Recruitment to this role will be carried out in accordance with the Council's recruitment procedures. An Equality Impact Assessment is attached as Appendix 2.

Options:

Option 1 – Approval be given for the creation of a new permanent post of CIL and Local Plan Monitoring Officer on the establishment to be funded through CIL receipts as detailed in section 3 below.

Option 2 – Approval is not given for the creation of the new post and CIL is administered within existing staff resources as detailed in section 5 below.

Recommendation:

IT BE RECOMMENDED TO COUNCIL THAT –

1. approval be given for the creation of a new permanent post of CIL and Local Plan Monitoring Officer on the establishment
2. a supplementary budget of £17,790 (6 months) be established in 2023/24 to be funded from the budget stability reserve to

fund the role whilst CIL income balances are being established

3. approval be granted establish a temporary budget of £35,580 in 2024/25 and £17,790 (6 months) in the 2025/26 financial year within the MTFP to fund the officer whilst CIL income balances are being established and;
4. following the receipt of sufficient CIL income, approval to fund the post from CIL admin income generated each year

Reasons for Recommendation:

To allow the Council to effectively administer CIL and carry out local plan monitoring.

Cabinet – 18 September 2023

Creation of a CIL and Local Plan Monitoring Officer Post

Public Report of the Chief Officer – Growth and Investment

Recommendation:

IT BE RECOMMENDED TO COUNCIL THAT –

1. approval be given for the creation of a new permanent post of CIL and Local Plan Monitoring Officer on the establishment
2. a supplementary budget of £17,790 (6 months) be established in 2023/24 to be funded from the budget stability reserve to fund the role whilst CIL income balances are being established
3. approval be granted establish a temporary budget of £35,580 in 2024/25 and £17,790 (6 months) in the 2025/26 financial year within the MTFP to fund the officer whilst CIL income balances are being established and;
4. following the receipt of sufficient CIL income, approval to fund the post from CIL admin income generated each year;

1. INTRODUCTION

- 1.1. Part 11 of the Planning Act 2008 enables local authorities to levy a charge on new development to fund infrastructure within their area. This is known as the Community Infrastructure Levy (CIL).
- 1.2. There is a process set out in the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended) for adopting a CIL. At the meeting on 18 September 2023 Cabinet will be asked to recommend to Council that it agree to the submission of the Council's draft CIL charging schedule for independent examination. If the independent examination is successful, the Council will then be asked to approve the CIL charging schedule and bring it into effect.
- 1.3. It is necessary to plan for the administration of the CIL which will have new resource implications for the Growth and Investment Portfolio.

2. RESOURCE REQUIREMENTS

- 2.1. CIL administration includes checking floorspace calculations, calculating the CIL payable and sending liability notices to developers/landowners.

- 2.2. Additionally, it will be necessary to check whether the development can claim exemptions/reliefs from the charge. Once a commencement notice is received from the developer in respect of a development, the Council will need to serve a demand notice and ensure payment is made. There will also be an enforcement element of the role, if developers fail to serve the correct notices or to make payment. There is also a procedure for appealing a CIL notice and the authority may receive appeals. Finally, there is a requirement for monitoring to ensure the neighbourhood share is passed to the relevant parish council and CIL collected is spent on infrastructure improvements.
- 2.3. Local plan monitoring would include compiling the data for the council's annual Authority Monitoring Report, Five Year Housing Land Supply Statement and Annual Infrastructure Funding Statement and submitting necessary monitoring returns to government.
- 2.4. Appointing a monitoring officer will help ensure more detailed and timely monitoring of the local plan. This also aligns with the Council wanting to be a more data driven council with performance monitoring being central to how it delivers services. Approval has already been given by Council on 22 February 2022 to recruit a local plan monitoring officer on a 1 year fixed term contract, but the Council were unsuccessful in recruiting to that position.
- 2.5. It is proposed that the CIL and local planning monitoring officer would devote part of their time to the administration and monitoring of CIL and part of their time to local plan monitoring.
- 2.6. There is limited resource within the team to administer CIL, and not enough to cover the demands of the role nor any resilience. There is also limited resource within the team to do the Local Plan monitoring. It is expected by the CIL Regulations that the introduction and administration of CIL will place additional resource demands which is why councils are allowed to apply 5% of CIL receipts to the costs of administering the levy.
- 2.7. This is an opportunity to create a post that provides resilience and covers work that is not currently being undertaken and therefore it is proposed to combine CIL and local plan monitoring into one role.
- 2.8. The proposed job profile for the role is attached as Appendix 1. The post would report to the Development Strategy Manager and also work closely with the Lead s106 and CIL Compliance Officer.
- 2.9. The post has been graded as grade D. The annual cost to the Council if appointed at the mid-point of grade D for a 37-hour week would be £35,580.

3. FUNDING THE NEW POST

- 3.1. It is proposed that from year three onwards the post would be wholly funded through CIL receipts. This is explained in paragraphs 3.3 to 3.14 below. However, in the first and second year after introduction of the CIL Charging Schedule it is unlikely that the part of CIL receipts which can be spent on administration will be sufficient to cover the cost of the post.

- 3.2. Only developments which are granted planning permission after the date on which the CIL Charging Schedule is brought into effect will be liable to pay CIL. CIL would be payable by those developments upon their commencement, rather than on grant of planning permission. It will therefore take time for receipts to come in after CIL is brought into effect.
- 3.3. In years one and two after the introduction of the CIL Charging Schedule it is proposed that the cost of the post be funded through the creation of a temporary budget. Thereafter the post will be self-funding through CIL receipts.
- 3.4. CIL is charged in pounds per square metre of new floorspace created. Authorities are permitted to apply 5% of levy receipts to the cost of administering CIL.
- 3.5. The draft CIL charging schedule sets the following charging rates per square metre of new floorspace:

Development Type	Rugby Urban Area	Rural Area
Residential houses – 11 units or more	£60	£160
Residential houses – 10 or fewer units	£100	£200
Residential development on strategic sites	Nil	Nil
Residential apartments – 10 or fewer units	Nil	£200
Residential apartments – 11 or more units	Nil	£160
Convenience retail	£100	£100
Industrial, light industrial, storage and distribution	£5	£5
All other uses	Nil	Nil

- 3.6. CIL will be levied across different sizes of developments of different types, however, to give an indication of the minimum level of CIL income for a financial year, it would be prudent to focus on the application type that the Council receives most of. Our records show that development of nine or fewer houses have been a relatively consistent source of housing supply.
- 3.7. Small developments of this type that are residential conversions of existing buildings will often be able to deduct the floor space previously in another use from their CIL chargeable floor area. This would result in a nil CIL charge. Similarly, developments of apartments in the urban area of Rugby will not pay CIL under the proposed charging schedule.
- 3.8. If apartments and conversions are excluded, the average number of new homes built per year, on small sites of nine or fewer homes, over the past five years is shown in the table below. The Council does not have data on the average size of these new homes, however, if it is assumed that the average dwelling is a 2-storey, 3 bedroom, 5 person house (the most common type of dwelling in the borough) then that would give a floor area of 93m² when

applying the Nationally Described Space Standard. The CIL income this would generate is shown in the table below.

	Urban area	Rural area
Number of dwellings annually	27	37
Charging rate per m ²	£100	£200
Assumed m ² per dwelling	93m ²	93m ²
Total annual CIL income	£251,100	£688,200

- 3.9. Under r61 of the Community Infrastructure Levy Regulations 2010, 5% of CIL collected may be applied to administrative expenses incurred by the authority in connection with CIL.
- 3.10. Five percent of the above income from sites of nine or fewer dwellings would equate to £49,965 per year.
- 3.11. In addition to CIL income from sites of nine or fewer dwellings, there would be CIL income from larger housing sites which do not form part of the strategic allocations, from industrial and storage and distribution and from convenience retail proposals. The timing of these types of development coming forward is less predictable and so it is more difficult to forecast potential receipts. Receipts from these sources will be highly variable year to year.
- 3.12. Most of the main rural settlement allocations under the Local Plan 2011-2031 already have planning permission and so would not be CIL chargeable. The sites that do not yet have planning permission are Plott Lane, Stretton on Dunsmore (circa 25 dwellings), Leamington Road, Ryton on Dunsmore (circa 75 dwellings), and Linden Tree Bungalow, Wolston (circa 15 dwellings). These sites are all more than ten dwellings in size and are within the rural area. Therefore, if they were to be granted planning permission after the CIL charging schedule were brought into effect and subsequently development were to commence, then they would be chargeable to CIL at £160 per square metre. There is, however, no guarantee of when and if these sites will come forward.
- 3.13. It is proposed that the permitted administrative proportion of CIL receipts is applied to fund the new post. With a projected income for administration purposes of at least £49,965 and the cost of a new post of £35,580, the post would be fully funded via this new income stream.
- 3.14. There are risks associated with the introduction and administration of CIL. It is possible that the introduction of CIL would reduce the number of small sites coming forward, although the viability evidence to support the charging schedule shows that small sites would still be viable at the proposed charging rates. It is also possible that the number of small sites coming forward would reduce due to economic conditions. This may mean in some years the administrative income received may go down but in others it would go up. Over the Medium Term Financial Plan (MTFP) however the cost of establishing this post would be cost neutral.

4. TIMING OF RECRUITMENT

- 4.1. The appointment of a CIL and Local Plan Monitoring Officer is contingent upon the approval by the Council of the CIL charging schedule. This in turn is contingent upon the independent examiner concluding that the charging schedule meets the relevant requirements.
- 4.2. In view of these dependencies, it is not recommended to proceed with recruitment to the new post until the independent examiner's conclusions are known. However, approving the creation of the new post now will allow the Council to move quickly to fill the post once the examiner's conclusions are known, ensuring the officer is in post as soon as possible after the CIL charging schedule is approved.

5. ALTERNATIVE OPTION

- 5.1. The alternative to creating the new post is to administer and monitor CIL and undertake local plan monitoring using existing staff resources.
- 5.2. At present s106 monitoring is undertaken by the Lead S106 and CIL Compliance Officer and local plan monitoring is undertaken by officers in the Development Strategy Team. The Lead S106 and CIL Compliance Officer also undertakes enforcement and monitoring of large sites and has insufficient capacity to continue with this work and administer CIL.
- 5.3. Engaging an additional officer will provide resilience to the administration of CIL. The administration of CIL requires the Council to serve and respond to notices in a timely manner or it will lose potential income from chargeable development. Without the new post-holder there would be a risk of missed notices. For example, if local authorities fail to serve a liability notice in a timely manner they may lose the ability to collect CIL from a development.
- 5.4. In relation to local plan monitoring, this would continue as present without a specific officer. However, engaging a new dedicated officer would be likely to improve the timeliness and detail of plan monitoring. This in turn would support more effective decision making and policy development. This accords with the corporate emphasis on using performance indicators and collecting and analysing data. This will enable decisions to be data driven enabling the Council to use data to improve performance and future planning.
- 5.5. For these reasons the alternative option is not recommended.

6. CONCLUSION

- 6.1. It is recommended that Council agree to the creation of a new permanent post on the establishment of CIL and local plan monitoring officer.

Name of Meeting: Cabinet

Date of Meeting: 18 September 2023

Subject Matter: Creation of a CIL and Local Plan Monitoring Officer Post

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Appendix 1 – CIL and Local Plan Monitoring Officer job profile

RUGBY BOROUGH COUNCIL



JOB PROFILE

Post No.	Tbc
Post Title:	Local Plan and CIL Monitoring and Research Officer
Unit/Team:	Development Strategy
Grade:	Grade D
Service:	Growth & Investment
Reports to:	Development Strategy Manager
Issue Date:	August 2023

PURPOSE OF THE JOB

- Carry out monitoring functions for the Planning Service and produce reports analysing the results.
- Assist in the monitoring and administration of s106 (planning obligations/legal agreements associated with the Town and Country Planning Act) and the Community Infrastructure Levy.

1. ESSENTIAL FUNCTIONS AND RESPONSIBILITIES

- 1.1 Assist in the monitoring and administration of the Community Infrastructure Levy and any successor Infrastructure Levy. This will include the preparation and sending of correspondence, reviewing notices, measuring plans and updating records within the Council's development management case management system.
- 1.2 Monitor all aspects of housing and economic supply data for local and national purposes. Produce Authority Monitoring Reports annually and ad hoc monitoring information for major planning applications or appeals for publication.
- 1.3 Prepare the Council's annual Infrastructure Funding Statement.
- 1.4 Assist with the production and publication of the Council's 5-year housing land supply statement, including updating housing monitoring data.
- 1.5 Contribute to the preparation of local development plan policy and supplementary planning documents.
- 1.6 After experience, attend meetings and represent the Council at the CSWAPO (Coventry, Solihull, Warwickshire, Association of Planning Officers) Joint Monitoring Officers Group (JMOG).
- 1.7 Carry out planning research and analysis.
- 1.8 Assist in the preparation of Housing and Economic Land Availability Assessments.

- 1.9 Produce maps using GIS software to support planning policy preparation.
- 1.10 Develop an understanding of national and local planning legislation, policy and guidance as it relates to monitoring and the Community Infrastructure Levy.
- 1.11 Keep records of own work activities in a systematic manner to set targets and monitor achievements.
- 1.12 Carry out site visits and attend meetings associated with the Community Infrastructure Levy, planning policy, monitoring and future development issues.
- 1.13 Liaise with the Lead s106 and CIL Compliance Officer to co-ordinate monitoring data and ensure this is accurate and links in with S106 agreements. Liaise with external partners on the phasing of external infrastructure to assist with housing delivery and the delivery of economic development.
- 1.14 Assist in the monitoring of large sites within the borough including Appendix K of the South West Rugby SPD in conjunction with the Major Projects and Economic Development Team and the Lead s106 and CIL Compliance Officer.

2. OTHER DUTIES AND RESPONSIBILITIES

- 2.1 Act as liaison officer with IT for improvements to planning policy pages on the Council website. Publish monitoring information on the Council's website.
- 2.2 Use relevant software including the Council's case management system (currently Agile), Excel, MS Outlook, MS Word, PowerPoint, QGIS mapping software.
- 2.3 Contribute to the preparation of the Council's Infrastructure Delivery Plan and updates thereto.
- 2.4 Assist in preparing responses to requests for information in relation to s106 and CIL under the Freedom of Information Act and Environmental Information Regulations.
- 2.5 Assist in preparing and organising public consultation events and materials.
- 2.6 With experience, provide monitoring information to other officers, councillors, members of the public and interest groups, and external partners in a confident and effective manner.
- 2.7 Be aware of Health and Safety legislation and so far, as is reasonably practicable, ensure compliance with the Health and Safety at Work Act, the Council's Safety Policy and the Departmental Safety Policy.
- 2.8 Any other reasonable duties as requested by the Development Strategy Manager and Lead s106 and CIL Compliance, in line with your skills and knowledge, and meet deadlines set by them.

3. SUPERVISORY RESPONSIBILITIES

None.

4. FINANCIAL RESPONSIBILITIES

None.

5. RESPONSIBILITY FOR ASSETS AND DATA

Handling data as required by the Data Protection Act 2018.

6. EXTENT OF PUBLIC CONTACT

Dealing with enquiries from customers to provide planning monitoring information, including information on 5-year housing land supply, the Infrastructure Funding Statement, Community Infrastructure Levy, s106, Infrastructure Delivery Plan, and other housing and economic data. Relevant contact by phone, e-mail, letter, Microsoft Teams and in person with other Council officers, developers, agents and members of the public. Contact with members of the Council.

7. WORKING CONDITIONS AND ENVIRONMENT

Work in accordance with the Council's Agile working policy but ability to travel readily and efficiently to all parts of the Borough and Council offices to visit sites and check upon progress or attend Council meetings.

8. CORPORATE RESPONSIBILITIES

All staff must act within the Council's rules and follow all reasonable management requirements. These are contained within: the Council's Standing Orders, Employment Policies, Constitution and Code of Conduct for Employees. Other documents may be introduced at times setting out rules of the Council. These will cover responsibilities and requirements for the following:

- Financial Accounting
- Equality and Diversity
- Health and Safety
- Risk Management
- Anti- Fraud
- Data Quality and Data Protection
- Business Continuity
- Major Emergency Plan
- Procurement and Contract Management
- Safeguarding of Children and Vulnerable Adults

Copies of the relevant rules and policy are available on the staff intranet or from your manager

In addition, all employees are expected to behave in line with our Values and Behaviours and challenge other employees whose behaviour is against our values.

9. KNOWLEDGE, SKILLS, EXPERIENCE AND QUALIFICATIONS

Refer to Person Specification attached.



Signed as agreed:

Postholder

Date

PERSON SPECIFICATION



Post: Local Plan and CIL Monitoring and Research Officer

For effective performance of the duties of the post the postholder will be able to demonstrate that they have the skills and/or knowledge detailed in 'Essential Criteria'.

Criteria	Essential/ Desirable	Method of Assessment
A minimum of GCSE A – C grades (or their equivalent) in English Language and Mathematics.	E	A, D
Be able to demonstrate a good standard of literacy.	E	A, I
Numeracy and analytical skills, to research and analyse complex information and to draw out clear conclusions and outputs.	E	A, I
Able to present information in a clear and accurate way.	E	A, I
Ability to produce information and statistics by use of databases and spreadsheets.	E	A, I
Ability to prioritise and organise work to meet required deadlines and work with limited supervision.	E	A, I
Possess a valid and appropriate driving licence and be able to attend meetings and site visits throughout the Borough.	E	A, D
A commitment to work within our CAN DO values.	E	A, I
Demonstrate competence with Microsoft Office (Word, Outlook, Excel, PowerPoint and Microsoft Teams).	E	A, I
Possess knowledge of town planning procedures in the UK.	D	A, I
Degree level qualification in planning or a related subject.	D	A, D
Previous experience of planning research or monitoring work in the UK.	D	A, I
Knowledge and experience of the use of GIS mapping software	D	A, I

Application	A
Interview	I
Test (written, presentation, practical – e.g. word processing)	T
References	R
Documentary – e.g. certificates	D

Appendix 2 – Equality Impact Assessment CIL and Local Plan Monitoring Officer

Appendix 2 - EQUALITY IMPACT ASSESSMENT (EqIA)

Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sex/gender
 - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff.
10. For advice and support, contact:
Minakshee Patel
Corporate Equality & Diversity Advisor
minakshee.patel@rugby.gov.uk
Tel: 01788 533509

Equality Impact Assessment

Service Area	Development Strategy
Policy/Service being assessed	Creation of a CIL and Local Plan Monitoring Officer Post.
Is this is a new or existing policy/service? If existing policy/service please state date of last assessment	The proposal is the creation of a new office post. Part of the purpose of the post is to administer CIL. CIL will be a new service/requirement. An EQiU for the introduction of CIL was produced and appended to the 20 March 2023 cabinet report.
EqlA Review team – List of members	Neil Holly - Development Strategy Manager
Date of this assessment	14 th August 2023
Signature of responsible officer (to be signed after the EqlA has been completed)	

A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality & Diversity Advisor.

If you require help, advice and support to complete the forms, please contact Minakshee Patel, Corporate Equality & Diversity Advisor via email: minakshee.patel@rugby.gov.uk or 01788 533509

Details of Strategy/ Service/ Policy to be analysed

<u>Stage 1 – Scoping and Defining</u>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	The new position will administer the Community Infrastructure Levy (CIL), which is a proposed new levy on development, and will undertake planning policy monitoring. The latter is an existing service, but additional resource is needed to undertake this in an effective way.
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	It primarily fits in with priorities on: <ul style="list-style-type: none"> • Rugby Borough Council is a responsible, effective and efficient organisation. • Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents.
(3) What are the expected outcomes you are hoping to achieve?	The outcomes are to appoint a new officer to effectively administer CIL and undertake local plan monitoring.
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> • Customers • Employees • Wider community or groups 	Provides a better service to customers in the administration of CIL and through providing more timely and potentially more detailed planning monitoring information.
<u>Stage 2 - Information Gathering</u>	
(1) What does the information tell you about those groups identified?	The population likely to be interacting with the new officer are the local development sector: landowners, developers and planning agents, together with other council employees, parish councils and potentially councillors.

<p>(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?</p>	<p>The appointment of the new officer is not a new strategy/service in itself. The approval of the CIL charging schedule is subject to a separate consultation and examination process.</p>
---	---

<p>(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.</p>	<p>As detailed above, the proposed introduction of CIL has been subject to consultation in line with our Statement of Community Involvement.</p>
--	--

<p><u>Stage 3 – Analysis of impact</u></p>			
---	--	--	--

<p><u>(1)Protected Characteristics</u> From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination? If yes, identify the groups and how they are affected.</p>	<p>RACE</p>	<p>DISABILITY</p>	<p>GENDER</p>
	<p>MARRIAGE/CIVIL PARTNERSHIP</p>	<p>AGE</p>	<p>GENDER REASSIGNMENT</p>
	<p>RELIGION/BELIEF</p>	<p>PREGNANCY MATERNITY</p>	<p>SEXUAL ORIENTATION</p>

<p><u>(2) Cross cutting themes</u></p> <p>(a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how?</p> <p>(b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>(a) Effective administration of CIL by the new officer is a precondition to being able to collect the levy from development. The levy itself can be spent on local infrastructure. Depending on the nature of infrastructure funding decisions, they could have a bearing on cross cutting themes. However, it will not be part of the job of the new officer to determine spending priorities as the role is administrative in nature in relation to CIL.</p> <p>(b) Not applicable</p>
<p>(3) If there is an adverse impact, can this be justified?</p>	<p>N/A</p>
<p>(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)</p>	<p>N/A</p>
<p>(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?</p>	<p>N/A</p>
<p>(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?</p>	<p>N/A</p>
<p>(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?</p>	<p>N/A</p>

Stage 4 – Action Planning, Review & Monitoring

If No Further Action is required then go to – Review & Monitoring

(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.

No further action is required.

EqlA Action Plan

Action	Lead Officer	Date for completion	Resource requirements	Comments

(2) Review and Monitoring
State how and when you will monitor policy and Action Plan

The separate EqlA of the CIL charging schedule will be reviewed again prior to adoption of the Charging Schedule, probably in late 2023.

Please annotate your policy with the following statement:

‘An Equality Impact Assessment on this policy was undertaken on (date of assessment) and will be reviewed on (insert review date).’

AGENDA MANAGEMENT SHEET

Report Title:	Newton and Biggin Neighbourhood Area designation
Name of Committee:	Cabinet
Date of Meeting:	18 September 2023
Report Director:	Chief Officer – Growth and Investment
Portfolio:	Growth and Investment
Ward Relevance:	Clifton, Churchover and Newton
Prior Consultation:	N/A
Contact Officer:	Hayley Smith, Principal Planning Officer, Development Strategy, Hayley.smith@rugby.gov.uk
Public or Private:	Public
Report Subject to Call-In:	Yes
Report En-Bloc:	No
Forward Plan:	Yes
Corporate Priorities:	This report relates to the following priority(ies): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input checked="" type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024 <input type="checkbox"/> This report does not specifically relate to any Council priorities but
(C) Climate (E) Economy (HC) Health and Communities (O) Organisation	
Summary:	This report seeks Cabinet’s recommendation to Council to approve the Parish of Newton and Biggin as a neighbourhood area for the purposes of Neighbourhood Planning.

Financial Implications:	There are no financial implications for the Council as a result of this decision.
Risk Management/Health and Safety Implications:	If the council does not make this decision there could be negative funding implications for the parish and their ability to obtain funding to develop their neighbourhood plan. The Council would not be fulfilling its duties required by regulations if it does not approve the area designation
Environmental Implications:	There are no environmental implications for the Council as a result of this decision.
Legal Implications:	Compliance with the Neighbourhood Planning Regulations. The Council would not be fulfilling its duties required by regulations if it does not approve the area designation.
Equality and Diversity:	There are no equality and diversity implications for the Council as a result of this decision.
Options:	In order to comply with Regulation 5A of the Neighbourhood Planning Regulations (2012 as amended), there are not considered to be alternative options. Where certain criteria are met (as this application does - see 'Reasons for decision' below) Regulation 5A (2) states: " <i>The local planning authority must exercise their powers under Section 61G of the 1990 Act to designate the specified area as a neighbourhood area.</i> "
Recommendation:	IT BE RECOMMENDED TO COUNCIL THAT the proposed Newton and Biggin Neighbourhood Area be designated.
Reasons for Recommendation:	It is legally necessary to confirm designation of Newton and Biggin Parish as a neighbourhood area for the purposes of the preparation of a Neighbourhood Plan.

Cabinet - 18 September 2023

Newton and Biggin Neighbourhood Area Designation

Public Report of the Chief Officer - Growth and Investment

Recommendation:

IT BE RECOMMENDED TO COUNCIL THAT the proposed Newton and Biggin Neighbourhood Area be designated.

1. INTRODUCTION

- 1.1 This report seeks approval for the Parish of Newton and Biggin to be designated as a neighbourhood area for the purposes of neighbourhood planning.

2. BACKGROUND

- 2.1. The request to designate the parish of Newton and Biggin as a neighbourhood area was made in writing by the Parish Council (appendix 1) with a map of the parish included (appendix 2).

3. IMPLICATIONS

- 3.1. Newton and Biggin Parish Council as the 'relevant body' submitted an application to designate the whole of Newton and Biggin Parish Council as a Neighbourhood Area by email on 05 July 2023. The email included a letter attachment and map showing the area of the parish. The letter outlines that the parish council considers that the extent of the parish "...is appropriate to be designated as a neighbourhood area as it is self-contained, has meaningful boundaries, and is generally meaningful and coherent for policy making purposes."
- 3.2. Changes were made to The Neighbourhood Planning Regulations (2016 amendment regulation 5A), which came into force on 1st October 2016. The amendments mean a local authority must designate a neighbourhood area where the following criteria are met:
- an application is received from a parish council;
 - the area specified in the application consists of the whole parish area; and
 - if any part of the specified area applied for is already part of a neighbourhood area, none of that extends outside the parish council's area.
- 3.3. The requirement for a consultation period on the area application does not apply in these circumstances.

3.4. The application received from Newton and Biggin Parish Council is considered to meet the criteria outlined above, as:

- It was received from Newton and Biggin Parish Council
- The area specified is the entire parish area, and
- No part of the specified area is part of another neighbourhood area already designated. The application meets the criteria set out above and therefore complies with the Regulations.

3.5. As such, no consultation period is required, and the local authority must “designate the whole area applied for” (Planning Practice Guidance Paragraph: 032 Reference ID: 41-032- 20170728).

4. CONCLUSION

4.1. It is legally necessary to confirm designation of Newton and Biggin Parish as a neighbourhood area for the purposes of the preparation of a neighbourhood plan.

Name of Meeting: Cabinet

Date of Meeting: 18 September 2023

Subject Matter: Newton and Biggin Neighbourhood Area designation

Originating Department: Development Strategy

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A



Newton and Biggin Parish Council

c/o 9 High Street, Crick
Northamptonshire
NN6 7TS
clerk@newtonparishcouncil.org.uk

Nicola Smith – Chief Officer for Growth and Investment,
Rugby Borough Council,
Town Hall,
Evreux Way,
Rugby, CV21 2RR.

5th July 2023

Dear Nicola,

Re: Neighbourhood Plan for Newton and Biggin Parish – application for designation as Neighbourhood Area

I am writing to inform you that Newton and Biggin Parish Council has taken the decision to develop a Neighbourhood Plan and we are therefore applying for the Parish to be designated as a 'Neighbourhood Area' in accordance with Part 2 of the Neighbourhood Planning (General) Regulations 2012.

We can confirm that Newton and Biggin Parish Council is a relevant body for the purposes of Section 61G of the 1990 Town and Country Planning Act which specifically includes Parish Councils.

The area to be covered by the Neighbourhood Plan is the whole of the Parish of Newton and Biggin. A map confirming the area to be designated is attached. It is considered that the entire Parish is appropriate to be designated as a neighbourhood area as it is self-contained, has meaningful boundaries and is generally meaningful and coherent for policy making purposes.

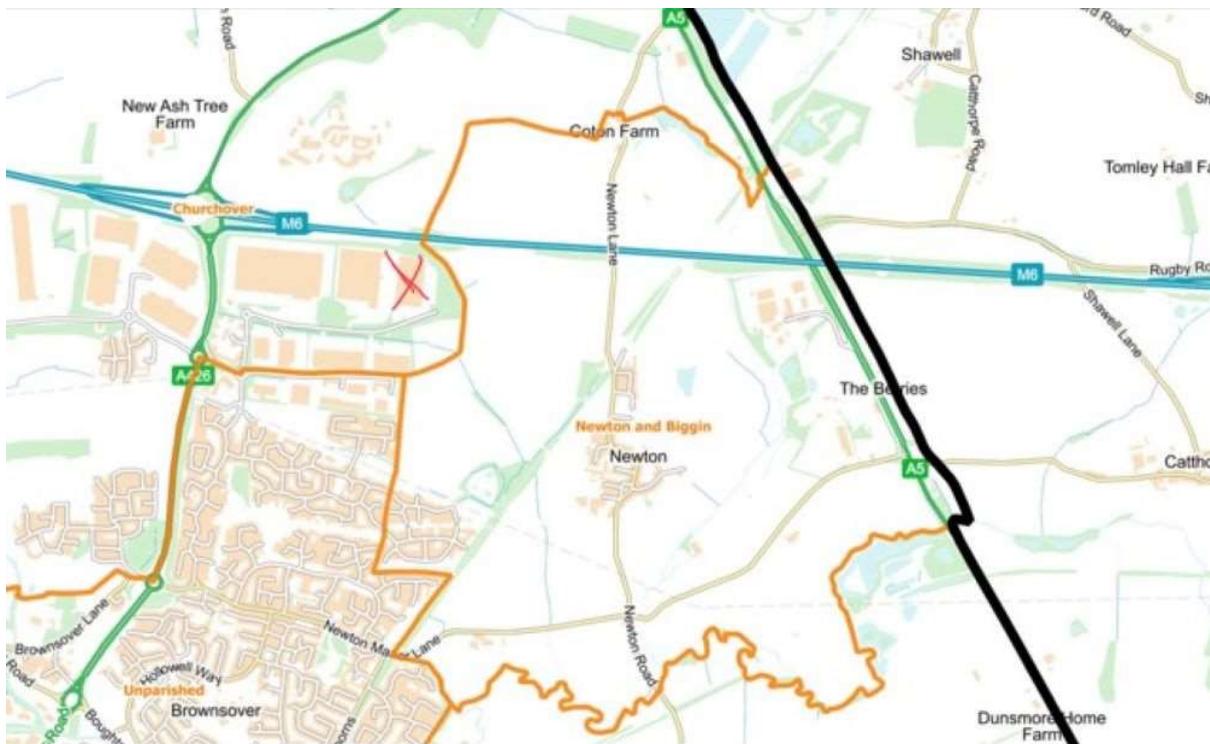
We trust that this matter will be dealt with in a timely manner. As you are aware, planning Practice Guidance states 'In certain circumstances, the local planning authority must designate all of the area applied for. These circumstances are where a parish council applies for the whole of their parish to be designated' (Paragraph: 035 Reference ID: 41-035-20161116). Please can you advise me if this process is likely to take longer than a few days.

Please do not hesitate to contact me if you require further information and I look forward to working with the Borough Council and other partners in its development.

Yours sincerely


Clerk - Newton and Biggin Parish Council.

Appendix 2 – Newton and Biggin proposed neighbourhood area



AGENDA MANAGEMENT SHEET

Report Title:	Thurlaston Village Design Statement
Name of Committee:	Cabinet
Date of Meeting:	18 September 2023
Report Director:	Chief Officer – Growth and Investment
Portfolio:	Growth and Investment
Ward Relevance:	Dunsmore
Prior Consultation:	N/A
Contact Officer:	Hayley Smith, Principal Planning Officer, Development Strategy, Hayley.smith@rugby.gov.uk
Public or Private:	Public
Report Subject to Call-In:	No
Report En-Bloc:	No
Forward Plan:	Yes
Corporate Priorities:	This report relates to the following priority(ies): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input checked="" type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024 <input type="checkbox"/> This report does not specifically relate to any Council priorities but
Summary:	This report seeks Cabinet’s recommendation to Council to endorse the Thurlaston Village Design Statement in accordance with policy GP5 of the adopted Local Plan.
Financial Implications:	There are no financial implications for the Council as a result of this decision.

Risk Management/Health and Safety Implications:	As set out in paragraph 3.29 of the local plan (p17), the village design statement would not hold as much weight as a neighbourhood plan, but is a useful tool for the local community to state their preferences for future development.
Environmental Implications:	There are no environmental implications for the Council as a result of this decision.
Legal Implications:	Local Plan policy GP5 states that a 'design guide' must be endorsed by Rugby Borough Council and in general conformity with the local plan to become a material consideration in planning decisions.
Equality and Diversity:	There are no equality and diversity implications for the Council as a result of this decision.
Options:	<ol style="list-style-type: none"> 1) Endorse the submitted Thurlaston Village Design statement as necessary for it to become a material consideration in determining planning applications. 2) Do not endorse the Village Design Statement, and it would not become a material consideration
Recommendation:	IT BE RECOMMENDED TO COUNCIL THAT the Thurlaston Village Design Statement be endorsed so that it can be a material consideration in the determination of planning applications.
Reasons for Recommendation:	Policy GP5 of the Local Plan highlights that 'design guides' (in this case a village design statement) need to be endorsed by Rugby Borough Council and in general conformity with the Local Plan. Officers are satisfied that the Thurlaston Village Design Statement is in general conformity with the Local Plan, and in endorsing it, it will become a material planning consideration in determining planning applications.

Cabinet – 18 September 2023

Thurlaston Village Design Statement

Public Report of the Chief Officer - Growth and Investment

Recommendation:

IT BE RECOMMENDED TO COUNCIL THAT the Thurlaston Village Design Statement be endorsed so that it can be a material consideration in planning application decisions

1. BACKGROUND

- 1.1. The Thurlaston Village Design Statement (**Appendix 1**) has been prepared by Thurlaston Parish Council. It sets out detail on the characteristics of the village and its surrounds, and the local community's priorities for the design of any new development in the area.
- 1.2. Endorsement is being sought from the Council in order that the document can be a material consideration in determining planning applications in Thurlaston Parish, in line with policy GP5 of the Local Plan.
- 1.3. Policy GP5 (Neighbourhood Level Documents) of the Local Plan states:

“Parish Plans and Design Guides

Parish Plans and design guides will need to:

- Have been endorsed by Rugby Borough Council; and
- Be in general conformity with the Local Plan.

Parish Plans and Design Guides do not form part of the development plan for the Borough. They will be a material consideration in determining decisions on planning applications.”

2. ENDORSEMENT OF THE VILLAGE DESIGN STATEMENT

- 2.1. Officers are satisfied that the draft Village Design Statement is in general conformity with the adopted Local Plan, as required by Policy GP5.
- 2.2. The supporting text to Policy GP5 states that, while design guides do not hold as much weight in decision making as a neighbourhood plan, “they can be a useful tool for communities in stating their preference for the future development of their communities without the requirement to embark on a more lengthy Neighbourhood Plan process“.

- 2.3. Endorsement of the village design statement by Rugby Borough Council will, in accordance with Policy GP5, allow it to be used as a material consideration in the determination of planning applications within Thurlaston Parish.

3. CONCLUSION

- 3.1. It is recommended that Rugby Borough Council endorse the Thurlaston Village Design Statement so that it can be a material consideration in the determination of planning applications within the parish.

Name of Meeting: Cabinet
Date of Meeting: 18 September 2023
Subject Matter: Thurlaston Village Design Statement
Originating Department: Development Strategy

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A



**Thurlaston
Warwickshire**

Village Design Statement

Thurlaston Parish Council
WARWICKSHIRE

<https://www.thurlaston-pc.gov.uk>

Thurlaston Warwickshire - Village Design Statement

Version

3.0

Whilst every effort has been made to ensure that the contents of this document are accurate at the date of publication, Thurlaston Parish Council does not accept liability for any error or omission.

Date	Document Version History & Changes
March 2003	First formal edition produced by Mike Sharp, Brian Day and Bob Brooks
August 2016	Revised edition produced by Thurlaston Parish Council and formally renewed with Rugby Borough Council
August 2021	Revised edition produced by Thurlaston Parish Council and formally renewed with Rugby Borough Council

	Person responsible for this version	Date
Author	John Bretherton, Thurlaston Parish Council	21/01/2023
Reviewer	Thurlaston Parish Council	Jan./Feb. 2023
Approver	John Bretherton, Thurlaston Parish Council	12/03/2023

Readership	Thurlaston Parish Council, Rugby Borough Council, Public Domain
-------------------	---

References	<p>Thurlaston Conservation Area Appraisal: https://www.rugby.gov.uk/downloads/file/41/thurlaston</p> <p>RBC Local Plan: https://www.rugby.gov.uk/localplan</p> <p>South-West Rugby Supplementary Planning Document: https://www.rugby.gov.uk/directory/25/our_planning_strategies_policies_and_evidence/category/92 https://www.rugby.gov.uk/directory_record/16773/south_west_rugby_masterplan_supplementary_planning_document_spd/category/92/supplementary_planning_documents</p> <p>Landscape and Visual Appraisal for Thurlaston Parish Council (prepared by the Landscape Partnership, 11th February 2021)</p> <p>Planning Applications made within the Parish of Thurlaston in Warwickshire: https://www.thurlaston-pc.gov.uk/Planning_16961.aspx</p>
-------------------	---

Table of Contents

1. INTRODUCTION.....	4
2. HISTORY	5
2.1 ORIGINS	5
2.2 DEVELOPMENT PLANNING APPLICATIONS	7
2.3 SURROUNDING COUNTRYSIDE	8
2.4 THE APPROACHES	8
2.5 LANDSCAPE SETTING – DESIGN GUIDELINES	10
3. SETTLEMENT PATTERN	11
3.1 ZONE “A” - THE VILLAGE ENTRANCE.....	13
3.2 ZONE “B” - THE HEART OF THE VILLAGE	16
3.3 ZONE “C” – THE END OF THE VILLAGE.....	26
4. VISUAL ASSESSMENT	29
4.1 APPRAISAL OF VISUAL IMPACT.....	29
4.2 NEGATIVE EFFECTS ON LANDSCAPE CHARACTER.....	29
4.3 REPRESENTATIVE VIEWPOINTS	30
4.4 VISUAL ASSESSMENT DESIGN GUIDELINES	35
5. THURLASTON CONSERVATION AREA	37
5.1 CONSERVATION AREA DESIGN GUIDELINES	39
6. LANDSCAPE-RELATED DESIGNATIONS	41
6.1 LISTED BUILDINGS.....	41
6.2 PUBLIC RIGHTS OF WAY	45
7. ROADS	46
7.1 KERBS, VERGES AND ENCLOSURES.....	46
7.2 TRAFFIC CONTROL.....	46
7.3 PROPERTY BOUNDARIES	46
7.4 STREET FURNITURE	47
7.5 SOFT LANDSCAPING.....	47
8. THE FUTURE.....	49
8.1 COMMUNITY BUILDINGS (VILLAGE HALL & ST EDMUND’S CHURCH)	49
8.2 IMPACT OF THE LOCAL PLAN & SW RUGBY SPD	49
8.3 CLIMATE CHANGE	50
9. SUMMARY	51
10. ACKNOWLEDGEMENTS	52
11. APPENDIX 1: COMMISSIONING A LANDSCAPE AND VISUAL ASSESSMENT	53
12. APPENDIX 2: PREPARE YOUR OWN ASSESSMENT	55

1. Introduction

This Village Design Statement (“VDS”) was originally produced in 2003 by residents of Thurlaston (Warwickshire) to capture features of the village that are unique, characteristic and should be preserved.

Thurlaston Parish Council (“TPC”) subsequently reviewed and amended it in 2015-2016, to recognise changes made to the village during the interim. A new version was formally submitted to and adopted by Rugby Borough Council (“RBC”) in August 2016.

TPC produced this updated edition in 2023 with the intention of submitting it to RBC for review/approval in response to guidance that a VDS is updated and adopted formally every 5 years to maintain its accuracy and validity as a planning reference document. RBC Planning may use this VDS as a supplementary source of information when considering planning applications that impact Thurlaston; RBC confirmed that although an older VDS will still be consulted, it will carry less weight than one adopted within the five-year stipulation.

This edition reflects a greater emphasis on planning, due to the amount of development activity in play in 2021. The RBC Local Plan (“LP”) and the South-West Rugby Supplementary Planning Document (“SPD”) were adopted in recent years and a detailed planning application for two large warehouses within Thurlaston Parish was reviewed and approved during H1 2021. In addition, three significant planning applications were submitted to RBC between November 2020 and July 2021, all having a potential impact on the Village centre and the Thurlaston Conservation Area (“TCA”).

The visual and landscape detailing in this edition is enhanced. In Q1 2021, TPC commissioned a suitably-qualified consultancy to complete a Landscape and Visual Assessment in response to a planning application. The report focussed on a specific site close to the Village centre, but it contained a great deal of information applicable to the Village as a whole. Where appropriate, information from this report has been incorporated, which has enriched the visual and landscape content significantly.

The subject of the VDS is the Village’s Settlement Area itself, rather than its surrounds or the Parish taking its name, so note that dwellings outside of the Settlement Area are not part of the main focus. Some areas surrounding the settlement are described elsewhere in the VDS, where their inclusion provides relevant context to the Settlement Area.



2. History

2.1 Origins

Thurlaston is an ancient village that was recorded in the Domesday Book (1086), in which its name, "Torlavestone", suggests it was once owned by a Scandinavian, Thorleifr (the Danelaw boundary was only a few miles to the east).

From the 13th century through to 1538, Thurlaston was owned by the Monks of Pipewell in Northamptonshire. They built a "Grange" on a field named Stokeswell Furlong ('Grange' meaning farm), and records from 1315 state this was the home of John de la Byging. The precise location of the original Grange is uncertain, but evidence suggests it was at, or close to, Biggin Hall Farm, where there is part of an old moat in the orchard, and old vaults (now filled in) to the rear of the farmhouse. The current Biggin Hall Lane did not exist then – the road to Biggin Hall Farm ran from opposite Grays Orchard.

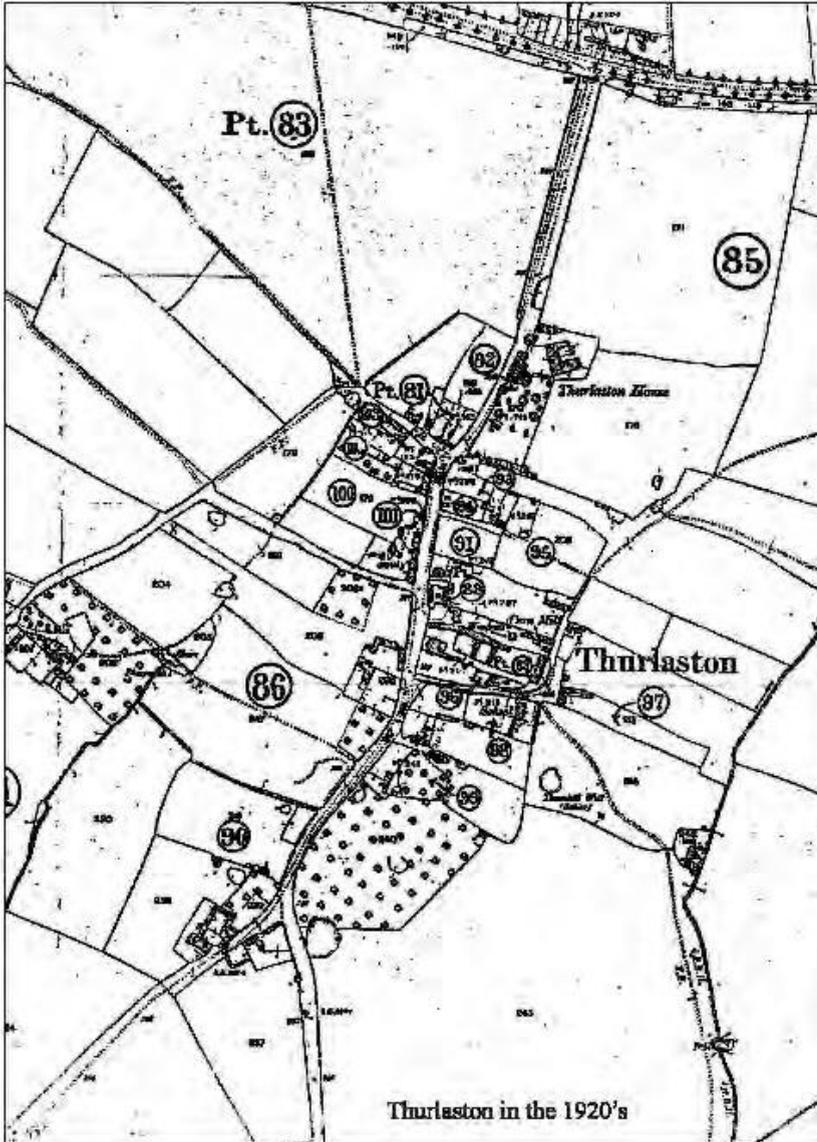
There was a church dedicated to St. Edmund in Thurlaston (site unknown) many years before the current Church of St Edmund was built. In the reign of Queen Elizabeth I, Robert Stretton, Bishop of Coventry, gave licence to inhabitants to have a divine service for two years, but Lord Berkleys' officers pulled the church down. Dressed sandstone is found here and there in the village, which is believed to from the old church (the nearest local sources of sandstone are at Bubbenhall and Kenilworth). There was a way, or "Common Churchway", leading from Thurlaston to Dunchurch across the fields from where The Gardens is today. This had to be no less than 8 ft wide for the use of coffin bearers, as there was never a churchyard at Thurlaston.

Prior to the Enclosure Acts of the eighteenth century, the village was farmed in strips fronting onto what is now Main Street, and running between Main Street and a parallel pathway to the East. A map of the village in 1717 is shown below.



Thurlaston is one of the 25 parishes that contributed annually to "Wroth Silver at Knightlow. At Sunrise on November 11th, an ancient levy is paid to Lord of the Manor, his Grace, Duke of Buccleuch (Thurlaston's contribution amounts to two and a half old pence). The custom is about 800 years old, but these days the ceremony is preserved unofficially by private individuals.

Pipewell Cottage, at the corner of Main Street and Pudding Bag Lane, is the oldest remaining dwelling in Thurlaston. Old deeds state it belonged to a charity at Willoughby and was expected to supply two men for the King's Army, complete with uniforms. Part of Pipewell Cottage is 15th century, having cruck beams from ground to apex (ridge) of the house and some wattle and daub walls.



Before the Twentieth Century, Thurlaston was a thriving, agricultural village owned by the Duke of Buccleuch. The local economy centred on agriculture, as reflected by the farm buildings at Stanleys Farm's and the Mill. At the beginning of the 20th Century there were at least 20 thatched cottages in the village, seven of them on the A45.

The Church of St. Edmund was built in 1848, costing £11,000 and paid for by public subscription, the site given by Lord John Scott. It was a school during the week and was attended by over 50 children in the 1880s. On Sundays it was used as a church for divine service. Church House, located in the tower of the church building, housed the teacher until 1905, when the day school was closed. The church was licensed for public worship and furnished as a church in 1925. The field below the church, known as Thornhill Field, had a saline well used as a communal well by the inhabitants of Thurlaston, the water having a similar salt mineral content as Leamington Spa water.

As well as farming, the village had shopkeepers, a blacksmith, miller and publicans (there were four public houses). Electricity was brought into the village in 1931 and street lighting arrived in 1952. The first public telephone in the village was placed openly on the wall inside the Post Office. There is still farming in and around the village, but very little other commercial activity remains. This leaves an attractive, peaceful and relatively prosperous settlement of mixed, higher than average priced housing. Nearly all residents are retired or commute to Rugby, Coventry, or further afield. In 2021, the Register of Electors recorded a total of 144 dwellings and 286 residents. Public transport amounts to five or six buses each weekday from Coventry Road to Rugby and Coventry.

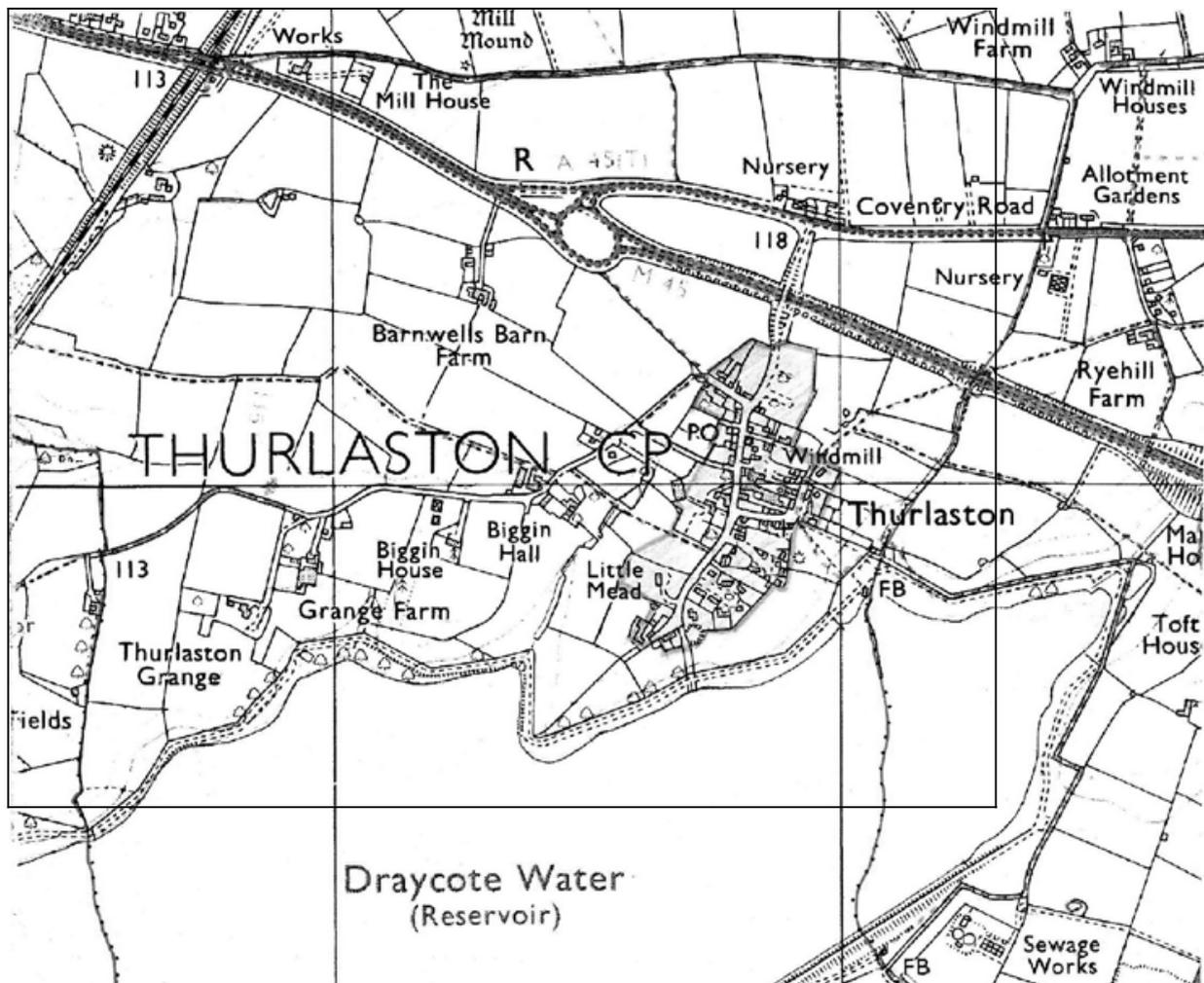
2.2 Development Planning Applications

TPC is made aware of, and has the opportunity to comment on, planning applications within the Parish. TPC responses are made within the guidelines and the objectives of the Village Design Statement and the Conservation Area Appraisal documents. Applications may be viewed on the Rugby Borough Planning Portal and TPC's procedures for appraising planning applications, planning application summaries and associated comments and responses are published on the TPC Website.

Thurlaston is a small Warwickshire village within the Parish of Thurlaston, situated about 4 miles south west of Rugby and a mile west of Dunchurch. Its coordinates are 52.33°N, 1.31°W (National Grid Reference SP468712).

The Dunsmore Area, which includes Thurlaston, consists of low ridges and valleys lying between Leamington Spa, Coventry and Rugby. The core of the region comprises an area of former heath associated with the low glacial plateau running from Cubbington to Hillmorton. It is primarily a planned landscape of large fields and small villages.

The Village is situated on a gravel and sandy ridge, overlooking a clay based valley on the edge of a plateau (Dunsmore Heath) at 110m to 120m AOD (350 feet above sea level). It has attractive views into the countryside on all sides, particularly to the south across the valley, which is now filled by a reservoir called Draycote Water. The M45 to the north and Draycote Water to the south form distinct boundaries to the main settlement, although there are significant secondary settlements on Biggin Hall Lane to the west and on Coventry Road, to the north of the M45. A bridge over the M45 is the only vehicular approach to the village.



The village is predominantly linear in form with Main Street the primary historical route. A number of historical lanes and public rights of way diverge from Main Street, as well as more modern cul-de-sacs. Although Pipewell Cottage has origins dating from the C15 or C16 the majority of the historic buildings within the village date from the C18 such as Stanleys Farmhouse, the Old Forge and The Mill. Many of the other buildings date from the mid-C19 suggesting different methods of agriculture led to modernisation and expansion of the village. The village grew significantly in the 1960s with open plan housing along Main Street, open plan cul-de-sacs and infill developments.

The settlement boundary is defined in part in the RBC Local Plan; for example, the fields and woodlands to the rear of the Care Home are outside of the settlement boundary and clearly have a rural character. Open areas, together with native hedgerows, make an important contribution to the character of the settlement surrounds, some contributing to the character of the Conservation Area in the Conservation Area Appraisal.

2.3 Surrounding Countryside

The countryside surrounding Thurlaston is open farmland to the north, east and west, and Draycote Water to the south. The farmland is mainly grazing pasture for sheep and cattle. Countryside permeates into the heart of the village from the west along Biggin Hall Lane. The combination of countryside and dwellings is part of the village heritage and history.

2.4 The Approaches

The surrounding “openness” of countryside and water is a feature of all routes into the village. The footpath route from the south east (below) is picturesque, with the Village Church, Mill and housing visible on the higher ground, over the undulating farmland and Draycote Water.



The footpath/bridleway route from the west commences near the village of Draycote through an ancient meadow and rises up to higher, undulating farmland, a golf course and the cul-de-sac end of Biggin Hall Lane (pictured below). Walking into the village along Biggin Hall Lane gives views of Draycote Water below and passes farmhouses and other houses and bungalows before the mill and other properties in the heart of the village come into view.



The only vehicular approach to Thurlaston is a turn off the Coventry Road (B4429). On the opposite side of the Coventry Road are residential properties, including those adjacent to the market garden. These detached properties are a mix of old cottages and more modern developments, the most recent still under construction at the time of writing at the Dunsmore Garage site. These properties have open countryside to the rear, but are affected by noise from the busy Coventry Road to the front.



Many drivers do not observe the 50 miles per hour speed restriction on the B4429, which is a potential hazard for traffic entering and leaving the Thurlaston turn.

As one turns off the Coventry Road, the main village is entered over a bridge spanning the M45. The bridge approaches are densely wooded with conifers and deciduous trees, mainly planted at the time the bridge was constructed. Replacement planting will be necessary over time to retain the character of the approach to the village, as will maintenance of the highway boundary fence on the eastern side of the road.

The village became a 20 miles per hour speed limit area in 2015, but this is often ignored by drivers. Speeding is raised as a concern with Thurlaston Parish Council by local residents regularly. The bridge over the M45 is narrow, which encourages drivers to proceed more slowly, but speeds often increase as the road broadens and traffic progresses down the hill towards the main settlement within the Village Boundary. Further traffic calming measures could be taken to improve safety in our community, but these would require significant changes to Main Street.

2.5 Landscape Setting – Design Guidelines

Reference	Design Guideline Description
DS-1	The views from the south east across farmland and Draycote Water are particularly important and damage to them by future developments should be avoided.
DS-2	The rural character of the approach along Biggin Hall Lane should be preserved and enhanced by appropriate landscaping.
DS-3	The approach from the Coventry Road should be maintained by appropriate replacement planting and by continual maintenance of the highway boundary fence on the eastern side of the road.
DS-4	A refuge crossing was installed in 2010 approximately 30 metres from the junction to Main Street with an illuminated bollard to provide safer crossing of Coventry Road for residents, especially schoolchildren, to catch bus transport. This improves awareness of the junction with Main Street. This should be retained or perhaps enhanced as developments in the immediate area impact transport usage and volumes.
DS-5	The current form of Thurlaston is based on a single historic street (Main Street) which intersects with various lanes and cul-de-sacs. The settlement has a compact, linear form. There is a small cluster of isolated development at Biggin Hall Lane. Proposals to build on the land between the main village and the isolated development at Biggin Hall Lane would result in a loss of separation and create a hard urban edge. A deep development to either side of Main Street risks compromising the linear form of the settlement. These types of development should be avoided.
DS-6	The countryside contributes to the setting of the village, particularly where open ground offers a direct connection to the surrounding countryside. Open areas around the Village are an important part of its character, and the undeveloped land beyond allow for open views. Development applications should avoid damaging these open areas.
DS-7	Future proposed developments should avoid infringing on the landscape setting of listed buildings (The Old Forge, Pipewell Cottage, Stanleys Farm and The Mill) and the Conservation Area.

3. Settlement Pattern

Thurlaston has grown over time through many individual developments of single, or small clusters of, dwellings. Main Street runs through the Village end-to-end, providing a backbone for a linear pattern of development.

For the purposes of analysis, the Village Settlement Area has been divided into three zones, as follows (and as illustrated in Figure 1 further below):

1. Zone A: The Village Entrance (colour-coded lilac)
2. Zone B: The Heart of the Village (colour-coded green)
3. Zone C: The End of the Village (colour-coded orange)

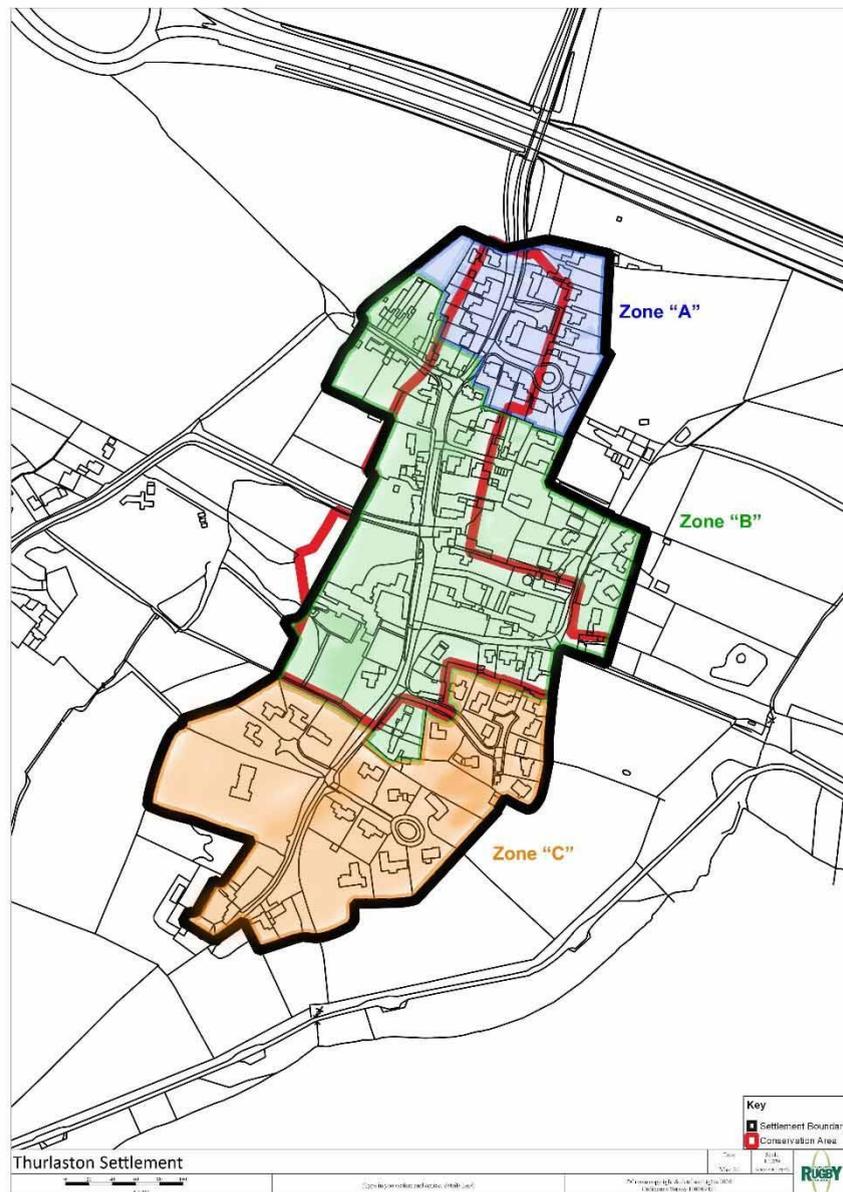


Figure 1 – The Village Settlement Area Zones

Note that the red line in Figures 1-4 show the boundary of the Thurlaston Conservation Area.

Since completion of the reservoir in 1970, Main Street has terminated in a cul-de-sac at the southern end of the Village, with the Coventry Road junction serving as the only entry/exit point. Prior to construction of Draycote Water, the road continued beyond the Village and across the valley, joining the A426 on the other side of the reservoir near to the current Draycote Water Visitor Centre.

A series of housing developments also began in 1970, some of which departed from the previous linear pattern – more so to the East of Main Street. Approximately 60% of the 100 or so houses within the Settlement Boundary were built after the Second World War, mainly during the 1970's and 1980's; the remaining 40% were built mainly in the Nineteenth Century, and all but three of these older properties are in Zone B.

Residences on Biggin Hall Lane are excluded from the zones analysis, because they fall outside of the Village Settlement. However these are covered elsewhere in this document, as they are near to the Village and within the Parish, and are therefore an important part of the surrounding context. Note also that the only roadway access for BHL residents is through the Village.

3.1 Zone “A” - The Village Entrance

Main Street from the bridge over the M45 to the junction with Stocks Lane, including “The Gardens” and “Beech Drive”.

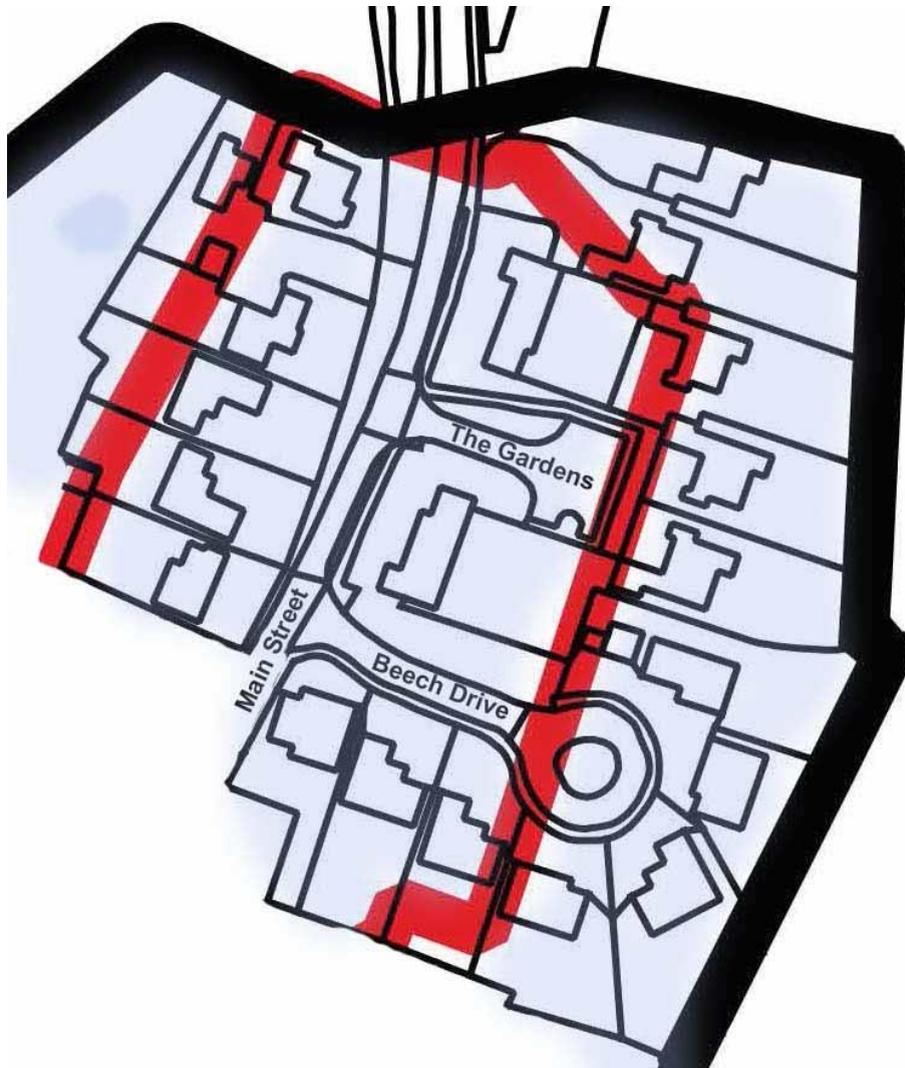


Figure 2: Zone A

The road curves and widens as it enters the housing area, giving an initial impression of good quality properties in a well landscaped setting. All the property is less than 60 years old and the first group of seven on the left as one enters the village received a design award when built. A number of the properties have large gardens and views to the rear over open countryside. Short cul-de-sac and access courts lead off Main Street.

The public space of grass verges merging with front gardens includes several specimen trees. There are sections of the original hedgerow on the west side and sections of brick wall on the east. The wall was built over 100 years ago to front the original manor house which was demolished to make way for present housing. The contrast of hedge line on one side of the road and more open plan on the other, together with the trees, give this area an attractive, landscaped character, which is enhanced by the gentle curve of the road. After Beech Drive, there is a natural end to this entrance zone, with a projecting property on the left as the road curves around it into the older heart of the village. Below is the view from the southern edge of Zone A towards the M45 Motorway Bridge and Coventry Road, showing the wall on Main Street at the southern corner of Beech Drive



The properties are all built of red/brown brick with roofs mainly of small brown plain tiles, although houses on Beech Drive have larger grey/brown concrete “slates”.

Some residents of Area “A” find noise from fast moving traffic on the nearby M45 intrusive, particularly when the road is wet and the wind is from the north east. Any future resurfacing of the road should take this into account. This problem is fully recognised by Highways and measures have been taken in the past to use latest technologies and materials to reduce noise nuisance.

There are no obvious opportunities for further development within this Area, apart from house extensions, which should be in keeping with the form, scale and materials of the existing property. Any future development in the fields adjoining the M45 would be unacceptable, as they are outside the Village Boundary, and within Warwickshire’s Area of Special Landscape Value. Further tree planting of appropriate species and reinforcement/replacement of the hedge line on the west of Main Street should be encouraged to maintain the landscaped character of the area and reduce M45/A45 traffic noise.

3.1.1 Zone A Design Guidelines

Reference	Design Guideline Description
DS-8	All the properties within this Area were built after 1970. Any future development is likely to be restricted to house extensions, which should be in context with the scale form, materials and character of the original property.
DS-9	The existing pattern of development is of detached properties in relatively spacious plots. In order to retain this character, bulky two storey extensions close to the side boundaries should be avoided.
DS-10	Fences, railings, gates and other features should be in keeping with the character of the particular property and be simple rather than ornate to reflect the rural character of the village.

DS-11	The red/orange brick boundary wall on the east side of Main Street is a feature which should be retained.
DS-12	Reinforcement/replacement of the hedge line on the west side of Main Street should be encouraged.
DS-13	Maintenance of existing feature trees and further planting of appropriate tree species in simple grass verges should be encouraged to reinforce the landscaped character of the area.

3.2 Zone “B” - The Heart of the Village

Main Street from Stocks Lane to the Public Footpath at the side of Moat Close, including Stocks Lane, Church Walk, Biggin Hall Lane, and Church Lane.

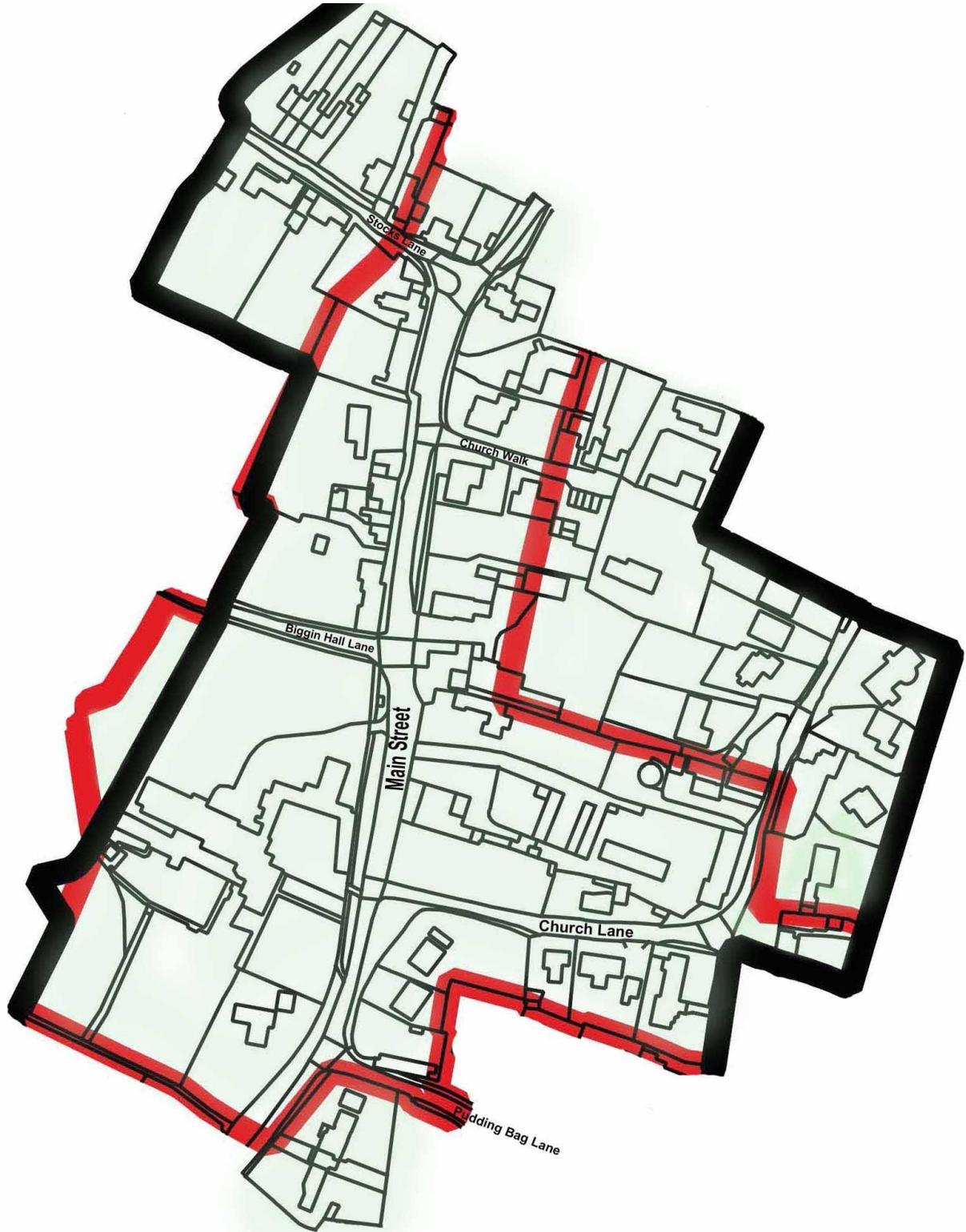


Figure 3: Zone B



The Stocks, looking down Stocks Lane

Zone B includes the original “heart” of the village, which once contained public houses, shops and the blacksmith and is still recognisable as the village centre, even though the “working” village businesses are long gone. Thurlaston Meadows Care Home is the only substantial business left in the Village. This is also the heart of the Thurlaston Conservation Area.

Older properties are in the majority along this stretch of Main Street, mainly with windows containing small glass panes and walls of mellowed red/orange, flush pointed brick. The brick is also used in prominent sections of garden boundary walls. Roofs are mainly of small, plain red/brown tiles or blue/black natural slate, with one of corrugated sheeting and one substantial thatched dwelling.

The properties are of varied character and size, the largest being Thurlaston Meadows Care Home, which was formerly a substantial private residence, is Victorian in character and fits well into the village environment. Its later extensions are hidden from view along Main Street. On the opposite side of Main Street from the Care Home is Stanleys Farm, which is a listed building and reminder of the former agricultural nature of Thurlaston, with its commanding presence and range of barns round a farmyard. The Care Home and Stanleys Farm are both larger properties in extended grounds, reflecting their original status within the community.

Small cottages and larger properties, both older and more modern, some built directly on to the street, others more open and set back, all contribute to the interesting and varied street scene. The views of Main Street from either end, are enhanced by mature trees and grass verges.

The roadway is of irregular width, but is wide enough for two-way traffic, except when there are cars parked to the sides. The predominance of gently curving grass verges with barely visible kerbstones between the road and pavements add to the rural charm.

There is a bus shelter outside the Care Home Wall, which is built of rustic boarding with a slated roof. Buses ceased to service the Village itself, because there was nowhere for them to turn around once the reservoir brought Main Street to a cul-de-sac, so the shelter is used by residents for book swapping, a dry place for collection of newspapers and a feature for the local art groups and children to decorate. Nearby is a public telephone box, which no longer houses a telephone, but is used to house a defibrillator. Opposite to the bus shelter is the Village Noticeboard. "Victorian" style street lights fit in well with this older part of the village.



On entering Zone B from Zone A, Stocks Lane is immediately on the right, beginning with a small grassy island which contains the (rebuilt) stocks, a wooden seat and an oak tree from which a good view of the whole lane can be gained. Stocks Lane is a cul-de-sac that retains a distinctively rural village look, with trees dominating its end. An old farmhouse on the left and old residential properties on the right lend to its aged character, whilst a more modern property at the end remains hidden from the view from Main Street.

A further 50 yards along Main Street on the left is Church Walk, which is also a cul-de-sac of about 100 yards, giving access to a number of properties. The lane is narrow without pavements or verges, and allows for only single-vehicle passageway for most of its length. It has a few terraced houses and a cottage, which lend some village character, and then a modern property on the right, which is well concealed, and several larger and post-war houses towards the end, again set to the sides and not visible from Main Street (three of the houses built on the land at the end of Church Walk received planning permission in 2003 and were built thereafter, one of which is accessed from Church Walk and the other two accessed from Church Lane. The lane terminates, becoming a gated farm track and public footpath.



Church Walk (from Main Street)



Biggin Hall Lane from Main Street

Beyond Church Walk along Main Street on the right is Biggin Hall Lane, which has a distinctive rural character (as described in the Conservation Area Appraisal) and offers views towards the surrounding countryside. For the most part, it has undeveloped and open land on either side with occasional single, or small clusters of existing residences. It has a rural character and provides a strong visual connection between the village and its surrounding countryside. Except for the existing buildings, the lane is dark at night, which is a key part of its character at night time.

On the northern corner of Main Street and Biggin Hall Lane is a listed property called The Old Forge, with the Care Home grounds forming the southern corner. There are no other properties visible down Biggin Hall Lane from Main Street and it presents as a typical English country lane, with verges and hedgerows. The roadway wraps around the western and northern boundary of the Care Home grounds, turning sharply southwards towards the first dwelling on the left hand side, which is Patricksfield, a residential property built in the Twentieth Century and set within a large, well-vegetated garden of a garden character with generous planting and a range of shrubs and mature trees, including ornamental varieties. There is a block of woodland in the crook of the sharp bend between Patricksfield and Main Street without which there would be a harsher urban edge between the settlement area and the surrounding countryside. A well-maintained, native hedge borders the lane.

Patricksfield marks the beginning of a cluster of isolated C20 properties, the rest of them all on the right hand side, backing onto woodland and farmland to the west. To the north is an expanse of open countryside which forms part of the setting of the Village. There is a clear separation of fields and meadows between the Village Settlement Area and this isolated cluster. Beyond this cluster there are another half dozen or so properties further along Biggin Hall Lane, including Thurlaston Grange and some older properties (mainly farmhouses and barn conversions) towards the end of the lane. All of the Biggin Hall Lane dwellings lie outside of the Village Settlement and within Warwickshire's Area of Special Landscape Value. Any further development on Biggin Hall Lane should be restricted to extensions of existing properties and barn conversions, which should be in keeping with the form, scale and materials of the existing properties.



Biggin Hall Lane at the sharp turn southwards towards the first isolated cluster of dwellings

The importance of Biggin Hall Lane lies in its rural character, including fine views to and from Draycote Water and its use to access public footpaths and bridleways across fields, the golf course and woods, and links to surrounding areas. The rural character should be preserved and enhanced wherever possible by appropriate landscaping.

The Care Home is located to the west of Main Street. The OS map of 1887 shows that the surrounding land to the rear originally consisted of agricultural land and what appears to be a farmyard, adjoining Main Street. The OS map of 1960 shows that a large property has been constructed on the site, which forms part of the existing care home. It appears that some of the original farm buildings were adapted and retained, and now form part of the Care Home with some more modern extensions. The areas immediately adjoining the home have a domestic quality which includes areas for parking, a terrace and areas of mown grass. The buildings are situated within fields and pastures which once formed part of a farm, though active agricultural use has now ceased. Whilst the buildings have been subsequently adapted and extended, the grounds retain a countryside character. The original buildings might be considered non-designated heritage assets and the frontage wall makes an important contribution to the character of Main Street and the village as a whole.

The eastern area of the Care Home grounds, including the building itself, is included within the Conservation Area and the Conservation Area Appraisal makes reference to open areas within the site as a positive feature.

The Old Forge lies directly opposite the Care Home across Biggin Hall lane, and Stanleys Farmhouse is directly opposite the Care Home across Main Street, so the Care Home site is an important part of the existing landscape setting of these Grade II listed buildings. The Old Forge overlooks an area of open space within the Care Home, which retains its original agricultural character and links with the wider countryside. Any building development on this existing open space would urbanise the setting considerably and damage its agricultural character. The Old Forge, Stanleys Farm, and Thurlaston Meadows Care Home are situated within the historic core of the village; new buildings in this area would dilute the historic character of the village by introducing modernity.

Views from the ground floor of Stanleys Farmhouse are limited by the wall in front of the Care Home, but views over the wall are available from the upstairs windows. The open space within the Care Home grounds preserves the countryside setting of Stanleys Farm, The Old Forge, The Windmill and the Centre of the Village in general, including parts within the Thurlaston Conservation Area. The introduction of new development would have a direct impact on the existing countryside setting of these listed buildings as the site would take on an urbanised character. This would have an adverse effect on the setting of these buildings.

A private dwelling on Main Street is indented into the south-eastern corner of the Care Home, consisting of a medium-sized garden and a modern house. The southern Care Home grounds are bounded by a footpath, which runs between it and Moat Close (a short cul-de-sac of modern properties in Zone C). Remaining sections of the Care Home grounds adjoin pastures connecting with the wider countryside. The land to the rear of the Care Home (to the west) includes gardens, meadowland, a disused sheep-wash and several small areas of woodland. Large parts of the surrounding land is still shown on the map as agricultural fields and the Local Plan map excludes much of this from the Thurlaston settlement boundary. Beyond is a separate residential dwelling called Patricksfield. Between the Care Home and Patricks Field is a minor valley of pleasant aspect consisting of several parcels of undeveloped land that have the character of meadows and woodland and the landform is generally unaltered from its natural state. Some of the original rural hedge lines survive and now consist of mature trees. The disused sheep-wash, which is considered a heritage asset, and a pond at the base of the Patricks Field garden are both identifiable on OS maps. The pond, which is bordered in part by mature trees releases water into a small stream which flows southwards into Draycote Water (Reservoir). A large part of this area was considered to form part of the countryside, and Patricksfield and nearby residential dwellings on Biggin Hall Lane were

considered isolated developments within the countryside by a landscape and visual report commissioned by TPC in 2021.

To the east of Main Street there are historic buildings within the Conservation Area including Stanleys Farm, which is grade II listed, and its associated farm buildings.



The remainder of Zone B covers the remaining properties on Main Street either side of Church Lane to the public footpath at the side of Moat Close and those fronting onto Church Lane. On entering Church Lane, there is a high red/orange brick wall enclosing the garden of Stanleys Farm on one side and a grassed area with hawthorn trees and an old (non-working) village pump on the other.



Church Lane itself is narrow with no footpaths

The brick wall on the left leads the eye to an old thatched cottage with small leaded bay windows and an eye-brow window in the roof. On the right (south side), a hedge leads to the Village Hall, a modern house and the Church. Beyond the Church are fine views over fields and Draycote Water.



The Village Hall was erected on land given by Deed of Gift by a local resident in 1946. The Village Hall is registered as a charity and managed by the Village Hall Committee. The Hall consists of two ex-Army huts erected by local residents and has been a Village landmark for many years.

The architect for the Church was William Butterfield, who designed New School and the Chapel at Rugby School and St. Andrews Church in Rugby. Erected in 1848, it was used as a school until 1905, with Sunday services being held. The tower housed the headmistress, and is still used as residential accommodation. In 1905, the church was licensed for public worship and furnished as a church in 1925. It is built in brick with a tiled roof and interesting ridge tiles. It has a similarly tiled porch with benches on either side. The stained glass window, designed by Melanie Pope, was installed in 1997, and paid for by a generous local family. The Church is not used for burials, and marriages are by special licence only. A wooden cross to mark the Millennium was erected under the stained glass window outside the Church.

At the church, the lane bends sharply to the left around a substantial brick barn. On the west side is the Mill, now converted to a dwelling and an iconic local landmark. Two cottages are situated on the right hand side of the Mill's driveway and there are two older cottages set back behind a wide grass verge.

Beyond the Mill and older cottages there is one older cottage and the rest of the dwellings are more modern houses and bungalows. Church Lane ends at a farm gateway that leads to a complex of farm buildings that are still in use, a bridleway/footpath towards Toft, and a gated farm track to the left that joins back onto Church Walk.

The properties on Church Lane are varied in form and character - about half of them have white painted or rendered walls, while the others are of a more traditional red/orange brick or lighter brown modern brick. Some rooves are of blue/black natural slate or small red/brown plain tiles in keeping with the older properties, whilst others have larger concrete “slates” or profiled roof tiles and there is one thatched cottage.

Main Street from Church Lane to Moat Close has a pleasant mixture of house styles, ranging from improved brick-built cottages to post-war housing of varying styles. There are no pavements, but wide and well-kept verges create a bosky look, enhanced by the presence of a wooded coppice in the grounds of Warwickshire Private Nursing Home. To maintain the character of this area, it is important that the coppice site and its trees are retained, and that new trees are planted and a traditional mixed hedge is planted along the boundary to Main Street. New tree planting of appropriate species could also take place on the grass verge.

Nut Coppice was built and has had a number of owners who have undertaken extensions and the current name (2015) is Beechwood House. There are Tree Preservation Orders applicable on this property.

Pudding Bag Lane is distinguished by the presence at its entrance of “Pipewell Cottage”, a cruck-built, Grade 2 listed thatched house dating back to the 15th C, the oldest house in Thurlaston.

Planning permission was granted prior to the 2003 edition of this document for one dwelling house within the coppice to the south of Warwickshire Private Nursing Home, and for two houses in the field at the end of Church Lane, just before it becomes a bridleway, all of which have since been built. The two houses at the end of Church Lane are part of the planning permission which has a third house accessed from Church Walk. The character of the public footpath linking Church Walk and Church Lane should be an important consideration in the implementation of this permission.

Other possibilities for future development in Church Lane may be restricted due to the limited traffic capacity of the narrow lane. The brick barn on the corner may have potential for conversion, together with other farm buildings nearby.

Malt House on Main Street has a large garden area to the rear, which is also accessible from Church Walk. At the time of writing there is an open application for building six new dwellings across this garden area (R21/0477 - The Malt House, Main Street, Thurlaston, CV23 9JS Erection of 6 dwellings).

Any new development should be sensitively designed with walls preferably of red/orange brick and roofs of natural slate or small red/brown plain tiles. The materials and landscaping of the external areas around buildings are equally important.

3.2.1 Zone B Design Guidelines

Reference	Design Guideline Description
DS-14	<p>The older properties in the heart of the village have white painted windows divided into small glass panes and walls of mellow red/orange flush pointed brick. A few walls are of white render or white painted bricks. Roofs are mainly of small plain red/brown tiles or blue/black natural slate. Any new development should take account of these predominant materials and the scale, form and character of older properties. In particular:</p> <ul style="list-style-type: none"> • roof lines varied in height and roofs at 400 pitch or more • apparent height of buildings reduced. e.g. by incorporating part of the first floor within the roof space • chimneys incorporated with traditional details • more, smaller, window openings of varying sizes in preference to fewer,

	<p>larger, openings</p> <ul style="list-style-type: none"> • timber windows, doors and other external features generally painted white • parking and garaging to the side and rear, rather to the front • development close to the front boundary • front boundary treatments to respect the traditional rural character, which are predominantly brick walls in this area. Traditional mixed hedges and post and rail fences may also be acceptable in some cases.
DS-15	Any new development of two houses or more should vary the design and size of the individual houses as much as possible.
DS-16	It is important to retain the rural character of the public footpath linking Church Walk and Church Lane.
DS-17	It is considered essential that the view from Main Street down Biggin Hall Lane remains as it is now - a country lane with verges and hedgerows and with open views beyond.
DS-18	Boundary walls along Main Street; around the Nursing Home site and around Stanleys Farm site should remain as important elements in the street scene.
DS-19	The materials used for external areas around buildings should reflect the rural character of the village.
DS-20	It is important to retain the fields, meadows and wooded areas to the West of Main Street, which are outside of the settlement boundary and effectively form part of the countryside. Developments that alter the land use in these areas from semi-rural, undeveloped land, to residential use would fundamentally alter its countryside character.
DS-21	The visual impact of suburbanising features of developments, such as buildings, roads, parking and associated garden paraphernalia, should be considered and mitigated carefully to avoid impact on the visual amenity of the Village.
DS-22	Thurlaston is a “dark village” – the amount and impact of lighting should be considered and unambiguous conditions applied to mitigate impact.
DS-23	Trees and other green vegetation are important parts of the Village’s visual character and their loss should be avoided.
DS-24	Development impact on Thurlaston’s linear settlement form should be considered and mitigated.
DS-25	Negative effect on the landscape setting of the village should be avoided
DS-26	Negative effect on views which are noted within the Conservation Area Appraisal
DS-27	Change in the character of Biggin Hall Lane
DS-28	Change in the character of public footpath Thurlaston R310/1

3.3 Zone “C” – The End of the Village

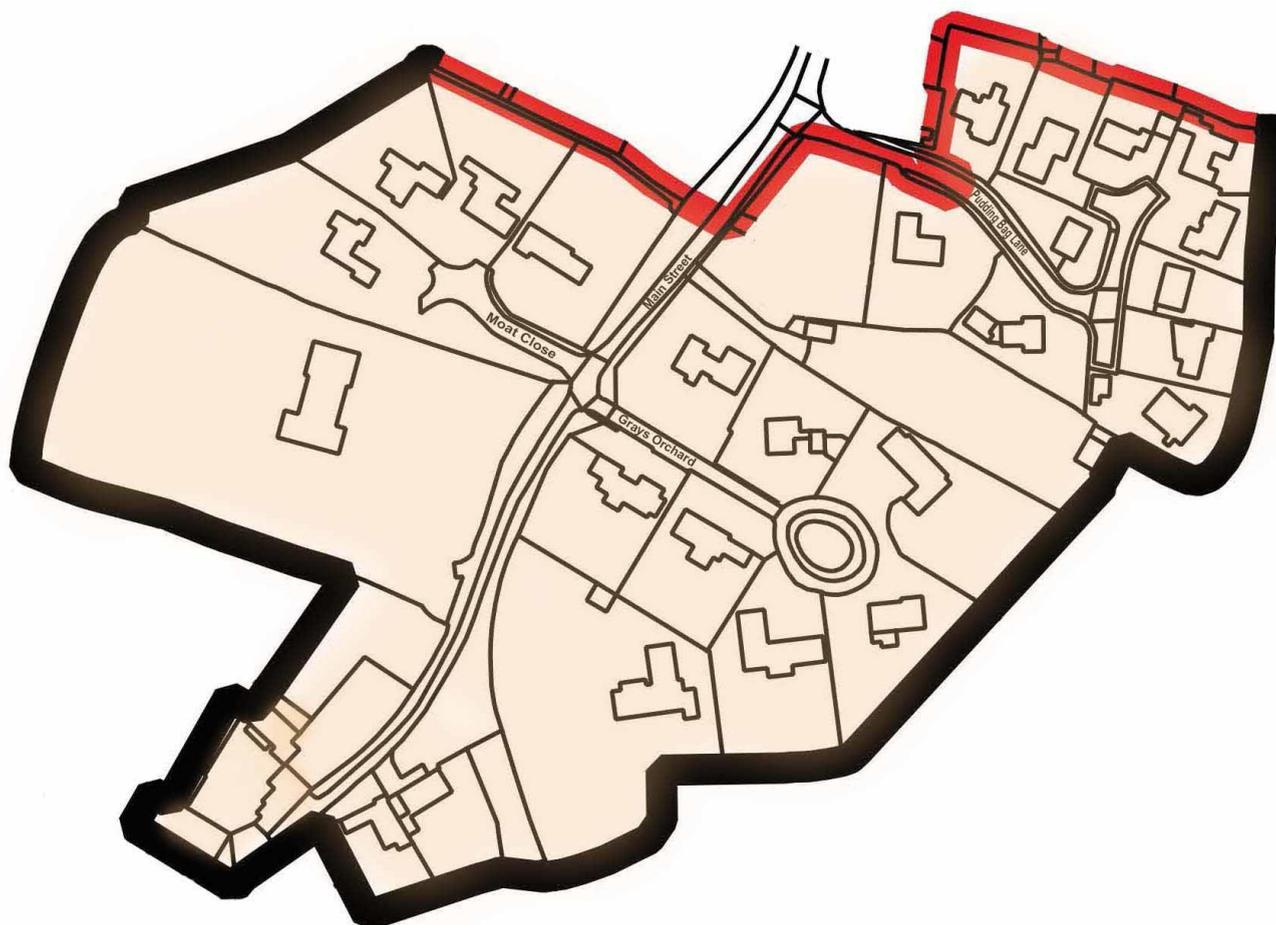


Figure 4: Zone C

Zone C comprises of the remainder of the Village, taking in Pudding Bag Lane (except for Pipewell Cottage on the Corner on Main Street), Moat Close, Grays Orchard, and properties that front onto Main Street from Pudding Bag Lane to the end of Main Street.

Pudding Bag Lane beyond Pipewell Cottage originally consisted of nine detached houses and two bungalows built in the 1960's and 1970's. One of the bungalows was replaced in 2019-2020 with two detached dormer bungalows (R19/1044, outline planning permission).

Properties on the east side of the road have fine views over Draycote Water and beyond. The rears of these properties are prominent when approaching the Village from fields surrounding the reservoir.

There is a mix of styles, but all are of brick construction with lower pitched rooves covered with concrete tiles. There is a spacious character given by the open plan gardens and curvature of the road, which adds interest. There are formal pavements on both sides of the road.

Further down Main Street, beyond Pudding Bag Lane are Moat Close and Grays Orchard, both cul-de-sacs and almost exactly opposite to each other across Main Street. Viewed from Main Street, these two closes have individual and distinctive characters. They were built within a decade of each other and care was taken during both original developments to plant trees, which are now mature and prominent.

Grays Orchard (below) is a private road comprising seven dwellings built in the early 1960's and was entered over a cattle grid until recent years. All of the properties were individually designed and show distinctive and sometimes avant-garde designs. The front gardens are enclosed except at the end of the close, where the road encircles a pond, where the three houses are built to face away from the road to emphasise the views over Draycote Water and the countryside beyond. The architectural diversity is very evident with external shapes, angles, pitches and materials. There are no pavements. One house was replaced circa 2013 with a German designed Stommel Haus system clearly fitting the individual design nature of the rest of the street.



Moat Close (below) comprises of four dwellings built in the 1970's, all having open plan frontages leading directly on to a pavement that runs down one side of the road. The buildings, one of which is single storey, are brick built with pitched, tiled roofs and form a pleasing whole.



There are only six dwellings beyond Moat Close, which is dominated by three large properties, one house built in the middle of the 18th C. and two bungalows built in 2000 and 2002. The other houses were built in the 19th C. and in the 60's. This gives a huge diversity of styles, but like the rest of Thurlaston, the predominance of brick and tiles gives a pleasing appearance.

In approaching the end of the village, the character of Main Street changes from the central area where the additional width of the tarmacked roadway runs either up to the front walls of the properties or to brick walls.

A feature of this area is the kerb-less grass verges on either side with a heavy background landscaping of boundary hedges and walls with the properties set back. These grass verges are a key element of the street scene. The end of Main Street provides one of the main focuses of the settlement, with open views over Draycote Water and beyond.



View to the end of the Village

3.3.1 Zone C Design Guidelines

Reference	Design Guideline Description
DS-29	Extensions to existing properties should be in context with the scale, form, materials and character of the original property.
DS-30	In order to retain the character of detached properties in relatively spacious plots, extensions should be avoided that significantly reduce the landscape setting around the front and sides of houses.
DS-31	Fences, railings, gates and other features should be in keeping with the character of the particular property and should be simple rather than ornate to reflect the rural character of the village.
DS-32	Any development should be in keeping with the character of the immediate area, in terms of density, layout and landscaping.
DS-33	The kerb-less grass verges with boundary hedges and walls and properties set back are a feature of Main Street in this part of the village. This character is important and must be retained.

4. Visual Assessment

In defining landscape, the adopted definition agreed by the European Landscape Convention (Florence: Council of Europe 2000), states that the landscape is: “an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors”. The process to understand how landscape features, landscape character and views are affected is informed by the Guidelines for Landscape and Visual Impact Assessment (GLVIA).

4.1 Appraisal of Visual Impact

Appraisal of impact of a proposed development on existing landscape and built features should take into account the relationship of the features with local and wider landscape characteristics, the contribution of these features to views and the presence of statutory, non-statutory or local landscape-related designations and planning policies. A visual appraisal should include consideration of the effects of the proposals upon the landscape of the site itself, and the local and wider landscape character, and establish the extent to which the development would be visible and any changes to views. There should be consideration given to seasonal variation, direct and indirect effects, and a comparison of the effects in the first year following completion and after a period of 10 years once any planting has established. Note that change may be experienced as an adverse, beneficial or neutral influence.

Proposed developments that impact landscape character or visual amenity significantly within the Village should be supported by a proper impact appraisal. In 2021, TPC commissioned an independent Landscape and Visual Appraisal (LVA) for the purpose of understanding and being fully informed on the likely landscape and visual effects for a proposed development. This study was very informative in its consideration of effects on features in and around the Village, such as the obscuring of natural landforms, substantial extension/expansion of the settlement area, sealing of soils, land use alteration from semi-rural/undeveloped land to residential, removal of trees, loss of surrounding woodland, potential creation of harsh urban edges, and retention of countryside character.

4.2 Negative Effects on Landscape Character

Summary of types of negative effects on landscape character that should be avoided:

- Changes to character at a site, including the introduction of suburbanising features such as buildings, roads, parking and associated garden paraphernalia to previously rural sites.
- Introduction of lighting.
- Loss of trees and woodland.
- Change to the settlement form and connection of the Main Village with existing isolated developments (e.g. at Biggin Hall Lane).
- Negative effects on the landscape setting of the village
- Negative effects on views noted within the Conservation Area Appraisal
- Changes to the character of the approaches and public footpaths in and around the Village, particularly where these impact the views from the thoroughfare or the views from the surrounding countryside.

Views towards the Village, such as that from Biggin Hall Lane, are considered particularly sensitive as they are noted in the Conservation Area Appraisal. Urbanising influences of new buildings on these views should be reviewed in detail and avoided where there is a negative effect.

Care must be taken where proposals effect landscape-related designations, the most important of which is the Conservation Area and its landscape setting. The contribution of open space to the Conservation Area's character must be taken into account, as its loss will urbanise its character and infringe upon its rural setting. The spread of developments to either side of Main Street will dilute the settlement's linear character and interrupt the link between the Conservation Area and its countryside setting, which is an important component of the existing character of the Conservation Area. These considerations, including landscape setting urbanisation, also apply to The Old Forge, Stanleys Farmhouse and The Windmill, which are all listed buildings, and to the character of public footpaths.

4.3 Representative Viewpoints

The visibility of the Village is influenced by its buildings, roadways, verges, vegetation within the wider landscape.

A set of six representative viewpoints have been selected to describe the Village's visual context from within the Village and from the surrounds, including longer-distanced views. These may be useful in appraising the likely effects of a proposed redevelopment as experienced by visual receptors (i.e. people) at these points. They are all publicly accessible and encompass a variety of geographical locations at varying distances from the Village centre.

4.3.1 Viewpoint 1

Viewpoint 1 of the wall of the Thurlaston Meadows Care Home from Main Street:



This is representative of the view from private properties on Main Street including Stanleys Farm (Grade II listed), showing a central and historic section of Main Street and containing the historic brick wall on the site frontage of the Care Home. Converted buildings and a more modern extension of the Care Home are also visible beyond the wall. The existing features within the view contribute considerably to the character of the Conservation Area and this view is therefore particularly sensitive to inappropriate development.

The undeveloped land to the side of the Care Home extends from Main Street within the Conservation Area, and connects the Village Centre to the surrounding countryside, uninterrupted by buildings.

4.3.2 Viewpoint 2

The view along Biggin Hall Lane looking west, away from the Village Centre is an identified view in the Conservation Area Appraisal. Other views available along Biggin Hall Lane to the surrounding countryside form an important part of the setting of the Conservation Area.



Biggin Hall Lane has an attractive rural quality, it is bound by native hedgerows and the hedgerow at Viewpoint 2 is dense and neatly maintained. There is currently little or no reference to built form within the view, despite the close proximity of the village edge.

The land on both sides of the lane has a rural character with views available over the native hedges to meadows and trees. The hedge and existing mature trees, along with the more distant prominent block of woodland, form an important part of the current street scene; the surrounds are perceived as countryside.

4.3.3 Viewpoint 3

The view from Biggin Hall Lane looking east is an identified view in the Conservation Area Appraisal.



Views are available along Biggin Hall Lane to historic properties on Main Street. Stanley's Farm (Listed Grade II) and the Mill are both visible within the view. The lane is bound here by native hedgerows that are dense and neatly maintained. The land within the site has a rural character and the undeveloped land thereabouts forms an important part of the landscape setting of the Listed Buildings and the Conservation Area. The existing features within the view contribute considerably to the character of the Conservation Area and this view is therefore particularly sensitive to inappropriate development. Any proposed development would have potential to endanger the view by introducing buildings that are more prominent than the historic buildings and/or obscuring views to Stanley's Farm by introducing an urbanised appearance, and breaking the skyline and direct link between the surrounding countryside and the Conservation Area.

4.3.4 Viewpoint 4

View from Footpath Thurlaston R310/1 – the footpath commences on Main Street between Thurlaston Meadows Care Home and Moat Close. It runs along the southern perimeter of the Care Home grounds, dipping down across a meadow into a small hollow that contains a disused sheep wash and pond at the bottom of Patricks Field, before rising uphill to meet BHL near to an isolated settlement cluster of dwellings.



Views from the easternmost section of the path (closest to Main Street) are contained by vegetation and garden fencing and hedges, but open views are available from the rest of the path. The view also takes in a large garden at Patricks Field that includes ornamental planting. Looking southwards from the path the ground falls away towards Draycote Water with views available over fields towards the reservoir.



The scene is stunningly beautiful in the style of an idyllic English landscape and its conservation is very important to residents of Thurlaston, as was illustrated by a Parish Council survey conducted in December 2020.

4.3.5 Viewpoint 5

View from Footpath Thurlaston R185/1 - a relatively short path situated on the edge of the plateau and within the countryside, providing a link between Stocks Lane and Biggin Hall Lane. The view expands across the land behind the Care Home with a pastoral field in the foreground dropping away across a slight hollow, with the Care Home and the Village visible in the background. The view includes an important block of woodland on the farther side of BHL.



4.3.6 Viewpoint 6

The view from Church Lane extends along the lane, which is bound by a brick wall on one side and a hedge on the other.



4.4 Visual Assessment Design Guidelines

Reference	Design Guideline Description
DS-34	All proposed developments should consider visual impact. Where the change is significant, a visual appraisal should be conducted to include consideration of the effects of the proposal upon the landscape of the site itself, the local and wider landscape character, and establish the extent to which the development would be visible and alter any views. Consideration should be given to seasonal variation, direct and indirect effects, and a comparison of the effects in the first year following completion and after a period of 10 years once any planting has established.
DS-35	Proposed developments that have a significant impact on landscape character or visual amenity within the Village should be supported by a proper appraisal that considers the types of effect on features in and around the Village, such as the obscuring of natural landforms, substantial extension/expansion of the settlement area, sealing of soils, altering land use from semi-rural, undeveloped land, to residential use, removal of trees, loss of surrounding woodland and potential creation of harsh urban edges, and retaining a countryside character.
DS-36	<p>The following types of negative effects on landscape character should be avoided:</p> <ul style="list-style-type: none"> • Changes to character at a site, including the introduction of suburbanising features such as buildings, roads, parking and associated garden paraphernalia to previously rural sites. • Introduction of lighting (Thurlaston is a Dark Village). • Loss of trees and woodland. • Change to the settlement form and connection of the Main Village with existing isolated developments (e.g. at Biggin Hall Lane). • Negative effects on the landscape setting of the village. • Negative effects on views noted within the Conservation Area Appraisal • Changes to the character of the approaches and public footpaths in and around the Village, particularly where these impact the views from the thoroughfare or the views from the surrounding countryside. <p>Note that change may be experienced as an adverse, beneficial or neutral influence.</p>
DS-37	Views towards the Village, such as that from Biggin Hall Lane, are considered particularly sensitive as they are noted in the Conservation Area Appraisal. Urbanising influences of new buildings on these views should be reviewed in detail and avoided where there is a negative effect.
DS-38	Developments that effect and/or damage landscape-related designations, especially the Conservation Area and its landscape setting, should be avoided.
DS-39	Developments that reduce the contribution of open space to the character of the Conservation Area must be avoided, as its loss will urbanise its character and infringe upon its rural setting.
DS-40	Developments to either side of Main Street that dilute the linear character of the settlement and interrupt the link between the Conservation Area and its countryside setting should be avoided; the setting is a fundamentally important component of the character of the Conservation Area.
DS-41	Developments that impact landscape setting or urbanisation around the listed buildings (The Old Forge, Stanleys Farmhouse, Pipwell Cottage, St. Edmunds Church and The Windmill), or public footpaths should be avoided.
DS-42	Developments that impact the character of the public footpaths that run through and around the Village should be avoided.
DS-43	Viewpoints 2 and 3: These views contribute considerably to the character of the Conservation Area and are particularly sensitive to introduction of features that diminish the prominence of, or obscure views to/from, or urbanise the setting or appearance of the historic buildings (Stanleys Farm, The Mill, The Old Forge). Negative impacts on these views should be avoided.

DS-44	Viewpoint 3: This is a view of the Village skyline and the area is a direct link between the surrounding countryside and the Conservation Area. Negative impacts on this view of the Village skyline and/or on this area's nature in directly linking the surrounding countryside to the Conservation Area should be avoided.
-------	---

5. Thurlaston Conservation Area

The concept of Conservation Areas was first introduced in the Civic Amenities Act 1967 in which local authorities were encouraged to determine which parts of their area could be defined as “areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”, recognising the architectural or historic interest not only of individual buildings, but also to groups of buildings, the relationship of one building to another, and the quality and character of the spaces between them.

The positive identification of a Conservation Area helps focus attention on its qualities and encourages a sensitive approach to any proposed development. The Local Planning Authority will exercise particular care to ensure that change, where it occurs, will preserve or enhance the character of an area.

Thurlaston is a linear village and its Conservation Area is centred on Main Street (see Figures 1-4, where the boundary is marked as a red line). The Conservation Area boundary takes in the principal historical properties to either side of Main Street, including the all of the listed buildings in the Village, Thurlaston Meadows Care Home buildings and eastern parts of the Care Home grounds.

Rugby Borough Council has published a Conservation Area Appraisal for Thurlaston and the landscape setting of the Village is fundamentally important in establishing the character of the Conservation Area. The location and context of the village is described in the Conservation Area Appraisal as follows:

“Thurlaston is a relatively small village set in countryside and as the form is broadly linear the presence of the surrounding countryside is often apparent. Agricultural land surrounds the settlement. The countryside permeates into the village from the northern approach and from the west along Biggin Hall Lane.”

The Conservation Area Appraisal notes that the current condition of the buildings and the land within the Conservation Area is good, but that it may be subject to development pressures. These development pressures could potentially dilute the special qualities of the Conservation Area.

The general character and form of the village is described as follows:

“Thurlaston is a relatively small settlement of linear form with Main Street being the central north to south spine. A number of lanes branch off Main Street with some historic development to the east and west. Modern cul-de-sacs mainly consisting of open plan development. Biggin Hall Lane, a narrow road surrounded by countryside, leads to sporadic development outside the village. The narrowness of the lanes provides a sense of enclosure which contrasts with the wide space of Main Street.”

It is notable that Thurlaston is described as “a relatively small settlement of linear form”. Biggin Hall Lane is also explicitly described as “a narrow road surrounded by countryside”. Both of these features are sensitive to change.

The Conservation Area Appraisal identifies four character areas: the 1960s and later modern entrance to the village, the historic central core, the Care Home, and the area centring on Stanleys Farm. The appraisal states that:

“Landscaping is a dominant feature in the Conservation Area. The rural setting of the village is reflected within the village with mature trees, shrubs, hedges and grass verges. The result is a landscape-dominated character, with many views framed by a backdrop of mature trees”.

The landscape setting of the Conservation Area is described as follows:

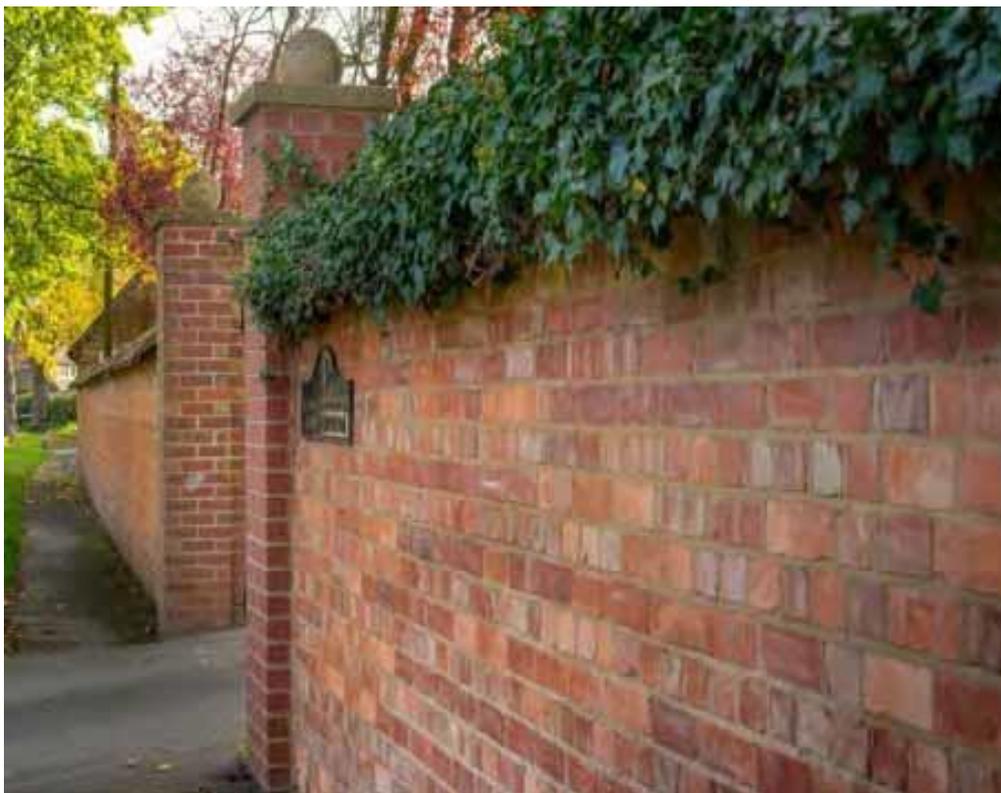
“The village remains strongly linked to the countryside setting. From outside the village the landscaping prevents views of the majority of buildings, trees on the approach effectively screen the buildings. From Biggin Hall Lane views of buildings are limited other than the nursing home [Thurlaston Meadows Care Home]. From the southern end of the village the route of Main Street and the landscaped boundaries prevents clear views of many buildings. There is a close relationship between Main Street and the countryside on the western side since development is narrow and butts up to the highway.”

The Appraisal also makes explicit reference to open spaces within the Conservation Area and the contribution which these spaces make to the character of the Conservation Area:

“Open and undeveloped land forms part of the Conservation Area. Many of the buildings are served by relatively large gardens to the rear or side. The land forming Stanleys Farm is an extensive parcel of largely undeveloped space viewed from Main Street and Church Lane. The largest open space is around the nursing home [Thurlaston Meadows]. This land to the north and south of the complex provides a spacious setting, a dominant garden and agricultural feature within the Conservation Area.”



Trees in “The Gardens”



Boundary wall of the Nursing Home facing Main Street

5.1 Conservation Area Design Guidelines

New developments or alterations within or adjacent to the Conservation Area are particularly sensitive to the special character of the area.

Conservation Area Consent is required to demolish most buildings and also before demolishing walls or fences of certain heights and locations. Consent is unlikely to be given for the removal of a feature which is of historical or visual significance and which contributes to the essential character of the area. Trees within the Conservation Area have similar protection to those subject to a Tree Preservation Order in that notice is usually required to lop or fell any tree within the area.

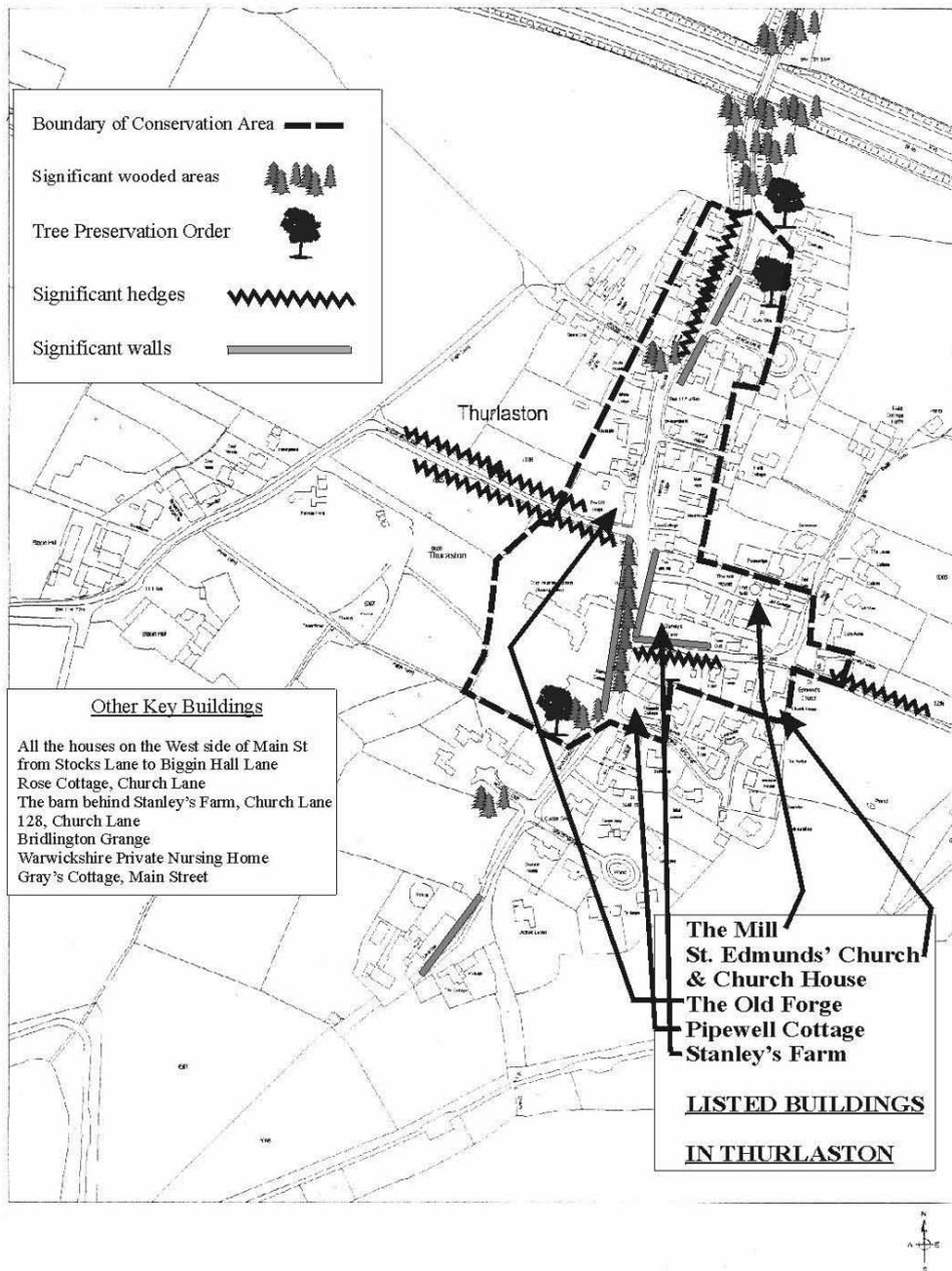
Reference	Design Guideline Description
DS-45	Development proposals that have a negative impact on the character of the Conservation Area and its landscape setting, including impacts on surrounding open spaces that contribute to the character of the Conservation Area, should be resisted.
DS-46	The linear form of the village is described within the Conservation Area Appraisal, and the importance of the landscape setting is also highlighted. Biggin Hall Lane is one of the main public routes from which the rural setting of the village can be appreciated, and areas, such as this, that play an important role in maintaining these views should be preserved.
DS-47	The impact of proposed developments that introduce new roads and buildings within the Conservation Area itself must be assessed carefully. The contribution of the open space to the character of the Conservation Area should be retained and proposals that would result in a loss of such open space as a result of introducing such urban structures and should be resisted.
DS-48	Settlement form: As described in the Conservation Area Appraisal: <i>“Thurlaston is a relatively small village set in countryside and as the form is broadly linear the presence of the surrounding countryside is often apparent”</i> . Proposed

	developments that would extend westwards from Main Street and dilute the linear character of the settlement and inevitably make the surrounding countryside less apparent should be avoided.
DS-49	The landscape setting of the Conservation Area is explicitly mentioned in the Conservation Area Appraisal: " <i>The village remains strongly linked to the countryside setting</i> ". Proposals that would interpose a block of modern development between the historic core of the village on Main Street and the surrounding countryside would interrupt this link and should be avoided.
DS-50	The degree of interruption of views towards historic buildings on Main Street, and also the infringement on views out from the Conservation Area to the surrounding countryside must be assessed in detail. Many of the existing views are across open meadows with an attractive rural quality, and changes to the character of such views risk permanent damage the rural setting of the Conservation Area, even where the remaining view to the countryside is retained, but is significantly narrower, or otherwise negatively impacted. Developments that interrupt or diminish the Conservation Areas connection with the surrounding countryside should be resisted.
DS-51	Development applications that have a significant adverse effect on the character of the Conservation Area itself, or that infringe on the rural setting of the Conservation Area should be resisted.

6. Landscape-Related Designations

The Local Planning Authority considers all development proposals in the context of policies contained in the Local Plan of the Borough Council, but there are other statutory controls, in addition to the Conservation Area Appraisal, which help retain the present village character.

Boundary of Conservation Area, Significant wooded areas, hedges, walls and location of listed buildings



6.1 Listed Buildings

Listed Buildings are buildings or structures of special architectural or historic interest. Listed Buildings are protected by the Planning (Listed Buildings and Conservation Areas) Act 1990. There are five Grade II listed buildings within the village of Thurlaston.

These buildings are considered of special architectural or historical interest and are included in a

statutory list. The term “Listed Building” also includes other structures within the curtilage which have been there since before 1st July 1948 e.g. barns or outhouses in a garden. Apart from a few buildings of exceptional interest or importance, the vast majority (94%) are Grade II listed, i.e. buildings of special interest which warrant every effort to preserve all their important features.

6.1.1 Stanleys Farmhouse, Main Street

Stanleys Farmhouse, Grade II, Main Street, C18, with early C19 right wing and alterations and a small mid/late C19 rear range, Flemish bond brick with a tile roof. The building fronts onto the western side of Main Street, directly opposite to Thurlaston Meadows Care Home. C18 Farmhouse with early C19 right wing and alterations. Small late C19 range at rear. Flemish bond brickwork and some chequer brickwork and small plain tile roof. Central early C19 porch with tall 18 pane staircase sash window above. Sash windows with moulded frames.



6.1.2 The Old Forge, Main Street

The Old Forge, Grade II, Main Street, cottage and former forge, C18, Flemish bond brick with thatched roof. The building lies at the intersection of Main Street and Biggin Hall Lane, directly opposite to the Thurlaston Meadows Care Home grounds on BHL. C18 cottage and former forge in three units. The left hand cottage is one storey and attic. The former forge is probably the single storey central unit. The right hand unit is a C20 addition. Flemish bond brickwork and a thatched roof. Left hand gable is timber framed with brick infill.



6.1.3 The Mill, Church Lane

The Mill, Church Lane, Grade II Windmill, converted to house. Late C18; converted 1970s. The windmill is set behind the properties on Main Street.

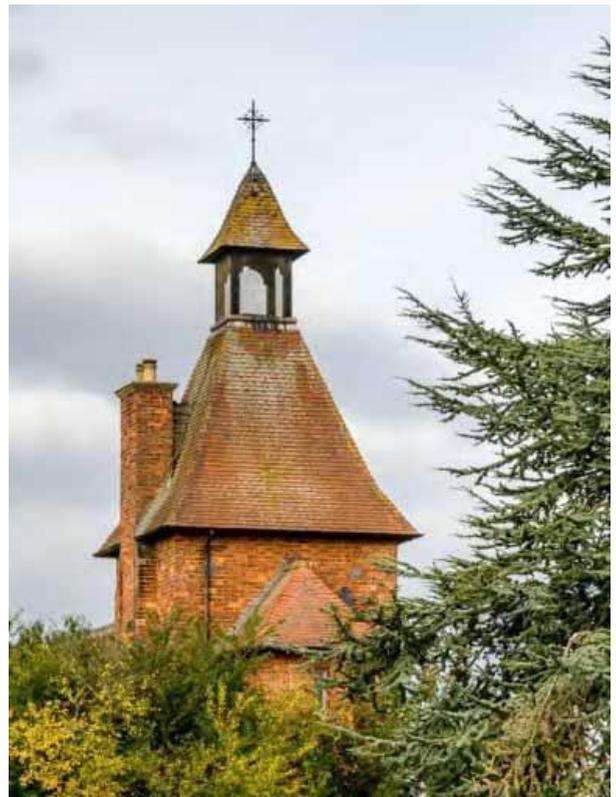
Late C18 windmill, converted to a house in the 1970's. English bond flared brickwork with C20 small plain tiled conical roof. Tapering circular plan five storeys high. Mid C20 glazed door, timber steps and open porch. Mid/late C20 one light casement windows, some with brick segmental arches.



6.1.4 Saint Edmund's Church and Church House, Church Lane

Church House, Church Lane, Grade II, 1849, built as a chapel-school, to be used as a school during the week and a church on Sunday, with schoolmaster's house attached.

Built as a chapel/school, to be used as a school during the week and a church on Sunday, with schoolteacher's house attached. Designed by William Butterworth, 1849. Flemish bond brickwork and small plain tile roof with ridge cresting. Three light east window with Gothic tracery. Limestone tracery throughout. The tower has a pyramid roof and arched wood bellcote.



6.1.5 Pipewell Cottage, Pudding Bag Lane

Pipewell Cottage, Pudding Bag Lane, Grade II, probably C15/C16 origins, with later alterations, one storey with attic. The property fronts onto Pudding Bag Lane but the side elevation and garden are visible from Main Street.

Probably C15/C16 origins with later additions. Cruck construction. Large timber framing with whitewashed brick infill. Right return wall and rear wall rendered and possibly rebuilt. Thatched roof with deep boarded eaves. C19 whitewashed brick range to the left has slate roof.



6.2 Public Rights of Way

Public Rights of Way (PRoW) are designated routes accessible year-round to the public. These include public footpaths, bridleways, restricted byways, and byways open to all traffic (BOATs). There are a number of public rights of way in the wider landscape in and around Thurlaston, including:

- Thurlaston R185/1 leading north-eastwards from Biggin Hall Lane to connect with Stocks Lane
- Thurlaston R185a/1 leading north-westwards from Stocks Lane to end at the A45 Coventry Road
- Thurlaston R168d/1 leads northwards from Coventry Road to meet Thurlaston R168/3
- Thurlaston R337/1 forms an eastward continuation of Church Walk
- Thurlaston R175x/1 and Thurlaston R175y/1 continue north-eastwards from Church Lane through open countryside to the east of the village. The path then crosses beneath the M45 and continues to the north as Dunchurch R175.
- Thurlaston R175a is a bridleway which begins from the eastern edge of the village and travels eastwards to end at Toft Lane.
- Thurlaston R235b/2 leads eastward from Thurlaston, descends towards Draycote Water, and follows a route around part of the reservoir.
- Thurlaston R183b/1 leads westwards from Biggin Hall Lane, initially across fields, and then across the Whitefields Golf Course.
- Thurlaston R1844/1 continues westwards from the end of Biggin Hall Lane across open countryside.

Any proposed development that has an impact on a public right of way should document the effect on quality and quantity of green infrastructure networks, protection/enhancement of physical access, and how any proposed mitigations would be implemented.

The impact on the experience of footpath users must be assessed - e.g. if the surrounds take on a more urbanised character and/or new buildings are in closer proximity to the viewer and would completely change the view. Visual clutter associated with residential development, including vehicles and garden paraphernalia such as washing lines, sheds, etc., would further affect the view.

7. Roads

The public roadways are spaces for everyone's use, so their treatment and visual appearance is as important as considerations relating to buildings.

7.1 Kerbs, Verges and Enclosures

An absence of harsh kerbs to the carriageway, the predominance of grass verges, and boundary wall and hedge enclosures are important elements of the Thurlaston street scene. Existing granite-sett kerbs should be retained and could be used elsewhere along Main Street to replace existing white lines and differentiate the carriageway from adjoining footway/parking areas. Surfacing these footway/parking areas with a material of rural character such as fine bound stone would reduce the area of tarmacadam and apparent width of road.



7.2 Traffic Control

Residents have complained consistently over many decades about vehicles exceeding the speed limit (which is 20 mph) and inconsiderate parking. These issues have certainly been reported to the Parish Council on numerous occasions during the current term (2019-23).

These behaviours are unlikely to change unless traffic calming methods are implemented, such as speed bumps or chicanes, and areas where parking would be inconsiderate are marked with double yellow lines. Some local residents oppose implementing such measures on the basis they would spoil the rural character of the village. It should be noted that Warwickshire County Council is responsible for local public highways and its authority would be needed to apply any such changes.

7.3 Property Boundaries

The boundary treatment of any new development should follow the pattern established in that area of the village preferably with brick walls and hedges, or post and rail fences of a rural character.



7.4 Street Furniture

Street nameplates are either cast signs, generally attached to buildings or freestanding more modern signs in a steel frame. Where signs require attention, either to the nameplate itself or to the supporting structure, consideration could be given to using signs of a consistent design.

Highway signs in general are less obtrusive if supporting poles are painted a very dark green or brown. In some cases, signs may be grouped on single poles. Roadside salt bins that are only in use for a short time each year may be painted in a very dark green or brown and located as unobtrusively as possible.

There are a number of street lamps in a Victorian style which were considered appropriate for the heart of the village. They would be less appropriate for the areas of 1970's housing, where a simple modern design is more in character.



Other features in the street scene include the village stocks and its immediate setting; a bus stop of a suitably rural character; an old-style post box on Main Street near to Church Walk and the telephone kiosk, which is modern and used to house a defibrillator (an older-style, red kiosk would be better suited to the village centre context).

There is a prevalence of overhead telecommunication cables and even electricity supply cables which detract from the street scene.

7.5 Soft Landscaping

Trees and boundary hedges are important contributors to the village character. Rugby Borough Council ("RBC") has rules and advice for tree maintenance within the village, as stated below.

People living within the Conservation Area must give six weeks' notice to RBC before carrying out work to trees that are not protected by a Tree Preservation Order (TPO). This can be done using a tree works application form (available from RBC offices or website) or via email or letter which must still include the information required by the form. This is called a section 211 notice. This gives the Local Planning Authority (LPA) an opportunity to consider whether a TPO should be made to protect the tree(s). The only way the LPA can stop the works is by applying a TPO.

Is a section 211 notice required for a tree of any size? At present, people are not required to submit a section 211 notice to the local planning authority for:

- the cutting down, topping or lopping or uprooting of a tree whose diameter does not exceed 75 millimetres; or
- the cutting down or uprooting of a tree, whose diameter does not exceed 100 millimetres, for the sole purpose of improving the growth of other trees (e.g. thinning as part of forestry operations).

In either case, the diameter of the tree is to be measured over the bark of the tree at 1.5 metres above ground level.

Applications to prune/remove trees with preservation orders must be done so on the tree works application form only. If you believe there are some substantial trees around which are located outside of the conservation area the LPA do have powers to protect them as long as they qualify under set criteria and are considered to be a public amenity. Therefore we would look at the condition of the tree, the relative public visibility, retention span (in years), threat level and any other factors e.g. Impact of trees in a group.

If trees in domestic gardens do not have a TPO on them, are located outside the conservation area or do not have a planning condition attached to them there would be no restrictions in removing/pruning the tree in question.

Currently the village has the following Tree Preservation Orders (TPO's):

TR 4.8	Trees at Beechwood, formerly Nut Coppice, on Main Street
TR 4.11	Trees at "Fernleigh" "Clydefan" Main Street and "1 The Gardens"
TR 4.298	The Mill, Thurlaston, Church Lane (Silver Birch)
	The land behind Thurlaston Care Home
	Patrickfield

New and replacement tree planting of appropriate indigenous species should be considered wherever practicable in order to maintain the landscaped character of the village in future years.

Simple grass verges with trees help retain the rural character.

There are opportunities for reinforcing existing hedge lines and for new boundary hedges which are more characteristic than open frontages. Traditional mixed hedges are more appropriate than leylandii or laurel.

8. The Future

Thurlaston Parish must be prepared for fundamental changes to its surroundings in the coming decade, mainly due to aspects of RBC's Local Plan that will bring large warehouses into the Parish and see the building of thousands of new houses to the north of Coventry Road. There are also proposed changes within and close to the heart of the Village, and the passage of time will require the maintenance of Thurlaston's community assets.

8.1 Community Buildings (Village Hall & St Edmund's Church)

Thurlaston Village Hall maintenance has been a constant requirement since it was purchased as two army huts in 1946 with money subscribed by the people of Thurlaston. It is sited on land given by Miss Stanley, who lived at the Mill House and was a Sunday-School teacher and organist at the Church, where there is a memorial plaque to her. It has served the Village well, but it is small, has no parking area and is on a site with no significant scope for expansion. The narrowness of Church Lane has only a few spaces for parking and would make a building project very difficult. For these reasons the current site is unlikely to be suitable for building a larger, replacement building.

The only other communal building in the Village is St Edmund's Church. The congregation has dwindled in recent years and whilst many residents would like to retain the Church, very few attend its services regularly. There are concerns about the future costs for maintaining the roof and ceiling, which may require significant repair in the short-medium term.

Utilising the Church building as both community hall and church has been raised, but this would require agreement from the Church and almost certainly considerable expertise and investment. The only other obvious option for replacing the current village hall would be to find a new site and erect a new building, which would also incur considerable expertise and costs.

8.2 Impact of the Local Plan & SW Rugby SPD

Rugby Borough Council adopted its Local Plan in 2019. This includes plans for SW Rugby that will fill in the green fields bounded by Rugby, Cawston, Dunchurch and Thurlaston with housing and, immediately to the north of Coventry Road, warehouses. The local population increase is estimated at an extra 5,000 people, which will have add pressure to services and infrastructure.

Detailed Applications to construct large warehouses and a power station within the Parish boundary were passed in 2021. RBC's Planning Committee granted outline approval to Tritax Symmetry in 2020 for the whole of the warehouses site under application R16/2569 and has waived a condition that reduced the original heights by 3 metres. The proximity of the industrial units raises the prospect of increased noise, light and traffic pollution.

The junction of Main Street & Coventry Road is the only entrance and exit from the Village. With the prospect of increased traffic volume there are concerns that the flow of exit traffic will be slowed and give rise to queuing. The result may be that changes to the junction will be needed, such as traffic lights and the impact will be exacerbated by warehouse and housing site works and the planned changes to the road layout at the M45/A45 roundabout, where the plan is for the Coventry Road to end at a T-junction to a new road that provides the new warehouses with direct access to the roundabout.

The degree of disruption will depend on how successfully RBC manages the Local Plan implementation, and a key aspect to this will be ensuring that pre-requisites, such as building the new relief roads, are completed on time. TPC has highlighted to RBC the absence of a program manager to oversee Local Plan developments in SW Rugby. As these developments fill in the gaps between Rugby and the Coventry Road, a lack of alignment of neighbouring developments will cause additional disruption.

The current Thurlaston Parish Council, and vast majority of Parish residents, want to maintain the

Village's present design and character, and to conserve Thurlaston as distinct village settlement. The Local Plan is already adopted and will extend Rugby's conurbation close to Thurlaston's Village boundary. The challenge for the coming decade will be to counter further development creep across the remaining rural strip, which would result in Thurlaston becoming a "suburb" of Rugby.

8.3 Climate Change

Climate Change is now accepted as fact by the most nations and the UK Government, in common with many others around the Globe, has started to take measures to reduce exacerbation caused by human activities.

In 2019, the UK Parliament set a commitment in law to reach net zero carbon emissions by 2050. RBC declared a "Climate Emergency" in 2019 and states that it "wants to do everything it can to help reduce carbon emissions and help to achieve this national target" and that "Achieving net zero will involve many changes to the way we currently do things – such as the way we heat our homes, the type of transport we use, how we build our homes and buildings, how we value nature and the food that we eat".

At present, the standards applied to new developments continue to allow for certain non-sustainable materials and practices to continue. Many minimum standards are set nationally and the net outcome is often disappointing – for example, RBC approved the construction of a brand new, gas-powered energy centre on the Tritax warehouses site.

Thurlaston Parish Council's policy has been to support developments that apply high standards and take a strategic approach to sustainability, and to counter non-sustainable proposals.

9. Summary

Thurlaston is a small, attractive, Warwickshire village with a particular character due, in part, to its location on the edge of Dunsmore Heath, overlooking Draycote Water.

It is also unusual in having only one vehicular entrance and exit, which contributes to its feel as a “place apart” with a strong community spirit, despite its lack of a village shop, a public house or sports field.

In a small village such as Thurlaston, the countryside is always present and the juxtaposition of open spaces and buildings and the ease of access to the countryside are important features.

It is a village, not a suburb, and as such has developed over a long period of time as is typified particularly by the variety of older properties in the original heart of the village.

This diversity of properties is a particular characteristic, it being difficult to find two properties exactly the same in design and plot layout even amongst those built since the 1970's.

Apart from one or two large, older, properties which are linked together, most of the properties are detached in relatively large plots, although there are a few small terraces of older cottages usually with long rear gardens.

The generally large plots allow the landscaped spaces between and around properties to assume greater importance than in most suburbs or modern estates.

Trees, in gardens and on grass verges, together with boundary walls and hedges are important contributions to the village character.

The widths and layout of the roads and footpaths mainly along the lines of ancient tracks, are also of a particular character difficult to recreate using modern standards.

Development, apart from appropriate barn conversions or house extensions would be strongly resisted on any sites outside the Village Boundary.

Within the Boundary, there are a few opportunities for well-designed properties which preserve or enhance the particular character of the village.

10. Acknowledgements

Thurlaston Parish Council has produced this VDS based on the valuable work put into previous versions and would like to thank the many people who contributed to the issues of 2003 and 2016.

We also acknowledge the influence of the Landscape and Visual Appraisal prepared for Thurlaston Parish Council by the Landscape Partnership in February 2021, which gave a detailed appraisal of areas close to the village centre and surrounding landscape and included the context of key rules and guidance for assessing potential impacts of new planning developments on visual amenity.

If you have any comments or feedback relating to this 2021 edition of the VDS, please contact the Thurlaston Parish Clerk at parish.clerk@thurlaston.org.uk

11. Appendix 1: Commissioning a Landscape and Visual Assessment

Any landscape and visual assessment (“LVA”) in relation to a specific development should be commissioned with a Chartered Landscape Architect who is a member of the Landscape Institute.

The assessment should include:

- Who made the assessment and when, including the date of the site visit.
- The prevailing aspect and conditions during the site visit – e.g. on a reasonably clear day, from adjacent land, local rights of way, and public locations (e.g. areas with recreational access); note of time of year, deciduous tree leaf condition, and exertion of presence of ephemeral vegetation, such as grasses and herbaceous plants).
- Details of the findings and any adverse effects on the character of the surrounding landscape and its visual amenity, as arising from the development, with supporting figures to provide baseline data relating to the site’s landscape and visual context, together with photographs and visualisations.
- Desktop study to identify an indicative zone of visual influence, any local statutory and non-statutory landscape-related designations, local public rights of way, and existing landscape character assessments covering the site and its vicinity.
- Field study to:
 - verify local landscape characteristics;
 - provide commentary on the condition, sensitivity and capacity of the local landscape character to accommodate change of the type and scale proposed;
 - appraise the contribution of any landscape features within the site that might be lost or altered;
 - identify, and provide commentary on, the sensitivity of key visual receptors;
 - and compare the existing views observed by visual receptors at representative viewpoints, with those likely to be experienced as a result of the development.
- Consideration of the ability of the proposed landscape strategy to offset or negate any landscape and visual effects.
- Identification of any broad mitigation measures that may be required if the proposed development is to be considered acceptable.
- Identification of any residual landscape and visual effects.

Assumptions and Limitations

An LVA should list the assumptions made in respect of the assessment:

- The development summary upon which the assessment is based.
- The appraisal’s baseline timing (e.g. year is 2021).
- That existing vegetation will continue to grow at rates typical of the species, and its location and maturity.
- Any proposed tree, shrub and hedge planting assumed growth rates (e.g. an assumption that no growth will take place in the first year, as the plants adjust to their new growing environments, and thereafter trees/shrubs will grow at a rate of approximately 200 to 300mm/year, and hedges at approximately 200mm/year (average expected growth rates for typical species growing on the identified soil type, drainage and fertility rate that are likely to be present at the site).
- The receptor for a view from a public right of way, within public open space, or within a residential property is represented as an adult standing with an eye height of 1.6m.

Visual effects are assessed on the basis of good visibility. Visual effects can be expected to vary, e.g. poor visibility at times of low cloud, rainfall and dusk. At these times, a reduction in visual clarity, colour and contrast would be experienced. Reduced visibility would limit the extent of view possible particularly in mid to long distance views. Consequently, the assessment of effects is based on the worst-case scenario, where the proposed development would be most visible.

Extent of use of public rights of way is based on known information (e.g. if the right of way forms part of a promoted route at a local or national level), signage, and circumstantial evidence at the time of the survey such as recent disturbance of grass and crops, a clearly defined path, extent of wear, and the number of people/horses using the right of way at the time of the survey. The extent of use of a road is based on the number of vehicles observed using the road at the time of the survey and as could reasonably be expected for the class of road.

Whether or not any private property was accessed in undertaking the assessment, other than the development site itself. It is generally considered impracticable to seek approval for access to residential properties or other buildings to assess the effect on views from each window in a property or adjoining land, so assessment is typically on the nearest publicly accessible location, which will usually be a road or public right of way, or on views within the site looking outwards. Professional judgement is used to extrapolate what the likely effect on views would be from windows, making allowances for changes in height, e.g. from a first-floor window.

12. Appendix 2: Prepare Your Own Assessment

The extension, alteration or “modernisation” of existing properties can have a significant impact on the village character.

If you are considering the alteration of an existing property in any way, it may help to look at it and adjoining properties from some distance, noting down any characteristics and distinctive features.

- CONSIDER the age of the property and the style and detailing of that time.
- STUDY the details of materials, windows, doors, eaves etc.
- CONSIDER if the proposed changes prejudice the distinctive characteristics of the property.
- REMEMBER that something relatively simple, such as the installation of a new front door or double glazing with UPVC frames can have a major effect on appearance and character.
- REMEMBER that Thurlaston is a small village in the countryside, not a suburb of the town and this should be reflected in any building, boundary treatments and landscaping.
- ASK for advice from the Conservation Office at Rugby Borough Council.
- CONSIDER restoring your property to its original design.

AGENDA MANAGEMENT SHEET

Report Title: Home Environment Assessment and Response Team (HEART) Housing Assistance Policy

Name of Committee: Cabinet

Date of Meeting: 18 September 2023

Report Director: Chief Officer - Communities and Homes

Portfolio: Communities, Homes, Digital and Communications

Ward Relevance: All

Prior Consultation: HEART Board and Portfolio Holder

Contact Officer: Michelle Dickson - Chief Officer Communities & Homes - michelle.dickson@rugby.gov.uk

Public or Private: Public

Report Subject to Call-In: Yes

Report En-Bloc: No

Forward Plan: Yes

Corporate Priorities: This report relates to the following priority(ies):
 Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C)
 Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E)
 Residents live healthy, independent lives, with the most vulnerable protected. (HC)
 Rugby Borough Council is a responsible, effective and efficient organisation. (O)
[Corporate Strategy 2021-2024](#)
 This report does not specifically relate to any Council priorities but

Summary: The report sets out proposed revisions to the current Housing Assistance Policy, adopted by the HEART partnership in 2018.

The proposed revisions will ensure that the availability of grants will be both adequate (in financial terms) and provided in a timely way to

reduce the likelihood of vulnerable disabled households falling into crisis due to the unsuitability of their existing home.

If agreed, the revised policy will become effective from 1 October 2023.

Financial Implications: These are summarised in section 5 of the report

Risk Management/Health and Safety Implications: These are summarised in section 7 of the report

Environmental Implications: An Environmental Impact Assessment has been conducted and forms appendix 1 to this report

Legal Implications: The Housing Grants, Construction and Regeneration Act 1996 places a statutory duty on Local Authorities to help disabled people qualifying for home adaptations through Disabled Facilities Grants (DFG's)

In addition, local authorities also have the general power under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (the RRO) to give assistance for home repairs, improvements, and adaptations for the purpose of improving living conditions in its area. The Housing Assistance Policy sets out the local arrangements for this.

The HEART partnership arrangements in place ensures that the Local Authority partners can meet their obligation to co-operate with Social Services authorities to assess need as per the requirements of the Care Act 2014.

Equality and Diversity: An equality impact assessment has been conducted and forms appendix 2 to this report.

Options:

1. That the proposed revised Housing Assistance Policy be approved for a go live date of 1 October 2023. This will ensure that vulnerable customers can access the more generous grant provisions at the earliest opportunity. At the time of writing, approval of the proposed revised policy, which has been written in compliance with legislative requirements, has been secured across the other Local Authorities within the partnership.

2. That any proposed revisions to the draft policy required by Council are submitted for the consideration of the other partners within HEART. This will cause inevitable delay to the planned go live and bring about a risk should not all parties achieve a consensus on proposed revisions.

Recommendation:

IT BE RECOMMENDED TO COUNCIL THAT -

- (1) the proposed revised Housing Assistance Policy (appendix 3 to this report) be approved; and
- (2) delegated authority be given to the Chief Officer – Communities & Homes to make any non-material amendments which shall include any such measures to ensure the Council's security is protected

Reasons for Recommendation:

The policy is legally compliant and is reactive to the current operating climate, where the cost of delivering property improvements have substantially increased, at a time when demand for the service has also increased.

Failure to address this in policy terms will leave the most vulnerable unable to live safely, independently and with dignity in their own homes.

Cabinet - 18 September 2023

**Home Environment Assessment and Response Team (HEART)
Housing Assistance Policy**

Public Report of the Chief Officer - Communities and Homes

Recommendation

IT BE RECOMMENDED TO COUNCIL THAT -

- (1) the proposed revised Housing Assistance Policy (appendix 3 to this report) be approved; and
- (2) delegated authority be given to the Chief Officer – Communities & Homes to make any non-material amendments which shall include any such measures to ensure the Council's security is protected.

1. Introduction

- 1.1 The Home Environment Assessment and Response Team (HEART) is a shared service of the district and borough councils in Warwickshire, working closely with Warwickshire County Council, who also form part of the governance board. The partnership was established in March 2017 to improve the delivery of mandatory Disabled Facilities Grants (DFG's) to provide adaptations for private householders in Warwickshire. The service also provides assessment recommendations for Council tenants in need of potential DFG's.
- 1.2 The overarching objective of HEART, which is hosted by Nuneaton & Bedworth Borough Council, is to deliver holistic home assessments and interventions to enable applicants to remain living independently, and with dignity, in their home. In April 2023 the partners unanimously agreed, through their individual governance arrangements, to extend the current Shared Partnership agreement for a further 5 years to 31 March 2028.
- 1.3 In addition to DFG's, Local Authorities also have the general power under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (the RRO) to give assistance for home repairs, improvements, and adaptations for the purpose of improving living conditions in its area.
- 1.4 District and Borough Councils set out their intentions for grant funding in their Housing Assistance Policy. This balances out the needs of residents against budget availability. Where budget is available, a Policy can be more generous than means tests and grant caps set out in the legislation. Since 2018 the HEART Partnership has had a single Housing Assistance Policy to deliver grant funding.

- 1.5 The draft policy attached at Appendix 3 of this report is the proposed revised, joint Housing Assistance Policy for HEART. It sets out a shared approach to providing housing assistance for improving the living conditions of residents.

2. Housing Assistance Policy

- 2.1 The Housing Grants, Construction and Regeneration Act 1996 places a statutory duty on Local Authorities to help disabled people qualifying for home adaptations through the provision of Disabled Facilities Grants (DFG's). The allocation of grants must be "necessary and appropriate" to meet the needs of clients and be "reasonable and practical" given the age and condition of the property.

- 2.2 The mandatory Disabled Facility Grant arrangements set out in the legislation remain the basis of the Policy. However, grant levels in the national system have not changed for many years. The HEART Board is keen to have a Policy which:

- accounts for increased costs due to inflation,
- supports the wider health and social care system
- uses the opportunity of the sustained provision of Government grant to fund Disabled Facilities Grants.

3. Assessment of need

- 3.1 The revised Policy provides for a more generous grant award system than is given in the legislation. This is allowed for (and encouraged) as part of the Regulatory Reform Order as it enables Councils to reflect local circumstances.
- 3.2 There is a requirement for a formal needs assessment to support the delivery of home adaptations or improvements. The HEART team includes suitably qualified and experienced assessment officers and Occupational Therapists to conduct these assessments.
- 3.3 In addition to the needs assessment, there is a legislative requirement for a means test to be applied for the grant application.
- 3.4 To allow for adaptations such as stair lifts to be delivered to more applicants and without delay the Policy allows for a cost of adaptation sum of £7,500 to be granted before a means test is undertaken.

4. Summary of the changes proposed in the revised policy:

- 4.1 In some complex cases the grant allowance of £30,000 provided in the legislation is insufficient. The current policy allows for an additional £10,000 to be given to top up the national, mandatory grant. Recent price increases mean that for larger, more complex cases (for example the provision of through floor lifts and property extensions) the level of funding can be insufficient. The new Policy allows for both the grant and loan elements to be

£20,000, meaning that a total of £70,000 would be available for works and fees.

- 4.2 The current policy allows for a £500 non means tested grant to be given for small home improvement (e.g. grab rails, key safe, adjusting a step) following a home safety check visit. The revised Policy allows for £1,000 to be available to any resident over the age of 55 or who are disabled.
- 4.3 HEART also delivers a holistic assessment of the home environment. This means that an intervention can be to improve the home, for example with a new boiler for heating, as well as provide an adaptation. For the Warm and Safer Homes (WaSH) Grant the HEART Board is proposing a grant of £10,000 grant with a further £10,000 available as a 0% non-repayment loan which would be placed as an indefinite land charge against the property to be re-paid upon sale under all circumstances.
- 4.4 The majority of grant funded adaptations are stairlifts, level access showers and ramps. In 2022/2023 45 adaptations were delivered in the private sector. Social care equipment is also provided by the service. Home improvement services are delivered as part of the holistic home assessment service offer as well as home safety grants.

5. Financial

- 5.1 Government continues to provide funding for Disabled Facilities Grants which meet the mandatory scheme. Councils can also provide discretionary grants as appropriate and set out in an agreed policy statement. The grant award for Rugby for 2023/24 is £717,000. In addition, the Housing Revenue Account provides a budget of £250,000 annually for adaptations required in the Council's own stock.
- 5.2 The grant provision is part of Government Better Together funding which is paid to the County Council. The mandatory grant is given directly to the Boroughs and Districts from the County Council and supports the provision of Disabled Adaptation Grants however it is not ring fenced entirely for that provision and, when a formal policy statement is agreed, it can be used for home improvement grants and to support hospital discharge arrangements. The joint Housing Financial Assistance Policy provides a clear framework for spending the grant. This has been reviewed by the Partnership and the intention is that it is to be implemented from October 2023
- 5.3 The requirements for the Better Care Fund are set out in the Government's "Integration and Better Care Fund planning requirements for 2017-19". Adherence to these requirements is overseen by the Health and Well Being Board.
- 5.4 The Council employs one member of staff (a Housing Assessment Officer) as part of the HEART structure.
- 5.5 The delivery of this assistance policy is tied closely with budget/ Government grant available to the Council. As a consequence, its policy objectives will be

kept closely under review in conjunction with the quarterly budget reports submitted to the HEART Board by the Host Authority.

6. Legal implications

- 6.1 The Housing Grants, (Construction and Regeneration Act 1996) states that a local authority *must* approve grants for adaptations to meet particular needs of those with disabilities if various provisions are met. These are:
- (a) that, in the case of an owner of a property, they have an interest in the property as an owner;
 - (b) that the relevant works are necessary and appropriate to meet the needs of the disabled occupier; and,
 - (c) that it is reasonable and practicable to carry out the works having regard to the age and condition of the dwelling, caravan, houseboat, or building concerned.

In determining point (b) above, the Council must consult the Social Services authority for the area concerned. This usually comprises an assessment by an Occupational Therapist or Social Worker who will make appropriate recommendations.

- 6.2 The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 contains a broader power which may be available to undertake works where the conditions set out in paragraph 5.2.1 are not met. This power also allows the Council to incur expenditure to carry out such adaptations to its own properties when the tenant has a disability which requires such assistance.
- 6.3 Formal guidance on delivery was provided in March 2022 by the Department for Levelling Up, Housing and Communities and Department of Health and Social Care entitled '*Disabled Facilities Grant Delivery*' which local authorities must consider in exercising its functions under either of these powers.
- 6.4 The partnership arrangements also ensure that all the Local Authorities involved can meet their obligation to co-operate with Social Services authorities to assess need under the Care Act 2014 .
- 6.5 The wider HEART shared service provisions must comply with Section 101 of the Local Government Act 1972 and the Local Government (Arrangements for the Discharge of Functions) (England) Regulations 2012 specifically, in addition to any contractual arrangements between the authorities concerned, the Council must delegate the relevant functions to the host authority so that officers appointed to deliver the services may lawfully exercise those functions. Only Full Council may delegate functions to another local authority.
- 6.6 The "*Integration and Better Care Fund planning requirements document for 2017 -19*" explicitly states that the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 enables authorities to use specific funding for wider purposes and it invites Council to act to use the funding to improve delivery and reduce bureaucracy involved in the grant application process. The HEART arrangements and proposed revised Policy further that purpose.

7. Risk Management

- 7.1 The Policy will be kept under review by the HEART Board to ensure that it is receptive to demands on the service and budget availability.
- 7.2 It can be reviewed whenever necessary but certainly annually in conjunction with the consideration of budgets for the service.
- 7.3 Minor changes to the policy may be approved in accordance with District and Borough governance requirements. This shall include changes to ensure that the Council's security is adequately protected.
- 7.4 Major changes to the policy will require the approval according to each of the partner authority's governance arrangements.
- 7.5 It is the intention that the policy remains consistent across the 5 districts of Warwickshire.

8. Conclusion

- 8.1 This is an opportunity to ensure that the current policy, which is now five years old, is updated to reflect the increased costs of delivering property improvements and in doing so ensures resolutions, which are faster, and responsive for disabled households within the borough.

Name of Meeting: Cabinet

Date of Meeting: 18 September 2023

Subject Matter: Home Environment Assessment and Response Team (HEART) Housing Assistance Policy

Originating Department: Communities and Homes

DO ANY BACKGROUND PAPERS APPLY **YES** **NO**

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink
App 1	Environmental Impact Assessment
App 2	Equality Impact Assessment
App 3	HEART Housing Assistance Policy

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Rugby Borough Council

Appendix 1 - Climate Change and Environmental Impact Assessment

CONTEXT

In 2019 the UK Parliament set a commitment in law to reach net zero carbon emissions by 2050. Achieving this target will require considerable effort with public bodies, private sector organisations, the third sector and individuals working together to take action. Rugby Borough Council declared a climate emergency in 2019, in doing so committed to:

- To move the Council's operations towards Carbon Neutrality by 2030.
- To establish action to tackle climate change as a key driver of all decision-making.
- To provide community leadership in reducing the impact of Climate Change.
- To take action to mitigate the impact of climate change on a Borough wide basis and beyond, through adaptation.

The Council's Corporate Strategy (2021-2024) [link](#) sets ambitious outcomes in relation to Climate Change. These ambitions must now be progressed through the decisions which the Council makes.

It is therefore important that Rugby Borough Council gives due regard to climate change when making decisions. In the context of the Council's business, Climate Change includes carbon emissions, biodiversity, habitat loss and environmental destruction. When putting forward recommendations for decision, officers must assess how these recommendations are likely to influence our climate change commitments by completing the following Climate Change and Environmental Impact Assessment.

A copy of this Climate Change and Environmental Impact Assessment, including relevant data and information should be forwarded to the Deputy Chief Executive.

If you require help, advice and support to complete the form, please contact Dan Green, Deputy Chief Executive.

SECTION 1: OVERVIEW

Portfolio and Service Area	Communities & Homes
Policy/Service/Change being assessed	HEART – Housing Assistance Policy (revisions to)
Is this a new or existing Policy/Service/Change?	It is an update to a policy that has been in place since 2018
If existing policy/service please state date of last assessment	N/a – pre dates EIA's
Ward Specific Impacts	All
Summary of assessment Briefly summarise the policy/service/change and potential impacts	<p>The report sets out proposed revisions to the current Housing Assistance Policy, adopted by the HEART partnership in 2018.</p> <p>The proposed revisions will ensure that the availability of grants will be both adequate (in financial terms) and provided in a timely way to reduce the likelihood of vulnerable disabled households falling into crisis due to the suitability of their existing home.</p> <p>If agreed, the revised policy will become effective from 1 October 2023.</p>
Completed By	Michelle Dickson
Authorised By	Dan Green
Date of Assessment	5 July 2023

SECTION 2: IMPACT ASSESSMENT

Climate Change and Environmental Impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner	Timescales
Energy usage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	HEART delivers a holistic assessment of the home environment. This means that an intervention can be to improve the home, for example with a new boiler for heating, as well as provide an adaptation. Any new boilers will be high energy efficiency rated			
Fleet usage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Sustainable Transport/Travel (customers and staff)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Sustainable procurement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Community leadership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Biodiversity and habitats	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Adaptation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There will be building regulation compliance issues for properties requiring more complex			

Climate Change and Environmental Impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner	Timescales
				adaptations. The regulations make provision for enhanced standards of thermal performance.			
Impact on other providers/partners	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

SECTION 3: REVIEW

Where a negative impact is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

Review date	N/a – no negative impacts identified
Key points to be considered through review	
Person responsible for review	
Authorised by	

Appendix 2 - EQUALITY IMPACT ASSESSMENT (EqIA)

Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sex/gender
 - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff.
10. For advice and support, contact:
Minakshee Patel
Corporate Equality and Diversity Advisor
minakshee.patel@rugby.gov.uk
Tel: 01788 533509

Equality Impact Assessment

Service Area	Communities and Homes
Policy/Service being assessed	HEART – Housing Assistance Policy
Is this is a new or existing policy/service? If existing policy/service please state date of last assessment	Update of an existing policy which was originally adopted in 2018.
EqlA Review team – List of members	Mary Jane Gunn and Michelle Dickson
Date of this assessment	25 July 2023
Signature of responsible officer (to be signed after the EqlA has been completed)	

A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality and Diversity Advisor.

If you require help, advice and support to complete the forms, please contact Minakshee Patel, Corporate Equality and Diversity Advisor via email: minakshee.patel@rugby.gov.uk or 01788 533509

Details of Strategy/ Service/ Policy to be analysed

<u>Stage 1 – Scoping and Defining</u>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	<p>The overarching objective of HEART, which is hosted by Nuneaton & Bedworth Borough Council, is to deliver holistic home assessments and interventions to enable applicants to remain living independently, and with dignity, in their home. In April 2023 the partners unanimously agreed, through their individual governance arrangements, to extend the current Shared Partnership agreement for a further 5 years.</p> <p>In addition to DFG's, Local Authorities also have the general power under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (the RRO) to give assistance for home repairs, improvements, and adaptations for the purpose of improving living conditions in its area.</p> <p>District and Borough Councils set out their intentions for grant funding in their Housing Assistance Policy. This balances out the needs of residents against budget availability. Where budget is available a Policy can be more generous than means tests and grant caps set out in the legislation. Since 2018 the HEART Partnership has had a single Policy to deliver grant funding.</p>
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	<p>Health and wellbeing: "Residents live healthy, independent lives, with the most vulnerable protected"</p>
(3) What are the expected outcomes you are hoping to achieve?	<p>The proposed amendments to the policy are legally compliant and are reactive to the current operating climate, where the cost of delivering property improvements have substantially increased, at a time when demand for the service has also increased.</p> <p>Failure to address these issues in policy terms will leave the most vulnerable unable to live safely, independently and with dignity in their own homes.</p>

(4) Does or will the policy or decision affect:

- Customers
- Employees
- Wider community or groups

The Housing Grants, (Construction and Regeneration Act 1996) states that a local authority *must* approve grants for adaptations to meet particular needs of those with disabilities if various provisions are met. These are:

- (a) that, in the case of an owner of a property, they have an interest in the property as an owner;
- (b) that the relevant works are necessary and appropriate to meet the needs of the disabled occupier; and,
- (c) that it is reasonable and practicable to carry out the works having regard to the age and condition of the dwelling, caravan, houseboat, or building concerned.

In determining point (b) above, the Council must consult the Social Services authority for the area concerned. This usually comprises an assessment by an Occupational Therapist or Social Worker who will make appropriate recommendations.

The Regulatory Reform (Housing Assistance) (England and Wales) Order 200 contains a broader power which may be available to undertake works where the conditions set out above are not met. This power also allows the Council to incur expenditure to carry out such adaptations to its own properties when the tenant has a disability which requires such assistance.

Formal guidance on delivery was provided in March 2022 by the Department for Levelling Up, Housing and Communities and Department of Health and Social Care entitled 'Disabled Facilities Grant Delivery' which local authorities must consider in exercising its functions under either of these powers.

The partnership arrangements also ensure that all the Local Authorities involved can meet their obligation to co-operate with Social Services authorities to assess need under the Care Act 2014 .

The "Integration and Better Care Fund planning requirements document for 2017 -19" explicitly states that the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 enables authorities to use specific funding for wider purposes and it invites Council to act to use the funding to improve delivery and reduce bureaucracy involved in the grant application process. The HEART governance arrangements and proposed Policy further that purpose.

<u>Stage 2 - Information Gathering</u>	As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, e.g. service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).
(1) What does the information tell you about those groups identified?	<p>As set out in the body of the report, the Housing Grants, (Construction and Regeneration Act 1996) states that a local authority must approve grants for adaptations to meet particular needs of those with disabilities if various provisions are met. These are:</p> <ul style="list-style-type: none"> a) that, in the case of an owner of a property, they have an interest in the property as an owner; b) that the relevant works are necessary and appropriate to meet the needs of the disabled occupier; and, c) that it is reasonable and practicable to carry out the works having regard to the age and condition of the dwelling, caravan, houseboat, or building concerned. <p>In determining point (b) above, the Council must consult the Social Services authority for the area concerned. This usually comprises an assessment by an Occupational Therapist or Social Worker who will make appropriate recommendations</p>
(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?	No - the policy applies to the determination of applications that will be received in the future.
(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.	The proposed changes are positive, rather than negative and have been generated off the back of lessons learned in respect of service delivery and the analysis of performance.

Stage 3 – Analysis of impact			
<p>(1) Protected Characteristics From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination? If yes, identify the groups and how they are affected.</p>	RACE No	DISABILITY Yes – positive	GENDER No
	MARRIAGE/CIVIL PARTNERSHIP No	AGE No	GENDER REASSIGNMENT No
	RELIGION/BELIEF No	PREGNANCY MATERNITY No	SEXUAL ORIENTATION No
<p>(2) Cross cutting themes (a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how? (b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>a) The availability of both the mandatory and discretionary grants extend to meeting the needs of dependent children with particular needs relating to disability.</p> <p>b) Yes – positively. The provision of aids and adaptations is all about enabling independence as far as is practicable within the home environment. This will lead to reduced physical stress on people with caring responsibilities, for example, if the correct equipment is on hand to enable independent bathing and getting up stairs.</p>		
<p>(3) If there is an adverse impact, can this be justified?</p>	N/a		
<p>(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)</p>	N/a		

(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?	The “Integration and Better Care Fund planning requirements document for 2017 -19” explicitly states that the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 enables authorities to use specific funding for wider purposes and it invites Council to act to use the funding to improve delivery and reduce bureaucracy involved in the grant application process. The HEART governance arrangements and proposed Policy further that purpose.
(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?	It does not – by its definition and scope it is focused on people with disabilities. That said, the client group may also share other protected characteristics.
(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?	No – the legislative requirements define who is eligible to access the service.

<u>Stage 4 – Action Planning, Review and Monitoring</u>																														
<p>If No Further Action is required then go to – Review & Monitoring</p> <p>(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.</p>	<p>EqlA Action Plan</p> <table border="1" data-bbox="875 1098 2119 1324"> <thead> <tr> <th data-bbox="875 1098 1122 1173">Action</th> <th data-bbox="1122 1098 1368 1173">Lead Officer</th> <th data-bbox="1368 1098 1615 1173">Date for completion</th> <th data-bbox="1615 1098 1861 1173">Resource requirements</th> <th data-bbox="1861 1098 2119 1173">Comments</th> </tr> </thead> <tbody> <tr> <td data-bbox="875 1173 1122 1209"></td> <td data-bbox="1122 1173 1368 1209"></td> <td data-bbox="1368 1173 1615 1209"></td> <td data-bbox="1615 1173 1861 1209"></td> <td data-bbox="1861 1173 2119 1209"></td> </tr> <tr> <td data-bbox="875 1209 1122 1246"></td> <td data-bbox="1122 1209 1368 1246"></td> <td data-bbox="1368 1209 1615 1246"></td> <td data-bbox="1615 1209 1861 1246"></td> <td data-bbox="1861 1209 2119 1246"></td> </tr> <tr> <td data-bbox="875 1246 1122 1283"></td> <td data-bbox="1122 1246 1368 1283"></td> <td data-bbox="1368 1246 1615 1283"></td> <td data-bbox="1615 1246 1861 1283"></td> <td data-bbox="1861 1246 2119 1283"></td> </tr> <tr> <td data-bbox="875 1283 1122 1319"></td> <td data-bbox="1122 1283 1368 1319"></td> <td data-bbox="1368 1283 1615 1319"></td> <td data-bbox="1615 1283 1861 1319"></td> <td data-bbox="1861 1283 2119 1319"></td> </tr> </tbody> </table>					Action	Lead Officer	Date for completion	Resource requirements	Comments																				
Action	Lead Officer	Date for completion	Resource requirements	Comments																										

(2) Review and Monitoring
State how and when you will monitor policy
and Action Plan

The review of the policy will fall under the wider governance arrangements of the HEART shared service.

Please annotate your policy with the following statement:

'An Equality Impact Assessment on this policy was undertaken on (date of assessment) and will be reviewed on (insert review date).'

Appendix 3- Housing Assistance Policy 2023-2026

Date of Issue :	24 April 2023	Next Review :	April 2024	
Last Reviewed by				
Policy Owner	Partner Local Authorities / HEART Management Board			
Approval Date				
Author				
Version Control				
Document ID.				

Version History

Version	Author	Date	Changes
1.0	Foundations (Rachel Frondigoun)	31/10/2022	Initial Draft shared for consultation
2	Angela Coates	29/11/2022	Revised Draft for consideration by HEART Board
3	Angela Coates	5/1/2023	Revised draft to share with Private Sector Managers
4	Angela Coates	20/2/2023	Revised Draft for consideration by HEART Board
5	Angela Coates	17/3/2023	Revised Draft for Shared Service Agreement
6	Angela Coates & PC	20/4/2023	To incorporate Paul Hughes feedback
7	Angela Coates	3 May 2023	Final draft agreed by Board

Contents

1.0	Introduction	3
2.0	Context.....	3
	Legal Context	3
	Local Strategic Context	4
3.0	General Principles of Assistance	4
4.0	Resident Feedback	5
5.0	Equality and Diversity	5
6.0	Priorities and capital resources.....	6
7.0	Summary of Types of Assistance available	6
	7.1 Mandatory Disabled Facilities Grants	6
	7.2 Additional Discretionary Support for Mandatory DFG Applicants including:.....	6
	7.3 Other Assistance	6
8.0	How assistance is delivered	10
	Option 1 – HEART Managed application process.....	10
	Option 2 – Customer Contractor process.....	10
	Option 3 – Customer Managed process	10
9.0	HEART Contractors	11
10.0	Fees and Ancillary charges	11
11.0	Prioritisation	12
12.0	Complaints	14
13.0	Service standards, Key Targets.....	14
14.0	Review of the policy	14
15.0	Special Cases Panel	15
16.0	Key definitions, references, and abbreviations.....	15
17.0	Appendices	18
	Appendix A. Mandatory Disabled Facilities Grant and amendments	18
	Appendix B. Discretionary Disabled Facilities Assistance	23
	Appendix C. Discretionary Contribution Support Grant.....	25
	Appendix D. Warm and Safer Homes (WaSH) Grant	28
	Appendix E. Hospital Discharge Scheme	29
	Appendix F Home Safety Check Scheme	30
	Appendix G. Energy Efficiency Support.....	32
	Appendix H – Signatories and Key Dates.....	33

1.0 Introduction

- 1.1 This policy is a shared housing financial assistance policy for all the districts and boroughs within Warwickshire, namely, North Warwickshire Borough Council, Nuneaton and Bedworth Borough Council, Rugby Borough Council, Warwick District Council and Stratford on Avon District Council (known as ‘the authorities’ for the purpose of this policy). It sets out their shared approach to providing housing assistance for improving living conditions for residents. The policy has been developed in Partnership with Warwickshire County Council, as the Care Authority, and aims to support some of the most vulnerable people in the County by providing a framework for financial assistance under the provisions of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. This policy seeks to make the best use of available resources and achieve added value wherever possible that demonstrates improvements in residents’ health, safety, and wellbeing at home.
- 1.2 The authorities that are partners in the Home Environment Assessment and Response Team (HEART) will deliver the support outlined within this policy. This service has delegated powers to act on behalf of the authorities with respect to the delivery of support under this policy and therefore, unless stated otherwise, any reference to ‘the authorities’ is the HEART partnership.
- 1.3 This policy updates and replaces all previously published policies and has been reviewed following changes in both national guidance, the Government social care White Paper publications and changes in the operational landscape (including increases in costs and funding available).
- 1.4 The policy will be reviewed annually by the HEART Management Board and if appropriate amended with approval sought by the District and Boroughs as required.
- 1.5 The Councils can publish a separate policy or addendum to this policy to incorporate other forms of financial assistance for delivery within their own areas by other teams or services.

Context

Legal Context

- 2.0 The **Housing Grants, Construction and Regeneration Act 1996** (the 1996 Act) places a statutory duty on Local Authorities to help qualifying disabled people for home adaptations. These works (called eligible works) must be considered “necessary and appropriate” to meet their needs and “reasonable and practical” regarding the age and condition of the property. These are called Disabled Facilities Grants (DFGs).
- 2.1 As well as these mandatory grants, Local Authorities also have the general power under the **Regulatory Reform (Housing Assistance) (England and Wales) Order 2002** (the RRO) to give assistance for home repairs, improvements, and adaptations for the purpose of improving living conditions in its area.
- 2.2 Capital grant funding is passported to local housing authorities from the Better Care Fund (BCF) which combines money from health, social care and housing budgets to deliver health and care services. Any assistance provided from this fund must only be used for the specific purpose of funding adaptations for disabled people who qualify

for a Disabled Facilities Grant made under the 1996 Act or for other forms of assistance provided to any persons under the RRO that meet agreed objectives.

- 2.3 The **Care Act 2014** requires local authorities to identify, provide and arrange services, facilities and resources to prevent, delay or reduce the needs of individuals either for care or support. This includes home adaptations.
- 2.4 The **Chronically Sick and Disabled Persons Act 1970** places a duty to assist disabled children and young people 'in arranging for the carrying out of any works of adaptation in [their home] or the provision of any additional facilities designed to secure [their] greater safety, comfort or convenience' (Section 2). This duty arises where the authority has assessed the need for the specific adaptations.
- 2.5 In addition, **National guidance** (Safeguarding Disabled Children –Practice Guidance (2009) and Working Together to Safeguard Children - A guide to inter-agency work safeguard & promotes the welfare of children (2010)) also informs practice in respect of a local authority's duty to safeguard and promote the welfare of children and young people.
- 2.6 Under the **Housing Act 2004**, Local Authorities have a duty to keep housing conditions under review, including having regard to and taking action to reduce hazards that might be dangerous or prejudicial to health.
- 2.7 The **2022 DFG Guidance** jointly published by the Department for Levelling Up Housing and Communities (DLUHC) and the Department for Health and Social Care (DHSC) provides new guidance on developing a adaptations and RRO policy. It has been considered whilst writing this Housing Financial Assistance Policy.

Local Strategic Context

- 2.8 Each individual local housing authority has its own strategic objectives which are reflected in the priorities for this assistance policy. The policy also seeks to support the County-wide shared objectives of the Better Care Fund (BCF) Plan. The BCF plan states that "*Creating a home environment that supports people to live safely and independently can make a significant contribution to health and wellbeing, and is an integral part of our integration plans, and strategic use of the DFG can support this.*"
- 2.9 The authorities are working collaboratively through this policy to deliver services to support vulnerable residents to remain living safely in their homes for as long as possible.

3.0 General Policy Principles

- 3.1 The principle of the policy is that all residents in the County should have access to a safe and warm home, free from major hazards that meets their needs. The primary responsibility to maintain private homes lies with the owner. The Authorities will support owners in fulfilling this responsibility by providing advice, support, and assistance to enable them to make use of their own resources to fund repairs and improvements. They will only provide financial assistance where this is not possible or practical or where it is a statutory requirement. The Council will assist residents who are owners and tenants to remain living independently within their homes within the scope of this policy.
- 3.2 Applicants for assistance must:

- be aged 18 or over, although applications for grants can be made on behalf of children under the age of 18 by a parent or guardian, and
 - be a UK citizen, and resident in the County.
- 3.3 Funding calculations are based on what is considered by the authorities to be a reasonable price for necessary work (known as the eligible expense). Eligible expense will always exclude labour where works are carried out by the applicant, or a member of their family as set out in the Act. This applies to works provided under the RRO.
- 3.4 Where financial assistance is provided, the eligible expense will include necessary associated costs such as building and planning fees, Architect, private Occupational Therapist and other professional fees and agency advice service costs as detailed in the legislation and applies across these policy interventions.
- 3.5 Ongoing maintenance and repair of home improvements, adaptations and equipment provided through this policy will become the responsibility of the applicant, owner or landlord.
- 3.6 Payment will only be made if acceptable invoices are submitted upon completion or throughout the work.
- 3.7 Financial assistance cannot be given retrospectively. Applicants are strongly advised not to start any eligible work before their application for assistance is approved.
- 3.8 Payment will normally be made direct to the main contractor(s) not their sub-contractors or grant applicant(s) though HEART reserves the right to pay the appropriate person where disputes occur.
- 3.9 Where the applicant decides to apply directly to the Council without using the HEART service the Authority reserves the right not to process and application in accordance with the legislation placing the onus on the applicant. Once approval has been given the applicant has 12 months from the date of the approval in which to complete the works, unless otherwise stated.
- 3.10 A fee is charged when HEART manage the delivery of the adaptation. The fee is agreed by the HEART Board, is kept under review and published on the HEART website information.

4.0 Customer Feedback

- 4.1 Customer feedback is collected to inform the service. To support this Policy customer experiences will be shared with the HEART Management Board so that concerns and observations about the effectiveness of the policy can be assessed.

5.0 Equality and Diversity

- 5.1 The authorities are committed to fulfilling their roles as an employer, service provider, purchaser of goods and services and community leader without discrimination. This policy will be applied fairly and give equal treatment regardless of age, disability, gender, sexual orientation, transgender status/gender reassignment, race, and religion/belief. All members, employees and agents of the authorities must seek to eliminate discrimination and promote equality and good relations between all groups. The Authority's equality information can be found on the individual authority's websites.
- 5.2 This policy is particularly relevant for anyone who has a disability or long-term condition. Its aim is to ensure that people have a safe and suitable home so that they can live independently in their current home for as long as is possible.
- 5.3 The Authorities will record and consider data where supplied to gain insight on the impact of this policy on diverse customers and help improve operational processes

6.0 Priorities and capital resources

- 6.1 Since 2015 the Disabled Facilities Grant allocation has been paid by Government to local authorities through the Better Care Fund to support integration between health, social care and housing services.
- 6.2 The importance of the DFG has been recognised by increased budget allocations to a county-wide allocation of £5,124,786 (2022) annually. This level of funding has been confirmed for 2023/2024.
- 6.3 The grant allocation is used to fund the assistance set out in this policy. The HEART Management Board receive budget reports quarterly and keep demand and spend under review. Annually the Board agrees the budgets for the forthcoming year.

7.0 Summary of Types of Assistance available

The following assistance is available through this policy:

7.1 Mandatory Disabled Facilities Grants

Grants that local authorities must make available to residents who meet the required qualification criteria as set out in the 1996 Act, and the accompanying regulations and subsequent amendments.

7.2 Additional Discretionary Support for Mandatory DFG Applicants:

The following grants are discretionary and are offered subject to Council funding and resources available at the time:

- 7.2.1 Discretionary Disabled Facilities Assistance
- 7.2.2 Discretionary Contribution Support Grant

Where a discretionary element is being applied to top up a Disabled Facilities Grant it will be included on one approval notice.

7.3 Other Assistance

The following grants and assistance are discretionary and are offered subject to Council funding and resources available at the time:

Warm and Safer Homes (WaSH) Grant



Hospital Discharge Grant
Home Safety Grant
Energy Efficiency Support & Referral

As part of this Policy, following an assessment, funding is made available to cover the likely costs of stairlifts and ramps without the requirement for a means test.

Additional forms of assistance may be developed and added to a revised policy at a future date.

Further details of the assistance types are within the appendices to this policy. The table below provides a summary of the assistance available through this policy.

Additional Discretionary Support for Mandatory DFG Applicants				
Grant	Max Amount	Is a Financial Means Test Required?	Who is Eligible?	How is Eligibility assessed?
<p>Discretionary Disabled Facilities Assistance</p> <p>To top-up a mandatory DFG where cost of eligible work exceeds the maximum grant (currently £30,000)</p> <p>The grant can be used to pay fees.</p> <p>The assistance can be used to support applicants to move where their home is unsuitable for adaptations</p>	<p>£20,000 Grant</p> <p>And up to</p> <p>£20,000 Loan</p>	<p>No additional means test to that carried out in addition to the Mandatory DFG means test</p>	<ul style="list-style-type: none"> • Disabled applicants who are owner-occupiers, private/ housing association tenants. • Parents/guardians applying on behalf of children under 19 years old. 	<ul style="list-style-type: none"> • The applicant has been assessed as eligible for a mandatory DFG and the cost of the DFG eligible works is in excess of the maximum DFG grant.
<p>Discretionary Contribution Support Grant</p> <p>Please refer to flow chart at Appendix C</p> <p>This helps applicants who may otherwise would not be able to proceed because of the means tested contribution. This supports wider social care & health objectives.</p>	<p>£30,000</p>	<p>No additional means test to that carried out for the Mandatory DFG</p>	<ul style="list-style-type: none"> • Disabled applicants who are owner-occupiers, private or housing association tenants. 	<ul style="list-style-type: none"> • The applicant has been assessed as eligible for a DFG. • The first £7,500 of any assessed contribution will automatically be eligible for funding. It is anticipated that this will cover the cost of stairlifts and ramps in most cases and other adaptations up to this amount can be considered. • Where the eligible works are likely to be below £7500 then no means test will be carried out. • Unforeseen works will be funded without a further means test.

Other Assistance				
Grant	Max Amount	Is a Financial Means Test Required?	Who is Eligible?	How is Eligibility assessed?
Warm and Safer Homes (WaSH) Grant	£20,000	The qualifying financial criteria are at Appendix D	<ul style="list-style-type: none"> Eligible owner-occupiers 	<ul style="list-style-type: none"> The applicant must be an owner occupier and must meet the financial eligibility criteria Only 1 grant will be awarded in any 5 year period The applicant must have owned the property for 5-years prior to grant award
Hospital Discharge Grant	£10,000	No	<ul style="list-style-type: none"> Eligible disabled or vulnerable residents as assessed by the referrer and HEART team members 	<p>The works must be required to :</p> <ol style="list-style-type: none"> Enable faster discharge from hospital Reduce the risk of re-admission Address significant difficulties in providing safe and dignified home-based care
Home Safety Grant Scheme	Home Safety matters considered and up to £1,000 for works.	No	<ul style="list-style-type: none"> Any resident aged 55 years or over Any household which includes a disabled person 	The Home Safety Check is available to all eligible residents. Preventative works will be funded to where no Care Act need has been identified

8.0 How assistance is delivered

Option 1 – HEART Managed Process

8.1.1 By agreement the HEART Service can fully assist the customer with the application process. The Team will work with the customer to do an assessment of circumstances and complete an application as well arrange for the delivery of the eligible works. For many customers this can be the easiest option.

8.1.2 The Team will:

- Carry out a needs assessment of person and property
- Where applicable, assess the applicant's financial circumstances in accordance with the statutory **means test or local financial criteria** which will identify any contribution to be paid towards the cost of the works or whether the applicant qualifies.
- Discuss how the adaptations / eligible works can be provided in the home and what building works or alterations are required to provide them.
- Agree the eligible works and arrange an Architect to design extensions and seek planning permission or building regulations approval if required.
- Assist in the completion of the application process for the DFG.
- Arrange contractors and seek quotes and specifications.
- Help to oversee the works on site on behalf of the applicant.
- Consider unforeseen works for additional grant assistance.
- Agree payments with the customer and ensure the customer receives appropriate certificates and guarantees.

Option 2 – Customers own Contractor Process

8.2 This option is where an applicant may wish to use the services of the HEART service to assist with their application for DFG or other assistance. An Architect may be appointed to provide drawings and consider planning permission requirements from HEARTS framework. However the customer can seek their own architectural services.

8.3 The customer is responsible seeking at least 2 quotes from contractors sourced by themselves and for managing the works. Advice and guidance can be provided.

Option 3 – Customer Managed Process

8.4 This option is where an applicant may wish to complete all elements of the application, supporting information and sourcing professional and contractor services themselves. An applicant can use their own Architect or draftsman and contractors to plan, develop or build a preferred scheme that meets the needs identified by the local authority. Any grant provided will be on the basis of meeting the assessed needs only and at a basic level of design fixtures and fittings.

9.0 HEART Contractors

9.1 The HEART service maintains a framework of contractors that undertake grant funded works. The procurement arrangements accord with the HOST authority Contract Standing Orders.

HEART has several types of contractors and specialist services within its supply chain. These include

- Architects
- Asbestos surveying companies
- Stair lift manufacturers and installers
- Bathroom installers
- Ramp installers

9.2 HEART effectively links contractors and suppliers with applicants that receive a grant and the contractual relationship is set out in the terms of the HEART agreement document signed by customers. Nonetheless there is a relationship between the contractor and HEART / HOST authority in conjunction with the applicant and HEART will work with customers and contractors to try to resolve issues that arise from HEART sourced contractors.

9.3 Each job that is intrusive to the building fabric will be subject to an asbestos survey to determine if specialist removal or precautions are necessary to complete the job. This survey will be paid from the capital grant irrespective of whether work progresses as will other specialist survey or design works where the grant works do not progress.

10.0 Fees and Ancillary charges

10.1 The Council will consider reasonable fees for financial assistance. The following fees will be eligible for financial assistance if they have been properly incurred in making and processing an application or delivering the eligible works.

- Confirmation, if sought by the Council, that the applicant has a relevant owner interest
- Relevant legal fees
- Technical and structural surveys
- Design and preparation of plans and drawings
- Preparation of schedules of relevant works
- Assistance in completing forms.
- Applications for building regulations approval (including application fee and preparation of related documents), planning permission, listed building consent and conservation area consent (and similar)
- Activities associated with contractors and the obtaining of estimates
- Consideration of tenders
- Liaison between customer and contractor regarding the relevant works and troubleshooting.
- Framework contract management
- Disconnection and reconnection of utilities where necessitated by relevant works

- Payment of contractors

10.2 Where the above services are provided by HEART they are included within the service fee which will be levied at the percentage rate agreed by the HEART Management Board.

10.3 Fee's will be paid in addition to the financial assistance limits but will not be levied on grants with a non-time limited land-charge so they do not become repayable.

11.0 Prioritisation of Case Types

11.1 For most cases the Council will prioritise cases in in chronological order of receipt of enquiry.

11.2 If appropriate the team will instigate a triage process to escalate an urgent case. The triage process has regard to the criteria outlined in the 2022 DFG Guidance¹

- Coming out of hospital and at risk
- Living alone and deemed at significant risk
- Severe cognitive dysfunction and at risk
- Living with a carer who is elderly or disabled
- Living without heating or hot water and at risk
- Limited life expectancy,
- The property subject of the enquiry is in such a condition as to present an immediate and significant danger to the occupants or visitors.

11.3 Cases which are consulted on with other agencies will be dealt with as required as there is often a long lead in period e.g. home suitability cases or children's adaptations. Where a property, case, customer, or category of assistance is to be considered outside of chronological order when not deemed an urgent case, the HEART Team Manager / Private Sector Housing Manager will sanction the action and a written record will be retained on file in justification of that decision. Where a case can be delivered at the initial enquiry stage for example a home safety provision of equipment or minor adaptations then these will be directly issued by the duty team to remove undue delays for straightforward solutions.

¹ <https://www.gov.uk/government/publications/disabled-facilities-grant-dfg-delivery-guidance-for-local-authorities-in-england>

11.4 All enquiries will be allocated a priority of 'Standard' or 'Urgent' upon assessment and applicants may request a review of their priority by the Assessing Officer if they believe their needs to have changed at any time in the process. To meet the needs of certain cases HEART has triage process so that urgent cases can be escalated. The following list is not exhaustive. It is intended to provide guidance as to when an enquiry could be considered urgent. The target date for completing an urgent assessment is 2 weeks.

- Life limiting condition – e.g. Motor Neurone Disease, Huntington's disease.
- End of life where an adaptation or repair is required
- Palliative diagnosis where an adaptation or repair is required
- High risk to health / safety / wellbeing
- High risk of informal / formal carer breakdown
- High risk to informal / formal carer health and safety
- The condition of the property results in a high risk
- No fixed form of heating from November to March
- No hot water supply in the property
- Works are necessary to facilitate discharge from hospital or nursing or residential care
- An adaption is required to facilitate an essential aspect of care / treatment. e.g. a ramp is required to facilitate wheelchair access in and out of the property for regular hospital treatment such as dialysis.
- Severe cognitive dysfunction that results in a high-risk situation
- Unable to access some essential facilities and lives alone, no formal / informal support
- Adaptations required to enable a care package to commence and there is no other alternative, this could result in a risk of hospital admission
- Some safeguarding matters, depending on nature

12.0 Complaints

- 12.1 The HEART Partnership Agreement provides for the HOST's complaints procedure to be used in the first instance. If the customer is not happy with the response given the Local Authority providing the grant funding will be involved in considering the first stage of the complaint and will respond independently at stage 2 of the procedure. The complaints procedure is shown on Nuneaton and Bedworth Borough Council's website or can be obtained from their customer services team.

13.0 Service standards, Key Targets

- 13.1 There is no national standard for the services provided through this policy excepting a statutory requirement for Councils to determine valid and fully made applications for mandatory DFG within six months. This does not account for pre-application activities such as the screening process and the 'application support' and administration including occupational therapy assessment, means testing, producing specifications, finding contractors. Some delays may be caused by documentation not being provided or decisions made by the applicant.
- 13.2 Legislation requires that works be completed within 12 months of any DFG grant approval being issued, but this can be extended by negotiation if there are valid reasons to do so, such as the customer receiving care, occasional changes in contractor or specification, complex snagging etc.
- 13.3 Locally, the service aims to apply the funding it receives fully each year with minimal waiting lists whilst maximising the outcome for customers.
- 13.4 The HEART Team is committed to ensuring good quality customer service and the performance measures used are based around measuring and improving the quality of service and customer outcomes as well as ensuring improvements in the speed of service delivery.

14.0 Review of the policy

- 14.1 The Policy may be reviewed whenever necessary but certainly annually in conjunction with the consideration of budgets for the service. Minor changes to the policy may be approved in accordance with District and Borough governance requirements. Major changes to the policy will require the approval using the partner Authority's governance arrangements. It is the intention that the policy remains consistent across the 5 districts of Warwickshire.

15.0 Special Cases Panel

- 15.1 The Special Cases Panel will consist of senior officers from HEART. At least one of them should be the Head of Home Environment Services or the HEART Manager.
- 15.2 The Panel will meet as required to review complex cases requiring additional funding and applications for specific additional discretionary assistance.
- 15.3 This Panel will also review all cases where applicants wish to appeal a decision regarding their case if they believe that their circumstances are not fully reflected within the scope of this policy and how it is implemented.
- 15.4 Residents can appeal where if their particular circumstances are not adequately reflected through the existing policy. The claim can only be successful if they establish to the satisfaction of the Panel that their case falls within the following criteria:
- Failure to carry out works will place the applicants or existing family's health and safety at immediate risk;
 - The applicant or member of their family has a specific and serious medical condition or disability – including mental health – which is being aggravated by the existing condition of the property and the provision of assistance would significantly improve the condition;
 - The condition of the house will imminently prevent the ability of the existing family to continue to live together;
 - The condition of the property will lead to the intervention of other statutory services, thereby causing additional expenditure from other public sources e.g. children being taken into care;
 - The work would be of wider benefit than to the applicant and their family e.g. where other properties are affected.
- 15.5 In all the above cases:
- The applicant has no means by which they could reasonably be expected to fund the work, either privately or with 'welfare' assistance, and
 - The assisted works must significantly reduce the problems under the above criteria, described by the applicant or identified by the Council
- 15.6 Where an appeal is successful the assistance offered may be one of the types contained within this policy or a variation.

16.0 Prioritisation of Assistance

This policy includes both mandatory and discretionary assistance. It also helps remove housing hazards that local authorities have a statutory duty to take action to help reduce the risk from. Capital resources to fund the assistance within the policy are limited and at times it may be necessary for the provision of discretionary assistance will need to be curtailed or suspended when budget forecasts suggest that mandatory grants will need to be prioritised to ensure they are funded.



Under the delegated responsibilities from each Local Authority it has been agreed that for budgetary reasons the responsible officer within the authority can suspend the discretionary assistance in consultation with the relevant Board Member. This will be in the form of a delegated officer decision and will be published on the Councils' website.

The priority hierarchy is as follows:

- 1 Mandatory DFG
- 2 Discretionary DFG
- 3 Warm and Safer Homes Grants
- 4 Hospital Discharge Grants
- 5 Home Safety Grant
- 6 Contribution Support Grant

17.0 Key definitions, references, and abbreviations

RRO – Regulatory Reform (Housing Assistance) (England and Wales) Order 2002
<http://www.legislation.gov.uk/ukxi/2002/1860/article/3/made>

The 'Act' (1996) – Housing Grants, Construction and Regeneration Act 1996
<http://www.legislation.gov.uk/ukpga/1996/53/contents>

The 'Guidance' (2022) – National DFG Guidance published March 2022 by Government
<https://www.gov.uk/government/publications/disabled-facilities-grant-dfg-delivery-guidance-for-local-authorities-in-england>

DFG – Disabled Facilities Grant.

DDFA – Discretionary Disabled Facilities Assistance

BCF – Better Care Fund

WCC – Warwickshire County Council

NBBC – Nuneaton & Bedworth Borough Council

NWBC – North Warwickshire Borough Council

RBC – Rugby Borough Council

SoADC – Stratford on Avon District Council

WDC – Warwick District Council

HEART – Home Environment Assessment and Response Team

DLUHC – Department for Levelling Up, Housing and Communities

HHSRS – the Housing Health & Safety Rating System, the prescribed system under the Housing Act 2004 for measuring hazards associated with housing conditions

ECO – Energy Company Obligation

Certified Date – the date certified by the service on behalf of the Council as that on which the execution of eligible works is completed to the Councils (HEART) satisfaction. In this instance being the works completion date.

Dwelling – a building or part of a building occupied or intended to be occupied as a separate dwelling, together with any yard, garden, outhouse and appurtenance belonging to it or usually enjoyed with it.

Exempt disposal – a disposal or transfer of the whole or part of the premises to a person whose main residence is the property and who is (a) one of the joint owners of the dwelling, or (b) the wife, husband or partner (including same sex) of the owner or one of the joint owners of that property.

Relevant disposal – a conveyance of the freehold or an assignment of the lease, or the granting of a long lease (one of over 21 years, otherwise than at rack rent)

Member of family – a person is a member of the applicant's family if they are the spouse of the applicant or living together as partners, or is the grandparent, parent or dependent child

of the applicant or their spouse or partner (inclusive of same sex partners, step-children, adopted and foster children).

Owner-occupier – whilst this term is self-explanatory, where appropriate it will include certain tenants with repairing type leases (sometimes called FRI or Full Repairing and Insuring Leases, of a suitable duration) who would otherwise be unable to insist their ‘superior landlord’ undertake renovations. Repairing lease tenants would qualify for DFG in their own right, with permission.

18.0 Appendices

Appendix A. Mandatory Disabled Facilities Grant and amendments

This is included for context and information purposes and includes locally agreed amendments.

The Council will award mandatory Disabled Facilities Grant (DFG) according to the governing legislation – principally the 1996 Act and subordinate Regulations and Orders as amended - and guidance issued by central Government, and which details amongst other matters the types of work that are to be funded, the maximum grant payable (currently £30,000), and the test of financial resources where applicable.

Qualifying Criteria

All owner-occupiers and tenants, licensees or occupiers who can satisfy the criteria in sections 19-22 of the 1996 Act are eligible to *apply* for DFG, but applicants must be aged 18 or over (this does not apply to the disabled person, who may be younger). Tenants of Private Social Housing Providers and private landlords are also eligible to apply. Council tenants will be referred to their Housing Authority Landlord after initial assessment by HEART which will consider the adaptation in the context of their housing management policies. Being eligible to apply does not automatically confer approval – some cases will not meet statutory tests as described below, and others may have significant means tested contributions that will affect their decision making.

As a part of the application process, the Authorities will require certificates relating to property ownership and future occupation and will request permission from the owner. The Authorities would reasonably want to ensure the tenant has the right to carry out the works and that the landlord would not object.

Qualifying Works

Those works eligible for mandatory DFG are set out in section 23(1) of the 1996 Act, as amended. These are;

- i. facilitating access by the disabled occupant to and from the dwelling, qualifying houseboat, or qualifying park home, (now including the garden) or
- ii. making the dwelling, qualifying houseboat or qualifying park home safe for the disabled occupant and other persons residing with them;
- iii. facilitating access by the disabled occupant to a room used or usable as the principal family room;
- iv. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;
- v. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a lavatory, or facilitating the use by the disabled occupant of such a facility;

- vi. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility;
- vii. facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a wash hand basin, or facilitating the use by the disabled occupant of such a facility;
- viii. facilitating the preparation and cooking of food by the disabled occupant;
- ix. improving any heating system in the dwelling, qualifying houseboat or qualifying park home to meet the needs of the disabled occupant or, if there is no existing heating system or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet their needs;
- x. facilitating the use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
- xi. facilitating access and movement by the disabled occupant around the dwelling, qualifying houseboat or qualifying park home in order to enable them to care for a person who is normally resident and is in need of such care;
- xii. facilitating access to and from a garden by a disabled occupant; or making access to a garden safe for a disabled occupant.

Local amendments to DFG

Council Tax

Council Tax reduction is eligible as a passporting benefit.

Warranty Provision

The Authorities will include as part of the mandatory DFG the cost of a maintenance agreement for a period of five (5) years (where available) from the certified date for stair lifts, through-floor lifts, Clos-o-mat type toilet, step-lifts and similar equipment installed with the assistance of that grant. Where maintenance agreements of 5-years are not available through the Manufacturer the Council will fund the maximum warranty that is available. Where installing a reconditioned stair lift, any unspent warranty will be increased to the full 5 years if possible.

Necessary, Appropriate, Reasonable & Practicable

A DFG will only be made if the works are both 'necessary and appropriate' and 'reasonable and practicable'. Where an applicant prefers a different scheme of works to that approved by the Council, the Authority may offer to 'offset' the value of the original scheme towards those greater works with appropriate safeguards. This is at the discretion of the Authority.

Works which have been started prior to the approval of an application will not be eligible for financial assistance.

Unexpected works which arise during the carrying out of eligible works will be considered for assistance if the works could not have been reasonably foreseen and if they are vital to the completion of a safe and effective adaptation.

Unforeseen works carried out without prior approval of the Authority will not be eligible for assistance. Where unforeseen works are necessary these will be added to the grant up to the specified maximum for mandatory DFG. Costs above the mandatory grant maximum may be supported as discretionary DFA in accordance with this policy. Care must be taken when agreeing to schemes of works on third-party property such as tenanted accommodation, that the property owner is fully engaged with the decision process. This is also particularly important

where an architect or similar is acting on the customers behalf, and where issues such as planning permission, building control and other regulation are involved.

Contractors

The DFG award is for a sum of funding only and is not inclusive or exclusive of using particular contractors or products. Customers may specify and choose their own contractors, agent, products and design – but take responsibility for those choices, as long as the contractors are suitably qualified, and the result meets the HEART Service and Occupational Therapist's requirements. Contractors will need to be insured and appropriately regulated where appropriate.

Financial Assistance

Mandatory DFG will be subject to a means test in accordance with the regulations made under the 1996 Act, as amended. The maximum mandatory DFG award is currently £30,000 minus any contribution required by a 'means test' (test of financial resources). Successive applications may be awarded for those persons whose condition is degenerative, or they develop additional needs. If the maximum grant limit is changed by statute then the maximum available DFG award by the Authorities will reflect this.

Where successive applications are awarded, the applicants' assessed contribution to the first grant award will be taken into account if within the time period of the contribution originally calculated (10 years if owner, 5 years if tenant).

NOTE: where an applicant is in receipt of a recognised, qualifying, means tested benefit they will not be further means tested and they will have no calculated contribution to make. Where works are for the benefit of a child or young person of 19 years of age or younger at the date of application – they too will be exempt from a means test.

Order of processing applications

DFG applications or recommendations will usually be processed in chronological order, in line with any approved priority system, excepting in emergency circumstances at the discretion of the Authority.

Recovery of assistance awarded

Some mandatory DFG may be recoverable in accordance with permitted values. Where the customer is an owner-occupier and not a tenant, a sum of up to £10,000 may be recovered for works more than £5,000. This sum would only be recovered if the property were sold or title otherwise transferred within 10 years of the certified (completion) date of works, subject to the Council's discretion to reduce or waive in the case of financial hardship. All recoverable costs would be registered as a land charge against the property.

NOTE: this is separate and different to the potential repayment of grant in the event of a breach of occupancy conditions or detected fraud. Also, Councils are entitled to recalculate grant awards in limited circumstances, such as for example if any relevant insurance claims are pending, and to cease making payments and to seek repayment in some cases as detailed in sections 40-42 of the 1996 Act.

Conditions relating to Contractors, Standard of Works and Invoices

In approving an application for financial assistance, the Council will require as a condition that the eligible works are carried out in accordance with any specification it has decided to impose.

The eligible works must be carried out by the contractor(s) upon whose estimate the financial assistance is based, or if two estimates were submitted, by one of those contractors. The Council's consent must be obtained prior to the works if a contractor who did not submit an

estimate is to carry out the works, and if an agreement is given, an estimate from the new contractor must be submitted to the Council (this does not automatically convey a difference in revised grant award – any additional costs must be separately financed by the client).

An invoice, demand or receipt will not be acceptable if it is given by the applicant or a member of the applicant's family. Where works are carried out by the applicant or a member of their family, only the cost of materials used will be eligible for financial assistance.

It is a condition of the financial assistance that the eligible works are carried out within 12 months of the date of approval of the application. This period may be extended by the Council if it thinks fit, particularly where it is satisfied that the eligible works cannot be completed for good cause – requests for additional time must be made in writing before the 12-month period ends and approved extra time will be confirmed in writing by the Council.

The payment of the financial assistance to the applicant will be dependent upon the works being carried out to a standard that is satisfactory to the Council and upon receipt of a satisfactory invoice, demand, or receipt for the works and any preliminary or ancillary services or changes.

The Council will usually make payments direct to the contractor on behalf of the client, and not usually to the applicant. Where the applicant disagrees with a payment made direct to a contractor, no payment shall be made until any dispute is resolved. Where the dispute is not resolved the Council reserves the right to make payment to the contractor. Legislation permits the Council to make payment by delivering to the applicant an instrument of payment in a form made payable to the contractor, OR by making payment direct to the applicant in accordance with information provided prior to grant approval.

NOTE: Contractors receiving direct payment may be required to provide sufficient information to be set up on the Council's financial systems – BUT this should not frustrate the client's choice, as the mandatory DFG grant (only) is an award of funds and not an award tied to a specific contractor with additional financial conditions.

Future occupation of the dwelling

It is a condition of the grant that throughout the grant condition period (that is 5 years from the date of certification) the dwelling is occupied in accordance with the intention stated in the certificate of owner occupation or availability for letting or intended tenancy.

Customer Own Schemes (COS)

Customers who meet the Disabled Facilities Grant (DFG) eligibility and are therefore entitled to a grant allocation may wish to 'top-up' the DFG funding. The DFG recommendation by the Occupational Therapist will be for the most cost-effective solution which meets all identified needs and will look to adapt an existing property. Where a customer wishes to pursue a different scheme, they will be responsible for the difference in costs between the DFG 'Mandatory Scheme' and the final cost of the works, including unforeseen costs.

It is the responsibility of the customer to clearly define what is privately funded works and specifications and provide an itemised costing for those works. The Council will only fund the assessed DFG element of the works and customers will be responsible for unforeseen works and contingency funding where these are not clearly associated with the assessed works.

The HEART surveyor and Occupational Therapist will work with the customer, their architect and builders as applicable, to ensure that the final scheme meets the disabled person's needs and where applicable planning and building control regulations have been adhered to.

Where a customer is progressing along this route there will be additional responsibilities for the customer to comply with all legal requirements including construction legislation and the grant

legislation. The customer will be responsible for any additional funding beyond the grant award, for any contingency and for management of the contractors and service providers. Payment of grant will only be made once the appropriate facilities have been provided.

HEART will have guidance to assist customers.

Repayment

Where a charge (repayable grant) is due for recovery, on receipt of a written request from the responsible person the individual Authorities will consider the options to reduce or waive repayment in particular circumstances to be determined in accordance with the following criteria;

- the extent to which the recipient of the grant would suffer financial hardship were they to be required to repay all or any of the grant;
- whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of their employment;
- whether the disposal is made for reasons connected with the physical or mental health or wellbeing of the recipient of the grant or of a disabled occupant of the premises;
- whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity.
- Whether the adaptation was completed in order to facilitate a foster placement and any reasons why the property may now be being sold.

All recoverable charges will be recorded as local land charges.

The land charge will be placed in accordance with 2008 General Consent² which enabled local authorities to place a local land charge for the portion of the grant over £5,000. The charge can be up to £10,000 and applies if the owner wants to sell the property within 10 years of the certified (completion) date.

Worked examples of the charge are given below:

	Total Grant Awarded	Exempt Amount	Remaining Value of Grant	Charge Placed
Example A	£12,000	£5,000	£7,000	£7,000
Example B	£15,000	£5,000	£10,000	£10,000
Example C	£25,000	£5,000	£20,000	£10,000

Second Residencies

In cases where families separate, and a court order provides that residency of the subject disabled child is split between two households, the Authority may consider the award of DFG funding to provide adaptations in a second home, which is not the primary residence of the disabled individual, but which facilitates access to the second household with whom residency is shared.

Cases would be considered individually by the Special Cases Panel and must be able to demonstrate through the provision of Court Orders, or equivalent Residency agreements

²

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/7811/generalconsent2008.pdf

that residency is shared and the lack of provision in the second home means that the child is not able to live as expected.

Where relevant professionals are supporting the family their involvement with the application should be considered.

Appendix B. Discretionary Disabled Facilities Assistance

Purpose of the assistance

The purpose of this assistance is to help the vulnerable members of the community where the Mandatory Disabled Facilities Grant (DFG) is insufficient to cover the full cost of the works or where the works are out of scope of the legislation but by completing them there would be demonstrable savings to the wider public purse and clear benefits to the applicant and/or their family/carers. It is also available to support residents whose properties are unable to be adapted or where a move to an alternative home may be more appropriate.

How will it be funded?

The grants would be funded from the DFG Budget as resources allow. Mandatory Grants will have priority. The HEART Management Board will be kept informed of relevant spending patterns and pressures.

Who will it help?

Those who have been assessed as eligible to apply for Mandatory DFG assistance and towards the mandatory designed scheme to meet identified needs where a home is being adapted.

It will be available to those assessed as eligible for Mandatory DFG assistance but whose property is either unsuitable for adaptation to meet their needs or where a move to an alternative home is considered more appropriate.

Will it be means tested?

There will be no additional formal means test as all applicants for this assistance will have been means tested for mandatory DFG prior to applying for this grant and that assessment would be used to confirm eligibility.

How much funding might be available?

Funding under this scheme is available in two parts.

A maximum of £40,000 is available under this scheme.

Will there be a charge against the property?

The first £20,000 paid under this scheme will not be subject to a local land charge.

For works or costs which exceed the initial £20,000 paid under this scheme any amount provided will be placed in full as a local land charge against the property. This land charge will not be time limited and therefore will be repayable when the property is sold.

Note – this is a separate land charge to the £10,000 recoverable DFG land charge which expires at 10 years from the certified date.

Conditions attached to the grant

Works must not have been started or completed if they are to be considered eligible for funding under this provision. Unless they are as a result of unforeseen increased costs of a

mandatory DFG whilst on-site which increases the cost of the works above the mandatory DFG funding limit.

Moving Costs

Where funding is requested to support moving and house purchase costs these will be reviewed on a case-by-case basis and will be determined by:

- The tenure and location of the original and new properties
- The residual equity and any increased mortgage debt and whether this is affordable without financial assistance from the Council
- Whether moving within the District/Borough or the County, or beyond
- Whether the original property is unadaptable, unaffordable or poor value to adapt
- Whether moving is required due to a landlord refusal to permit an adaptation
- Whether the move is an occupier preference rather than a necessary requirement

Other conditions

The person must be a permanent resident of the District/Borough they are applying for funding from and the property must be their permanent address.

Conditions restricting future use and ownership of the property – the following additional conditions will apply where the Council has made an award of DDFA;

- The owner will notify the Council in writing if a relevant disposal of the property is proposed.
- The owner of the property will provide, within 21 days of a written notice from the Council, a statement confirming the ownership and occupancy of the dwelling. If the property has been sold or transferred the statement will include the date of transfer of ownership.
- DDFA may be registered as a charge against the property and will be repayable on sale or transfer of the property, subject to exempt sales. The charge will be binding on successors in title.
- It is a condition of DDFA that where an owner makes a relevant disposal of the dwelling, other than an exempt disposal, the DDFA shall be repayable subject to above.
- If the property is transferred, or the sale price does not reflect the market price, the Council will have the right to seek an independent valuation of the market value, which will be binding on both parties, in order to recover the grant repayable.

If the applicant for DDFA is a tenant then the Council will liaise with the appropriate landlord to explore whether alternative funding options, such as funding from the landlord and/or moving to alternative suitable accommodation is an option, before approving DDFA.

Applications for DDFA will be considered for Top-Up once works have already been started and unforeseen costs arise, if the scheme is a Mandatory Scheme.

A maximum of one application for DDFA will be considered in any 5-year period.

How to apply

Through the HEART Service and funding will be considered on a case-by-case basis as outlined above.

Appendix C. Discretionary Contribution Support Grant

Purpose of the assistance

The means test, as set out in the Housing Grants Construction and Regeneration Act 1996 has remained unchanged since the introduction of DFGs in 1996. It is widely accepted as being out of date and does not consider the outgoings of a household when assessing a contribution towards DFG. Results can occur which mean vulnerable people are unable to proceed with the adaptations they need to help them live at home due to an unaffordable contribution level. The 2018 DFG Review recommended that the means test be overhauled, and this is currently proposed in the Social Care White Paper 2021, but until changes are made it is proposed that discretionary contribution assistance is provided.

The aim of this scheme is to help the vulnerable members of the community where the applicant is unable to proceed with adaptations because of a means tested contribution which means that they are at significant risk in their home and/or the failure to complete adaptations will result in increased costs to the wider Social Care budgets. It gives the Council the ability to pay these contributions from discretionary funding therefore enabling works to go ahead and the applicant to remain living in their home.

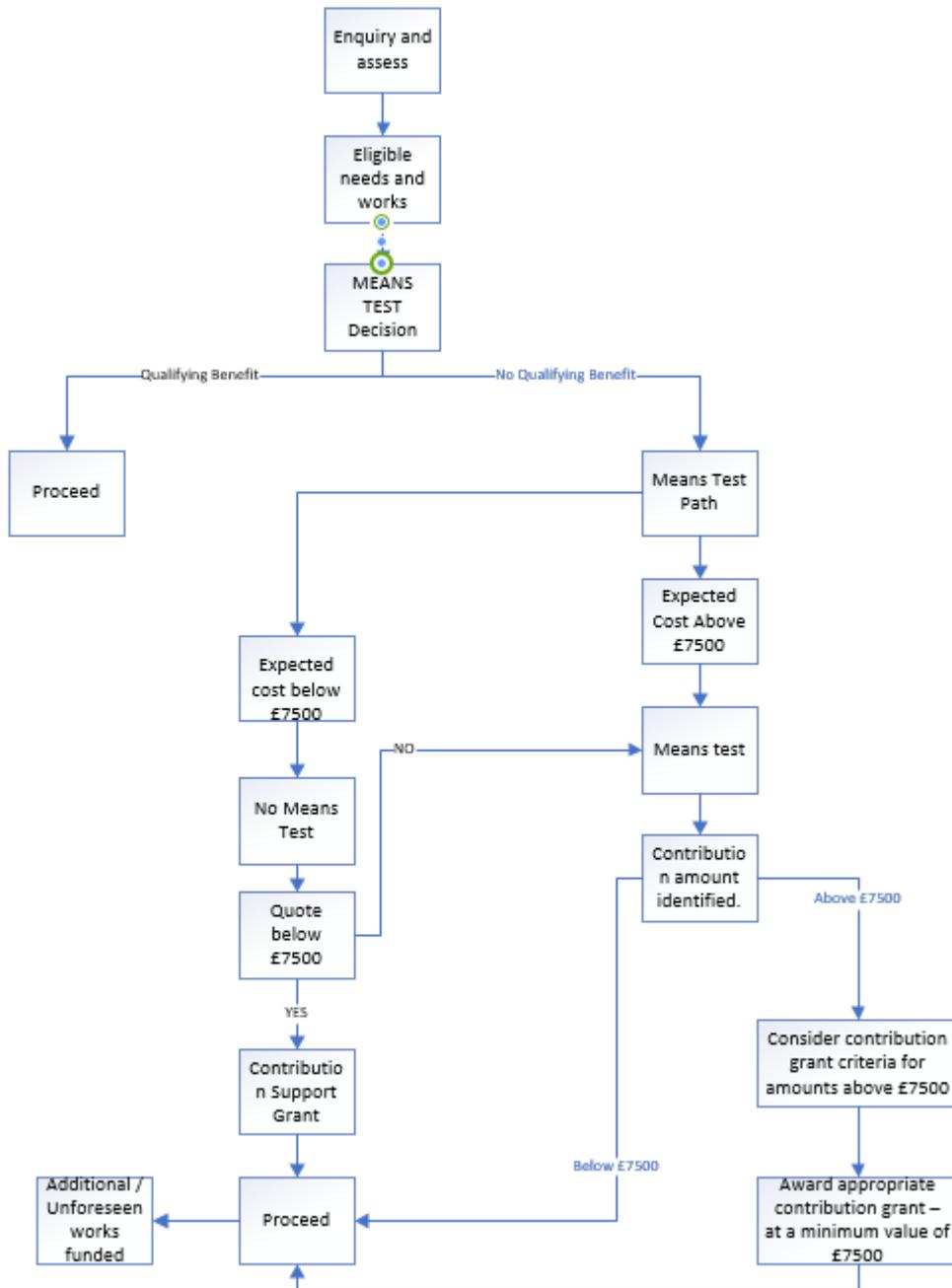
How will it be funded?

The grants would be funded from the DFG Budget as resources allow. Mandatory Grants will have priority. The HEART Management Board will be kept informed of relevant spending patterns and pressures.

Who will it help?

Those who have been assessed as being eligible to apply for Mandatory DFG assistance.

The following pathway indicates how HEART considers customers for discretionary disabled facilities assistance:



Will it be means tested?

There will be no additional formal means test.

How much funding might be available?

Discretionary Contribution Support Grant (DCSG), up to a maximum of £30,000 may be awarded.

Applications for this grant will be considered and approved as follows:

£1 to £7,500 – will be approved under the scheme of delegation



£7,500 to £10,000 – will be considered on a case-by-case basis and the eligibility criteria for funding at this level would be savings of less than £15,000 for a single person and less than £25,000 for a couple. Evidence will be required. Approvals will be under the scheme of delegation.

Contributions above £10,001 would be reviewed individually by the Special Cases Panel to ensure that households with the means to fund their contributions, do so. Whilst also ensuring that those households who are assessed as having a contribution due to a working spouse are not disadvantaged. Customers will need to prove why they cannot fund the contribution through commercial loan or income.

Will there be a charge against the property?

DCSG will be registered, **in full**, as a local land charge against the property for a period of 10 years and will be recovered on the sale or transfer of the property, subject to rules regarding exempt sales.

Note – this is separate to the £10,000 recoverable DFG which expires at 10 years from certification of works completion and separate to the DDFA land charge

Any DCSG awarded will be detailed on the approval notice for DFG

Conditions attached to the grant

The person must be a permanent resident of the District/Borough to whom they are applying for funding and the property must be their permanent address.

Conditions restricting future use and ownership of the property – the following additional conditions will apply where the Council has made an award of DCSG;

- The owner will notify the Council in writing if a relevant disposal of the property is proposed.
- The owner of the property will provide, within 21 days of a written notice from the Council, a statement confirming the ownership and occupancy of the dwelling. If the property has been sold or transferred the statement will include the date of transfer of ownership.
- DCSG will be registered as a charge against the property and will be repayable on sale or transfer of the property, subject to exempt sales. The charge will be binding on successors in title.
- It is a condition of DCSG that where an owner makes a relevant disposal of the dwelling, other than an exempt disposal, the DCSG shall be repayable subject to above.
- If the property is transferred, or the sale price does not reflect the market price, the Council will have the right to seek an independent valuation of the market value, which will be binding on both parties, to recover the grant repayable.

A maximum of one application for DCSG will be considered in any 10 year period.

How to apply

Applications will be considered through the HEART team as part of an application for Mandatory DFG assistance if a contribution is identified through the means test.

Appendix D. Warm and Safer Homes (WaSH) Grant

Purpose of the assistance

The purpose of this grant is to eliminate Category One hazards as identified by the Housing Health and Safety Rating System within owner-occupied homes in the County. In certain circumstances, as the HEART Management discretion the elimination of Category Two Hazards may also be included in eligible works if they are identified as having the potential to deteriorate and become Category one hazards if not remedied.

How will it be funded?

The grants would be funded from the DFG Budget as resources allow. Mandatory Grants will have priority. The HEART Management Board will be kept informed of relevant spending patterns and pressures.

Who will it help?

Funding will be available subject to the following eligibility criteria:

- The applicant must be the owner-occupier of the property
- The applicant must have owned the property for a minimum period of five years
- The applicant must meet one of the following financial criteria:
 - Be in receipt of:
 - Income Support
 - Income-based Job Seekers Allowance
 - Income-related Employment and Support Allowance
 - Support under Part IV of the Immigration and Asylum Act 1999
 - The Guarantee element of State Pension Credit
 - Child Tax Credit (as long as there is no entitlement to Working Tax Credit and the household income does not exceed £20,000 as assessed by HM Revenue and Customs). This amount will be reviewed and published on the HEART website information.
 - Universal Credit
 - Council Tax Support (not single person reduction)
 - The applicant is aged 55 years or over and/ or has a disability and their income level is below the income tax threshold
- Works required must not be eligible for funding from any other sources, such as insurance policies.

Will it be means tested?

There is no formal means test to assess a contribution, but applicants must meet the financial criteria set out above.

How much funding might be available?

Funding under this scheme is available in two parts.

A maximum of £20,000 is available under this scheme.

Will there be a charge against the property?

The first £10,000 paid under this scheme will not be subject to a local land charge.

For works or costs which exceed the initial £10,000 paid under this scheme any amount provided will be placed in full as a local land charge against the property. This land charge will not be time limited and therefore will be repayable when the property is sold.

Conditions attached to the grant

Only a single award of this grant will be available in any five-year period.

For works or costs which exceed the initial £10,000 paid under this scheme any amount provided will be placed in full as a local land charge against the property. This land charge will not be time limited and therefore will be repayable when the property is sold.

How to apply

Through the HEART team. An assessment of hazards within the property will take place using the HHSRS system methodology to establish if there are qualifying hazards present.

Appendix F. Hospital Discharge Scheme

Purpose of the assistance

The purpose of this assistance is to:

- 1 Enable faster discharge from hospital
- 2 Reduce the risk of re-admission
- 3 Address significant difficulties in providing safe and dignified home-based care.

How will it be funded?

The grants would be funded from the DFG Budget as resources allow. Mandatory Grants will have priority. The HEART Management Board will be kept informed of relevant spending patterns and pressures.

Who will it help?

It will support residents who are requiring discharge from hospital or where the provision of adaptations will reduce the risk of hospital readmission or enable safe and dignified home-based care.

Works may include adapting the home to accommodate a disability, remedying defects including safety hazards, security issues and thermal comfort measures.

Will it be means tested?

There will be no formal means test.

How much funding might be available?

A maximum of £10,000 may be available

Will there be a charge against the property?

There will be no land charge placed against the property.

Conditions attached to the grant

The works must be deemed as necessary to meet one of the three purposes for which funding is available.

Assessment for this funding may be prioritised over other caseload, at the discretion of the HEART management.

How to apply

Applications for this assistance will be referred by professionals in a Social Services, Acute or Primary Care Trust setting as being necessary to facilitate a hospital discharge or identified through routine work where circumstances indicate this is an appropriate solution.

Assistance will be managed by the HEART service.

Appendix G. Home Safety Grant

Purpose of the assistance

The purpose of this assistance is to offer free home safety interventions to all qualifying residents who are assessed by HEART staff for other services, or who approach requesting this assistance as a stand-alone request or referral.

The funding available under this assistance is to support preventative works where no qualifying Care Act need has been identified. If a qualifying Care Act need is identified, then work would be carried out under a qualifying scheme or a referral made to an appropriate service provider.

How will it be funded?

The grants would be funded from the DFG Budget as resources allow. Mandatory Grants will have priority. The HEART Management Board will be kept informed of relevant spending patterns and pressures.

Who will it help?

This check is available for:

- Any resident aged 55 years or over
- Any household which includes a disabled person

Funding for works is available for the above residents who do not have an identified qualifying Care Act need but where preventative works are strongly indicated as being a recommendation from the home safety assessment.

Will it be means tested?

There is no means test for this service or funding assistance.

How much funding might be available?

The home safety assessment is free of charge.

The maximum funding available for completing works is £1,000

Will there be a charge against the property?

There will be no charge placed against the property.

What will the assessment include?

The assessment will include identification of potential hazards within the home such as:

- Falls Prevention; Advise on safe clear floor pathways, ill-fitting carpets, trailing electrical wires, uneven floors, furniture obstructions, garden paths and shed / garage access, access to main doors (front, side, rear), bins etc.
- Mobility and use of facilities; Freedom of movement within home, identify ill-fitting doors and windows, stair & grab rails, steps, lighting, switches and sockets, changing a lightbulb, putting up or adjusting curtains / blinds and fittings,
- Hazards from hot surfaces and materials; Radiators, gas fires, hot water cooker arrangements,



- Warm Home Assessment; Identify damp & mould, insulation (cavity & loft), lack of central heating, draught proofing, water cylinder jacket, fuel poverty assessment, tariff/supplier choice, meter position and readability
- Security checks; Window & door locks, fitting key safes,
- Fire Safety; Smoke alarms, carbon monoxide detectors.

What works might be carried out?

The remedial works funded through this grant may include:

- Grab rails
- Stairs rails
- Internal ramps (half steps)
- Refitting and/or easing doors
- Easing windows
- Key safes
- Fit smoke alarms
- Door safety chains
- Access to property (minor trip hazards)
- Change & fit light bulbs
- Tack loose fitting carpets
- Re-route trailing wires
- Fixing loose floor boards (or refer on to others)
- Relocate small items of furniture
- Remove minor slip trip or fall hazards within the home or garden.

Conditions attached to the grant

There is no limit on the number of applications a household can make but the maximum funding available to complete works is £1,000 in any 3-year period.

Funding is based on households not individuals.

Eligible HEART fees for the delivery of the works will be paid.

Works can be carried out by an 'approved' Handyperson scheme or directly purchased by or on behalf of the resident if suitability is agreed.

Funding is available for both labour and materials costs.

How to apply

Through the HEART team.

Appendix H. Energy Efficiency Support

Purpose of the assistance

The authorities intention is to support residents wherever possible to improve the energy efficiency of their homes and support works that will reduce fuel poverty. Where existing schemes apply e.g. through local authorities or national criteria, HEART will make referrals or signpost to relevant organisations.

How will it be funded?

Where resources allow the authorities will work with HEART and other providers to source funding to support measures and engage with partners to attract funding for schemes as it becomes available.

Who will it help?

Schemes will be developed based upon the funding criteria as schemes become available.

How to apply

As funding opportunities become available, if successful bids are made via the HEART partnership then HEART will manage any available schemes and promote them accordingly.



Appendix I – Signatories and Key Dates

This document has been ratified by each partner Housing Authority by its own process, and duly minute as agreed and adopted. The effective date of the policy is that of each partner Authority.

Minute reference number Date

Representing (organisation) **Nuneaton & Bedworth Borough Council**

Minute reference number Date

Representing (organisation) **North Warwickshire Borough Council**

Minute reference number Date

Representing (organisation) **Rugby Borough Council**

Minute reference number Date

Representing (organisation) **Stratford on Avon District Council**

Minute reference number Date

Representing (organisation) **Warwick District Council**