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1.0 Introduction

- 1.1 Eastbourne Borough Council has prepared a Local Employment and Training Supplementary Planning Document (SPD) to assist in securing local labour agreements as part of development proposals. The level of development in Eastbourne in the next decade will create a significant number of jobs and this SPD will play an important role in helping to secure local employment at all stages of development with a focus on the operational phase and creating opportunity for local small and medium enterprises (SMEs). Local labour agreements will also assist in education, training and skills initiatives for local people and SMEs.

What is a Supplementary Planning Document (SPD)?

- 1.2 An SPD is a planning policy document that adds further detail on a policy within a Local Plan. They are used to provide additional information on how a policy should be implemented or what is required to satisfy the policy.
- 1.3 This Local Employment and Training SPD has been prepared to provide detail to the Eastbourne Employment Land Local Plan Policy EL1 and outlines a framework as to how local labour agreements will be secured and how to maximise local employment, training and educational opportunities as well as initiatives for local businesses from the development which, where applicable, will include the first operational phase.
- 1.4 SPDs are material planning considerations in the determination of planning applications and provide additional guidance on matters contained within Local Plans. In respect of this SPD, the Local Plan is the Eastbourne Employment Land Local Plan (ELLP).

Employment Land Local Plan (ELLP)

- 1.5 This SPD is directly linked to the requirements of Policy EL1 (Economy & Employment Land) of the Eastbourne Employment Land Local Plan (ELLP). The ELLP guides job growth and economic development in Eastbourne up to 2027 as well as identifying an appropriate supply of land for future employment development, in order to achieve a sustainable economy and make Eastbourne a town where people want to live and work. The ELLP forms part of the development plan for Eastbourne together with other planning policy documents such as the Eastbourne Core Strategy Local Plan.



- 1.6 The Council and local employment, training and education organisations are committed to working in partnership with the developer and operator(s) in order to maximise the opportunities available. Developers and operators that support this SPD and achieve the measures identified within will be recognised by local residents, business and key stakeholders as major contributors towards the growth and success of the local economy.

- 1.7 The Local Employment and Training SPD was approved for adoption by full Council on Day Month Year following an 8 week consultation period with key stakeholders.

2.0 Strategic Context

2.1 There are national, regional and local strategic policy goals and objectives that provide a strong justification for this document. These policies and objectives are critically important to Eastbourne Borough Council. In summary the key objective is to identify opportunities to improve employment opportunities, training and skills and support small businesses in the town for the future economic growth of the Borough.

National Planning Policy Framework (NPPF)

2.2 A key policy direction of the NPPF is to deliver sustainable development, by building a strong and competitive economy. There is a national commitment to securing economic growth to create jobs and prosperity. The NPPF identified that local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

Skills East Sussex (SES)

2.3 Skills East Sussex (SES) is the county's strategic body for employment and skills. Its aims are to improve local employment and skills levels to increase economic prosperity in East Sussex. SES has identified six priorities including upskilling the workforce and supporting the unemployed. It also has six priority areas supported by sector-based task groups namely:

- Construction and Civil Engineering
- Creative, Cultural, Digital and Media
- Engineering and Advanced Manufacturing
- Health and Social Care
- Visitor and Cultural Economy
- Agricultural and Environmental

Construction Industry Training Board (CITB)

- 2.4 The CITB are a strong advocate for the construction industry working with Government, employers, local authorities and educational providers to steer training provision. They offer a range of grants and funding for apprenticeships, qualifications and plant test achievements to registered employers.

Eastbourne Core Strategy Local Plan

- 2.5 The Eastbourne Core Strategy Local Plan is the strategic planning policy document for the Borough covering the period 2006 - 2027. A key spatial objective of the Plan is to give support to a strong and growing local economy built on innovation, creativity and entrepreneurship. Within the spatial portrait there is also an appreciation of the need to grow a better skilled labour force in order to realise the town's economic objectives.

Employment Land Local Plan (ELLP)

- 2.6 The ELLP as outlined in paragraph 1.4 is a planning policy document that will guide job growth, economic development, identify employment land supply and the future needs for employment for Eastbourne up to 2027. It identifies the future requirements for employment land in Eastbourne and how the future needs for employment are to be met.
- 2.7 The ELLP has been subject to a number of rounds of consultation and was submitted to the Secretary of State for examination in February 2016. Following examination the inspector concluded that the ELLP provided an appropriate basis for the planning of employment land provisions in the Borough, subject to some modifications and that with the recommended modifications the plan satisfied the requirements of Section 20(5) of the 2004 Act and met the criteria for soundness in the National Planning Policy Framework.
- 2.8 Within the ELLP, Policy EL1 (Economy and Employment Land) identifies the overall strategy for Eastbourne's economy, including where new employment development should be located and what types of development will be supported. This policy forms the foundation of the SPD, and is provided in full overleaf for reference.

Policy EL1 – Economy and Employment Land

Job growth and economic prosperity in Eastbourne will be supported in order to enable the achievement of a sustainable economy and make Eastbourne a town where people want to live and work. This will be achieved by:

- Taking a positive approach that reflects a presumption in favour of sustainable economic development;
- Meeting the requirement for 48,750 sqm (GEA) of additional employment floor space over the plan period through employment development within the Sustainable Centres (Town Centre and Sovereign Harbour) and through maximising the use of land in existing employment locations;
- Promoting development which provides units for new start-up businesses and small enterprises;
- Encouraging key businesses and their supply chains to grow existing specialisms;
- Encouraging development which supports improvements in the local jobs market through creation of additional jobs and employment diversification;
- Seeking local labour agreements on all development of 1,000sqm or more, including change of use, to secure local employment and training measures as part of development proposals; and
- Supporting the Education and Training sector of the Eastbourne economy through a flexible approach to expansion proposals.

2.9 The ELLP identifies that Eastbourne Borough Council will seek to secure local labour agreements and associated contributions on developments of 1,000sqm or more (including change of use) in order to secure local employment and training measures as part of development proposals, with the objective of improving training and skills in the town for the future economic development of the Borough. This will be achieved through Section 106 Agreements (or Unilateral Undertaking) related to specific development proposals, which will secure contributions from development that will support and benefit the local labour market and economy, enabling employment growth, raising skills and giving local people opportunities generated by new developments.

2.10 The ELLP also highlights that a Local Employment and Training SPD will be prepared to guide the implementation of Policy EL1.

3.0 Evidence

- 3.1 This section provides evidence to support the justification and importance of this SPD.
- 3.2 Eastbourne's resident population is 101,600 with 59,500 aged 16 – 64 years (2021)¹. In 2021 all people in employment in Eastbourne totalled 43,827 with 4,175 in construction².
- 3.3 In January 2024 Eastbourne's claimant count aged 16+ was 2,735. As a proportion of claimants per resident population this represented 4.63% for Eastbourne compared with 2.9% for the South East and 3.7% for Great Britain³.
- 3.4 Households of Deprivation dimensions 2021 classifies households by four dimensions of deprivation – employment, education, health and disability, and household overcrowding. Eastbourne has 45,609 households with 19,705 not in any deprived dimension and the remainder 25,904 having at least one dimension of deprivation⁴.
- 3.5 Eastbourne has 3,165 businesses enterprises with 500 in construction. Of the 3,165 businesses, 2,805 are micro with up to 9 employees, 295 are small with 10 to 49 employees, 55 are medium with 50 to 249 employees and 10 are large (250+ employees)⁵.

1 NOMIS, Eastbourne Borough Council Resident Population in 2021

2 East Sussex in Figures, Industry of Employment 2021 Eastbourne (middle layer super output areas)

3 NOMIS, Claimant Count by Age, January 2024

4 East Sussex in Figures, Census Deprivation, Households by deprivation dimensions in 2021 – super output area

5 East Sussex in Figures, Business enterprises by industry group UK SIC(2007), 2009-2023 – districts

and Business enterprises by size of business, 2004-2023 - districts

4.0 Use of Planning Obligations and Section 106 Agreements

- 4.1 Section 106 Agreements can be used to secure planning obligations related to new developments including improving employment opportunities, training and skills. The Government has legislation when a planning obligation can be used. This document complies with Regulation 122 of the Community Infrastructure Levy regulations 2010 (as amended) which requires a planning obligation to be:
- Necessary to make the development acceptable in planning terms
 - Directly related to the development and
 - Fairly and reasonably related in scale and kind to the development.
- 4.2 Where the 3 tests are met on new developments, planning obligations should be used to secure local labour agreements from future developments. This will secure contributions from developments to support and benefit the local labour market and economy, enabling employment growth, raising skills and giving local people opportunities generated via new developments. The contributions will enable targeted support to assist the viability and growth of local small and medium enterprises (SMEs) and associated supply chains.
- 4.3 Specific measures could include training (pre-employment and vocational), apprenticeships, T Levels, upskilling, employment support and advice, interview guarantees and work placements, small scale provision of materials to support construction in connection with fully supervised education and training projects, as well as, business support, training and development to local SMEs and associated supply chain.
- 4.4 Developers will need to discuss measures with the Council and in some instances a financial employment and training contribution may be taken in lieu of the developer providing construction specific measures related to the development.

5.0 Thresholds and Definitions

- 5.1 This SPD will apply to residential and commercial developments, including those of strategic importance to the Council as outlined in the 'Thresholds for Development' detailed below. For residential development this applies to the construction phase, however, if there are operational jobs associated with the residential development, then both the construction and operational stages will apply. For commercial developments this applies to both construction and operational stages. The Council has set the following thresholds:

Thresholds for Development

Commercial – All developments (other than C3/C4 Planning Use Class), including change of use, that create/relate to 1,000 sq m. This also includes developments of strategic importance (eg essential infrastructure, development identified in Council plans and strategy) and all of those that create 25+ jobs.

Residential - Major developments (within C3/C4 Planning Use Class) that involve 10 or more units.

Please note: A local labour agreement will apply if a previously non-qualifying planning application is amended via a Section 73 Application and thereafter meets the above thresholds for development.

6.0 Local Employment and Training Framework

- 6.1 Where proposed developments reach the thresholds for development, the Council will seek a commitment to a local labour agreement detailing employment and training deliverables and a financial contribution.
- 6.2 If there is a commercial end use of the site, a financial contribution will be sought from the developer/landowner and not from the operator, which may or may not be the same. Employment and training measures will be documented in an Employment and Training Plan (ETP); operationally this may or may not be the same entity as the developer/landowner. If the operational phase of the development has multiple operators, separate and appropriate employment and training measures will be negotiated and sought independently with each operator through separate ETP's.
- 6.3 The complexities of multi-site and multi-phase developments are recognised and will be negotiated on a case-by-case basis in order to achieve a balance between meeting the needs of the SPD and the employment and training needs associated with development.
- 6.4 It is intended that the financial contribution will fund the management, co-ordination and delivery of employment, training and career initiatives, educational activities and grant programmes. The funding will also assist co-ordination of recruitment campaigns and pre-employment training for local residents in preparation for vacancies generated by a development.
- 6.5 The Council will work in partnership with developers and/or operators to agree ETPs to deliver measures negotiated in the Section 106 Agreement (or Unilateral Undertaking).

7.0 Local Employment and Training Measures to be Secured

7.1 It is intended that developments could achieve and support the following types of measures and activities:

- NVQ, T Level, industry recognised certified training, qualifications for construction and sectors associated with developments
- Traineeships in conjunction with work experience placements or as a preparatory phase for progression to an apprenticeship
- Apprenticeships
- Work experience placements for those unemployed and those aged 14-18 years in education
- Workshops and projects within educational establishments or on site with students from schools, colleges and universities or the unemployed
- Employability and career events
- Primary and secondary school curriculum activities
- Targeted recruitment and training campaign including promotion of vacancies locally, pre-employment training, work trials and guaranteed interviews
- Job Fairs to promote the construction sector/supply chains and associated sectors and new operational vacancies and opportunities
- Employment, training, upskilling and business support initiatives for local SMEs and associated supply chains
- Local Employment and Training Grants programme

7.2 The Council will use reasonable endeavours to process Section 106 (or Unilateral Undertaking) negotiations and agreements. However, it can be a complicated legal process and ample time needs to be allowed to complete the process. Owners and developers are encouraged to contact the Council at the earliest opportunity and will need to brief their own legal advisors early in the pre-application process.

8.0 Mechanism for Securing Local Employment and Training Measures

- 8.1 At the pre-planning application stage, prospective developers whose development would exceed the thresholds for development are encouraged to contact the Council to discuss a potential local labour agreement and employment and training measures that are appropriate to the size of the proposal. If the planning application is to be approved, the applicant will be required to enter into an agreed Section 106 Agreement (or Unilateral Undertaking) prior to the planning permission being issued.

Employment and Training Plan (ETP)

- 8.2 The Section 106 (or Unilateral Undertaking) measures will seek to ensure that local people can better access job opportunities arising from developments focusing on helping unemployed people back into work, as well as matching motivated and skilled local people to new vacancies. This will include education and training initiatives to ensure people have the appropriate skills for employment.
- 8.3 For the operational phase, developers and occupiers will need to be committed to working with the Council to develop a site specific ETP. The Section 106 (or Unilateral Undertaking) will secure key employment and training measures and the implementation of an approved ETP.
- 8.4 In order to prepare the Section 106 and an ETP, completed Pro-formas (Appendix A and Appendix B, if relevant) will need to be submitted by the developer with the planning application. If the operator is unknown at this stage, the operator will need to repeat the process for the starting workforce as soon as the information is available. Where there are multiple operators, each will be required to complete a Pro-forma.
- 8.5 Following an initial discussion regarding the content of the Pro-forma between the developer, operator and the Council, the Council will respond with a draft ETP for consultation and approval. The ETP will outline the relevant measures to be achieved by whom and when, in order to meet the employment and training requirements for the site. The ETP will also entail tailored support to prepare local unemployed people for recruitment to new vacancies. The development cannot commence until the employment and training monitoring contribution has been paid and the ETP has been approved by the Council.

- 8.6 Following the approval of the ETP the Council will implement, manage and co-ordinate the ETP to ensure that so far as is reasonably practicable the measures are met and regularly monitored. The ETP is valid from commencement of development and will apply to all tenants in the first operational phase of the development.
- 8.7 Where applicable, the developer needs to inform the freeholder or lease holder of the operational ETP, encouraging them to liaise with the Council to discuss, agree and implement the arrangements as set out the site-specific Section 106 Agreement (or Unilateral Undertaking).
- 8.8 On completion of the first operational phase, the operator shall provide the Council with a monitoring form (Appendix C) one month after opening outlining the achievements against the ETP.

Employment and Training Contribution

- 8.9 An employment and training contribution will be required to:
- Fund the monitoring of the Section 106 (or Unilateral Undertaking) obligation and management, co-ordination and delivery of the ETP.
- 8.10 The Council may also seek to negotiate additional contributions if the employment and training requirements identified in the Pro-forma are out of the financial scope of local providers funding arrangements and are greater than the employment and training contribution.
- 8.11 (Contribution towards monitoring and co-ordination equivalent to 7.5 hours a week at £20⁶ per hour (inclusive of on costs) x the length of the development in weeks + 8 weeks) = employment and training contribution

Example:

If the length of the development is 52 weeks

Contribution towards S106 monitoring - £150 x 60 (52 + 8 weeks) = **£9,000**

⁶ Employment and training contribution hourly rate as at April 2024 subject to increase from April 2025 based on all items index figure (September) of the Retail Prices Index published by the Office for National Statistics. Inflation figure to be applied annually thereafter.

Operational Phase

- 8.12 The developer is to inform the operator about the SPD and the site-specific Section 106 Agreement (or Unilateral Undertaking), who needs to complete the Pro-forma (Appendix B) for submission to the Council as soon as possible after they are aware they are taking on the business premises. Occupiers and their personnel departments shall then meet with the Council to discuss the Pro-forma and formulate an ETP – a bespoke, targeted recruitment and training campaign to enable local people to acquire the skills needed to gain employment.
- 8.13 The measures will be negotiated on a case-by-case basis for all appropriate developments and will seek to maximise the outcomes outlined in the section on key activities and measures. Operators are responsible for ensuring apprenticeship, work experience and NVQ training places are created and are responsible for all associated costs.

Monitoring of Operational Phase

- 8.14 Operators to provide monitoring and information to the Council one month after operation on:
- The achievements against the ETP and Section 106 Agreement (or Unilateral Undertaking) obligation via a Monitoring Form (Appendix C)
 - Starting workforce statistics including details of number of local and unemployed residents
 - Any other relevant information as directed by the Council.

Appendices

Appendix A – Pro-forma for Construction Phase

Pro-forma for Construction Phase

Date	
Author	
Job Title	
Developer	
Email Address	
Telephone Number	

Site name	
Main contractor	
End user operator/s	
Estimated build value	
Planned start date To be supported with programme of works for the development Please Note: Start date includes site preparation – investigations, demolition, hoarding, etc	
Planned completion date	

Anticipated new vacancies during construction phase	
Sub contractor tendering opportunities during construction phase List by trade	

Appendix B – Pro-forma for Operational Phase

Pro-forma for Operational Phase

Date	
Author	
Site name	
End user operator	
Planned opening date	

Breakdown - Number of Jobs

Number of jobs (e.g. 2)	Type of Roles (eg Retail Assistant, Health Care Assistant)	Hours (eg 20 hours per week)	Skills, Qualifications and Qualities (eg Customer Care NVQ, retail experience desirable)

Outline your own company's recruitment process and pre-employment training if applicable	
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Ongoing Employment and Training Opportunities

Number of apprentices	
Number of work experience placements for those unemployed	
Number of work experience placements for those aged 14-18 years in education	

Appendix C - Monitoring Form for the Operational Phase

Monitoring Form – Operational Phase

Please complete and submit this form one month from opening and email to regeneration.monitoring@lewes-eastbourne.gov.uk

If you need assistance in completing this form please email above,

Date	
Company name	
Company contact name	
Email Address and Telephone Number	
Total Number of staff employed (including new and existing)	
Number of existing employees on site	
Number of new staff interviewed for employment	
Number of job offers to new employees	
Number of new staff employed who live in Eastbourne	
Number of new staff previously unemployed	

Thank you

Appendix D – Index Linking

The Employment and Training Contribution shall be index linked and varied as necessary by application of the following formula:

$$A = \frac{B \times C}{D}$$

Where:

A is the sum actually payable on the relevant specified date, eg date monitoring fee is due;

B is the original sum specified in the local labour agreement;

C is the inflation index for the month preceding the specified date;

D is the inflation index for the month preceding the date of the signed local labour agreement;

C divided by D is equal to or greater than 1

Please note: Inflation Index means the 'all items' index figure of the Retail Prices Index published by the Office for National Statistics.

Appendix E – Glossary

Term	Definition
C3	Planning Use Class - Residential self-contained unit
C4	Planning Use Class - House in multiple occupation
CSCS	Construction Skills Certificate Scheme
CITB	Construction Industry Training Board
EBC	Eastbourne Borough Council
ESCC	East Sussex County Council
ETP	Employment and Training Plan
NPPF	National Planning Policy Framework
NVQ's	National Vocational Qualifications
Operator	End user of the premises
Section 73 Application	An application under the Town and Country Planning Act 1990 to develop land without complying with a condition previously imposed on a planning permission. If granted, it results in a new planning permission
Section 106 Agreement	A legal agreement with the Council made under the Town and Country Planning Act 1990, s 106 to regulate development or mitigate the impacts of development. It binds the land and is enforceable against successors.
Section 106 Unilateral Undertaking	This is an alternative to a Section 106 Agreement and is made by the landowner and/or developer alone.
SME's	Small and Medium Sized Enterprises
Unemployed	People who are jobless, have been actively seeking work in the past four weeks and are available to start work in the next two weeks; or they are out of work, have found a job, and are waiting to start it in the next two weeks.
Work Experience Placement for those Unemployed	The placements are to support those unemployed claiming a key out-of-work benefit from Jobcentre Plus, gain experience in the workplace to help them find employment. The minimum duration of a work experience placement should be 5 working days.
Work Experience Placement for those aged 14-18 in Education	The work experience placements are to support young people in education. Work placements can support those undertaking related qualifications to the build and operation of the site. The minimum duration of a work experience placement should be 5 working days.