

# Housing and Planning Scrutiny Select Committee

19 May 2026

## Part 1 - Public

### Matters for Cabinet - Non-key Decision



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Cabinet Member	Cllr Robin Betts, Housing, Environment & Economy
Responsible Officer	Eleanor Hoyle, Director of Planning, Housing & Regulatory Services
Report Author	Eleanor Hoyle, Director of Planning, Housing & Regulatory Services

### Updating the Council's Affordable Housing Protocol

#### 1 Summary and Purpose of Report

- 1.1 To propose to Members some amendments to the Council's Affordable Housing Protocol in light of the economic factors impacting the securing and delivery of affordable housing through the Planning process.

#### 2 Corporate Strategy Priority Area

- 2.1 Improving housing options for local people whilst protecting our outdoor areas of importance.

#### 3 Recommendations

It is recommended that the committee

- 3.1 ENDORSES the revised Affordable Housing Protocol and RECOMMENDS it to Cabinet for adoption.
- 3.2 NOTES that the Protocol appendix relating to housing needs data is currently being updated and RECOMMENDS to Cabinet that sign off for this appendix be delegated to the Director for Planning, Housing & Regulatory Services in consultation with the Cabinet Member for Housing, Environment and Economy.

#### 4 Introduction and Background

- 4.1 The Council adopted its Affordable Housing Protocol in 2021 as a mechanism to assist in the process of understanding affordable housing proposals, testing the viability of what was proposed and working constructively with applicants to secure delivery.

- 4.2 Since the protocol was adopted, national planning policy regarding affordable housing delivery has been updated, perhaps most notably through the removal of the First Homes requirement.
- 4.3 A report was presented to Overview & Scrutiny Committee in April 2025 outlining the key issues with securing [affordable housing delivery](#).
- 4.4 These issues continue to be present in discussions and negotiations with developers and registered providers. Given this, an officer group has met to review how the protocol is working in practice and to propose some amendments to ensure that it remains fit for purpose. This intention of the document is to provide practical guidance on how the policies relating to affordable housing should be responded to.

## **5 Proposal**

- 5.1 A tracked changes version of the Affordable Housing Protocol is attached to this report at Annex 1. It is proposed that the amended version is approved and advertised on the Council's website. The protocol has two appendices, one which lays out the requirements for a viability assessment and the other which provide housing needs data. The latter is being updated at present to reflect current data and it is proposed that sign off of this is delegated to the Director for Planning, Housing & Regulatory Services.
- 5.2 The proposed changes seek to ensure that a consistent approach is applied to viability testing of affordable housing proposals and that the Council's evidence base is properly considered in these discussions. It also places a greater emphasis on applicants providing evidence of their engagement with registered providers as part of the assessment process.

## **6 Other Options**

- 6.1 The Council could cease to publicise an Affordable Housing Protocol and deal with issues on a case-by-case basis. However, it is likely that this may lead to additional challenges in delivery and also complaints from applicants and registered providers who find inconsistencies in process.

## **7 Financial and Value for Money Considerations**

- 7.1 There are no direct financial implications from the recommendations in this report.

## **8 Risk Assessment**

- 8.1 If there are not clear expectations set for applicants, discussions on affordable housing delivery can be elongated, or at times not concluded during application stage, leading to delivery issues when a registered partner is procured due to a lack of clarity.

## **9 Legal Implications**

- 9.1 Affordable Housing delivery is secured via a s106 agreement. The Council has clauses in its pro forma s106 agreement, which is on our website, so that applicants are clear on proposed requirements from the outset.

## **10 Consultation and Communications**

- 10.1 The proposed updates to the affordable Housing Protocol will be published on the Council's website and will also be shared with applicants and agents. Officers are also intending to provide updates on this at forthcoming agents' and developers' forums that are being established as part of the Planning Advisory Service (PAS) action plan.

## **11 Implementation**

- 11.1 In addition to the work described above to communicate this updated protocol, an Affordable Housing Delivery officer meeting is being stood up to meet on a regular basis and review cases and issues. This is being led by the Director of Planning, Housing & Regulatory Services.
- 11.2 In order to ensure that viability advice can be obtained quickly and efficiently, the current process is being reviewed with a view to finding a procurement solution that offers the Council value for money and efficiency.
- 11.3 Officers are also reviewing the pro forma s106 agreement and seeking good practice examples of affordable housing clauses relating to affordable ownership products to ensure that our approach is robust.

## **12 Cross Cutting Issues**

### **12.1 Climate Change and Biodiversity**

12.1.1 Adaptation and resilience have not been considered.

12.1.2 Climate change advice has not been sought in the preparation of the options and recommendations in this report.

### **12.2 Equalities and Diversity**

12.2.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

### **12.3 Other If Relevant**

- None

Background Papers	none
Annexes	Annex 1 - Affordable Housing Protocol