

Open

Cabinet

Agenda

6pm
Wednesday, 20th September 2017
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Cabinet

The Cabinet Members and their responsibilities:-

Councillor M J Hart	Leader of the Council & Strategy
Councillor I Hardiman	Deputy Leader & Planning & Economic Regeneration
Councillor R J Vale	Operational Services
Councillor N J Desmond	Resources
Councillor J Smith	Culture, Leisure & Community Protection
Councillor C Rogers	Housing, Health & Well-being

Scrutiny of Decisions of the Cabinet

The Council has one Scrutiny Committee that has power to investigate policy issues and question members of the Cabinet who have special responsibility for a particular area of the Council's activities. The Cabinet also considers recommendations from this Committee.

In accordance with Section 10 of the Council's Constitution, Overview and Scrutiny Procedure Rules, and Standing Order 2.4 of Section 7, any item on this agenda may be scrutinised by the Scrutiny Committee if it is "called in" by the Chairman or Vice-Chairman of the Overview & Scrutiny Committee and any other three non-Cabinet members.

The deadline for "calling in" Cabinet decisions is 5pm on Monday 2nd October 2017.

Councillors wishing to "call in" a decision on this agenda should contact Lynette Cadwallader, Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster. Telephone: 01562 732729 or email lynette.cadwallader@wyreforestdc.gov.uk

Urgent Key Decisions

If the Cabinet needs to take an urgent key decision, the consent of the Scrutiny Committee Chairman must be obtained. If the Scrutiny Committee Chairman is unable to act the Chairman of the Council or in his/her absence the Vice-Chairman of the Council, must give consent. Such decisions will not be the subject to the call in procedure.

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct ("the Code") requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members' Code of Conduct as set out in Section 14 of the Council's constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI's and ODI's are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council's Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

For further information

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Lynette Cadwallader, Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732729 or email lynette.cadwallader@wyreforestdc.gov.uk

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* Unless there are no reports in the open session.

Wyre Forest District Council

Cabinet

Wednesday, 20th September 2017

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
3.	Minutes To confirm as a correct record the Minutes of the meeting held on the 11th July 2017.	7
4.	CALL INS a verbal update will be given on any decisions which have been "called in" since the last meeting of the Cabinet.	
5.	Items Requiring Urgent Attention To consider any item which, in the opinion of the Chairman requires consideration at the meeting as a matter of urgency.	
6.	Public Participation In accordance with the Council's Scheme for Public Speaking at Meetings of Full Council/Cabinet, to allow members of the public to present petitions, ask questions, or make statements, details of which have been received by 12 noon on 12 th September 2017 (See front cover for contact details).	

7.		
7.1	<p style="text-align: right;"><i>Councillor Rebecca Vale</i></p> <p>The Introduction of a Public Space Protection Order (PSPO) in Place of Dog Control Orders</p> <p>To consider a report which outlines the results of a public consultation exercise undertaken over a 10 week period commencing on 19 June 2017 about the proposed introduction of a new Public Spaces Protection Order (PSPO) in the District.</p> <p>To also consider recommendations from the Overview and Scrutiny Committee from its meeting on Thursday 7th September 2017.</p>	14

8.		
8.1	<p style="text-align: right;"><i>Councillor Chris Rogers and Councillor Ian Hardiman</i></p> <p>Compulsory Acquisition of Land & Properties and Empty Property Strategy</p> <p>To consider a report to agree the Council's approach to compulsorily acquiring privately owned empty residential properties and undeveloped land and to adopt an updated Empty Property Strategy.</p> <p>To also consider recommendations from the Overview and Scrutiny Committee from its meeting on Thursday 7th September 2017.</p>	36

9.		
9.1	<p style="text-align: right;"><i>Councillor Ian Hardiman</i></p> <p>Decision Making in respect of the Capital Portfolio Fund and Development Loan Fund</p> <p>To consider a report which considers arrangements to allow a swift and commercial approach to be taken, including creation of a Cabinet sub-committee to take decisions on investments from the capital portfolio fund and development loan fund.</p>	62

10.		
10.1	<p style="text-align: right;"><i>Councillor Juliet Smith</i></p> <p>Children and Young People's Plan (CYPP) 2017-2021</p> <p>To consider a report to endorse the Worcestershire Children and Young People's plan (CYPP) in line with a recommendation from the Worcestershire Connecting Families Strategic Group.</p>	66

11.		
11.1	<p style="text-align: right;"><i>Councillor Nathan Desmond</i></p> <p>Worcestershire Office for Data and Analytics: Endorsement of Data Sharing Charter</p> <p>To consider a report to endorse the data sharing charter that will underpin the work of the Worcestershire Office for Data and Analytics.</p>	81

11.2	Budget Monitoring First Quarter 2017/18 To consider a report to monitor the Revenue Budget and Capital Programme in accordance with the Local Government Act 2003, to inform members of the Housing Benefit Overpayment debt position as at 30 th June 2017 and to inform members of the Sundry/Property debt position as at 30 th June 2017.	87
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12.	Recommendations from Committees	
12.1	Overview and Scrutiny Committee, 7th September 2017 <ul style="list-style-type: none"> • Wyre Forest Health and Wellbeing Plan • Climate Change Update 	109

13.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	
14.	Exclusion of the Press and Public To consider passing the following resolution: “That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.	

Part 2

Not open to the Press and Public

15.1.	Councillor Ian Hardiman Surrender of Lease on property in Kidderminster To consider a report to agree the terms for the surrender of a lease on a property in Kidderminster.	-
16.	To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	

**WYRE FOREST DISTRICT COUNCIL
CABINET**

**COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER
11TH JULY 2017 (6:PM)**

Present:

Councillors: M J Hart (Chairman), N J Desmond, I Hardiman, C Rogers, J D Smith and R J Vale.

Observers:

Councillors: H E Dyke and N Knowles.

CAB.22 Apologies for Absence

There were no apologies for absence.

CAB.23 Declarations of Interests by Members

Councillors M Hart, N Desmond and R Vale declared an ODI in respect of Agenda Item No. 10.1, Housing Enforcement Policy Update, as they were all private landlords.

CAB.24 Minutes

Decision: The minutes of the Cabinet meeting held on 14th June 2017 be confirmed as a correct record and signed by the Chairman.

CAB.25 Call Ins

No decisions had been called in since the last Cabinet meeting.

CAB.26 Items Requiring Urgent Attention

There were no items requiring urgent attention.

CAB.27 Establishing a Local Authority Trading Company (LATC)

A report was considered from the Corporate Director: Economic Prosperity and Place which updated Members on progress with the establishment of a Local Authority Trading Company (LATC).

The Leader of the Council led Members through the report. He advised that Council had agreed the establishment of a Capital Portfolio Fund as part of the 2017/18 budget, which enabled up to £25m to be invested in revenue generating assets. He explained that the LATC would be a separate entity to the Council; Wyre Forest District Council would be the sole shareholder of the

LATC and an independent Chairperson would be appointed. He added that given the potential for conflicts of interest it would be inappropriate to appoint Members of the Cabinet or Members with particular roles within the Council. Likewise, Officers with statutory roles or Senior officers with responsibility for service areas where there is a potential conflict of interest would not be appointed as Directors to the Board.

The Chair of the Overview and Scrutiny Committee commented that the report was very detailed and was fully supported by the Committee.

Decision:

In line with the recommendations from the Overview and Scrutiny Committee, 6th July 2017:

- 1.1 To agree that there is a case for the Council to establish a Local Authority Trading Company as a company limited by shares with the Council as sole shareholder embodying the principles set out within the report to Cabinet;**
- 1.2 Delegated authority to the Solicitor to the Council in consultation with the Leader and Deputy Leader of the Council and the Corporate Directors; Resources and Economic Prosperity & Place to procure a due diligence 'health check' assessment of the draft Articles of Association, Shareholders Agreement, Strategy for Loans to Third Parties and the Investment Strategy for the Capital Portfolio Fund be granted;**
- 1.3 Delegated authority to the Corporate Director; Resources in consultation with the Corporate Director: Economic Prosperity & Place, Solicitor to the Council and Cabinet Member for Resources to procure a financial business plan for the LATC, including an investment market analysis be granted;**
- 1.4 Following the completion of 1.2 & 1.3 above to receive a final business case and report to agree the establishment of the Local Authority Trading Company.**

CAB.28 Write-Off of Amounts Outstanding

A report was considered from the Corporate Director: Resources which gave consideration to writing off the sum of £155,810.18 in respect of debts that cannot be collected.

The Cabinet Member for Resources led Members through the report and explained that the Council had made every effort to pursue the debts and all recovery avenues had been fully explored. He added that the companies listed in the appendix to the report to Cabinet had ceased trading, making the prospect of recovery impossible. He confirmed that the Council collects just under £30 million across the district and the amount of write-off was a small proportion of the overall total.

The Leader of the Council echoed the comments of the Cabinet Member for Resources and re-iterated that Officers carried out rigorous recovery work and the decision to write-off amounts outstanding was a last resort.

Decision:

The total of £155,810.18, as detailed in the Appendix to the report to Cabinet, be written off.

CAB.29 Strategic Facilities & Asset Management Plan 2017-2020 (incorporating Wyre Forest House Tenancy Management & Marketing Strategy)

A report was considered from the Corporate Director: Economic Prosperity and Place which sought to agree the adoption of the Strategic Facilities & Asset Management Plan 2017-2020, including the Wyre Forest House Tenancy Management & Marketing Strategy.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration led Members through the report. He explained that the Council's continued aspiration was to grow the income from Wyre Forest House by taking a commercial approach to marketing available space and income generating opportunities. He explained the core objectives of the Strategic Facilities and Asset Management Plan detailed in the report to Cabinet and the aim to provide a structured 3 year facilities and asset management strategy which would be reviewed annually.

The Leader of the Council commented that the Strategic Facilities & Asset Management Plan 2017-2020 was welcomed, stating that Wyre Forest House was an important asset which secured an annual rental income of over £200,000 from a number of private companies plus income generated from hiring out public meeting rooms. He added that it was important to grow and strengthen Wyre Forest House as an asset to secure further income.

The Cabinet Member for Culture, Leisure and Community Protection commented that Wyre Forest House was a fantastic asset and welcomed the Plan as an excellent starting point in marketing and increasing income.

Decision:

In line with the recommendations from the Overview and Scrutiny Committee, 6th July 2017:

The Strategic Facilities & Asset Management Plan 2017-2020 and the Wyre Forest House Tenancy Management & Marketing Strategy be adopted.

CAB.30 Kidderminster Business Improvement District (BID)

A report was considered from the Corporate Director: Economic Prosperity and Place which sought to agree to proceed to the next stages of establishing a

Kidderminster Business Improvement District (BID).

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration led Members through the report in detail. He explained the background to the report and highlighted that the Council had continued to invest in regeneration in Kidderminster Town Centre to improve the vibrancy of the town, including the £2 million Public Realm investment and development of regeneration plans for Kidderminster Eastern Gateway. He commented that establishing a Business Improvement District (BID) for Kidderminster Town Centre was a potential way to improve the overall business environment of the town centre and would generate a sustainable revenue stream for the benefit of residents and businesses.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration confirmed that a Feasibility study had been carried out by Mosaic Consulting on behalf of the Council, which included extensive business and stakeholder engagement, including a public agency meeting, online and postal survey and meetings with key stakeholders including Kidderminster Licensees Association, West Mercia Police and Hereford and Worcester Fire Service. He explained that the outcome from the study suggested strong support for the BID concept in Kidderminster Town Centre and there was already a degree of partnership working which provided a strong platform to move forward. He concluded that the outcome of the BID feasibility work demonstrated an appetite locally to take forward the BID proposal and it was recommended to proceed to the next stage of the process which included further consultation with businesses and stakeholders and the development of the BID business plan.

The Cabinet Member for Culture, Leisure and Community Protection commented that as a Kidderminster Town Councillor, she was pleased to see that the initial findings of the study recommended to move to the next stage of the proceedings. She confirmed that she had spoken to a number of people in the town centre and looked forward to the next stage.

The Leader of the Council agreed that this was a clear example of Wyre Forest District Council leading the way, working with communities and businesses to add value to Kidderminster town centre and to give businesses the opportunity though the annual levy of funding an enhancement of services. He welcomed the feedback from the initial engagement exercise and agreed that the recommendations should be supported.

The Chairman of the Overview and Scrutiny Committee commented that this was an exciting proposal to enhance Kidderminster town centre and emphasised that the Council was facilitating a BID process to enable businesses to decide how to spend money and improve the town centre.

Decision:

In line with the recommendations from the Overview and Scrutiny Committee, 6th July 2017:

- 1.1 The findings of the initial Feasibility Study are sufficient to proceed to the next stage of the BID project;**
- 1.2 Delegated authority be granted to the Corporate Director, Economic Prosperity & Place in consultation with the Solicitor to the Council, Corporate Director; Resources together with the Cabinet Members for Planning & Economic Regeneration and Resources to:**
 - a) Agree the final BID boundary for Kidderminster Town Centre in consultation with the BID Shadow Board;**
 - b) Agree the Business Plan in relation to the establishment of a BID in consultation with the BID Shadow Board;**
 - c) Upon agreeing the Business Plan, to proceed to ballot upon; and upon achieving the necessary outcome from the BID ballot to proceed to formally establish the BID including the entering into of all necessary documentation to create the operating body for the BID.**
 - d) Exercise the Council's vote in support of the proposed BID in the ballot in respect of the hereditaments in the Council's ownership/occupation within the BID area**

CAB.31 Housing Enforcement Policy Update

A report was considered from the Principal Environmental Health Officer (Housing and Water Management) which sought to update the Housing Enforcement Policy based on the introduction of enhanced enforcement measures to tackle 'Rogue Landlords' in accordance with the Housing and Planning Act 2016, namely the ability for Local Authority delegated officers to issue civil (financial) penalties and extending the rent repayment order criteria.

The Cabinet Member for Housing, Health and Well-being explained the purpose of the report. He confirmed that the Housing and Planning Act 2016 introduced a range of measures to crack down on rogue landlords, including civil penalties of up to £30,000 which were enforceable from April 2017. He added that the Worcestershire Housing Partnership Plan 2017 recognised an increasing reliance on the growing private rented sector (PRS) to meet housing need and that the PRS has the highest proportion of homes that do not meet a decent standard, with one in five homes presenting a risk to health. The key priority of the Plan is to improve homes in the PRS.

The Cabinet Member for Housing, Health and Well-being thanked the Overview and Scrutiny Committee for their recommendation that the report be adopted.

The Leader of the Council commented that the Civil Penalty Matrix had been increased to the statutory maximum of £30,000 because smaller fines were being ignored by rogue landlords. He added that anything the Council can do

to protect vulnerable residents and ensure rogue landlords are brought to task would be supported and encouraged.

The Chair of the Overview and Scrutiny Committee stated that discussions at the meeting on 6th July 2017 included how any extra work that took place by Council Officers would be funded and were advised that any civil penalty recovered by the Council would be used for the Housing service area, thus effectively rogue landlords would be paying for their own downfall. She added that the Overview and Scrutiny committee was happy to recommend to Cabinet that the updated Housing Enforcement Policy be adopted.

Decision:

In line with the recommendations from the Overview and Scrutiny Committee, 6th July 2017:

The updated Housing Enforcement Policy 2017 incorporating civil penalty matrix framework for assisting determination of appropriate penalty, be adopted.

CAB.32 Exclusion of Press and Public

Decision: "Under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of "exempt information" as defined in paragraphs of Part 1 of Schedule 12A to the Act.

CAB.33 Outline Business Case for Investment in Residential Units

A report was considered from the Head of Strategic Growth which considered the business case for the proposal for the Council to purchase four two bedroom flats for private rent and to proceed with the project subject to the satisfactory completion of a detailed business case.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration led Members in depth through the confidential report to Cabinet. He advised that the Council recognised there is a strong demand for good quality private rented housing within Wyre Forest and added that the rising demand in housing need and the consequent cost of owner occupier accommodation would likely mean demand for buy to rent properties would remain high.

In line with the recommendations from the Overview and Scrutiny Committee, 6th July 2017:

- 1.1 The outline business case for the purchase of four residential units at the location named in the report utilising borrowing capacity from the Council's Capital Portfolio Fund, funding from its Evergreen Investment Fund and s106 monies be agreed.;**

1.2 Delegated authority be granted to the Corporate Director; Economic Prosperity & Place, in consultation with the Corporate Director; Resources, Solicitor to the Council and Cabinet Member for Housing, Health and Wellbeing to:

- (i) Finalise and approve the detailed business case for the purchase of the properties;**

And subject to agreeing the detailed business case to:

- (ii) Ensure that all legal documentation is completed to effect the purchase of the properties;**

The Cabinet is asked to RECOMMEND to Council;

That the Capital Programme is amended to include the potential purchase of the units funded as set out in the report, with a reservation that expenditure is subject to the final business case and subsequent delegated decision whether or not to proceed.

Their being no further business, the meeting closed at 6:59 pm.

WYRE FOREST DISTRICT COUNCIL**CABINET**
20 SEPTEMBER 2017**The Introduction of a Public Spaces Protection Order (PSPO) in Place of Dog Control Orders**

OPEN	
CABINET MEMBER:	Councillor Rebecca Vale, Cabinet Member for Operational Services
RESPONSIBLE OFFICER:	Linda Draycott, Corporate Director: Community Well-being & Environment
CONTACT OFFICER:	Robert Beeston, Ext 2543 robert.beeston@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 – Summary of Survey Results.

1. PURPOSE OF REPORT

- 1.1 This report outlines the results of a public consultation exercise undertaken over a 10 week period commencing on 19 June 2017 about the proposed introduction of a new Public Spaces Protection Order (PSPO) in the District.
- 1.2 The results of the consultation exercise will contribute to the decision making process on whether or not the Council wishes to implement a PSPO using powers contained within the Anti-social Behaviour, Crime and Policing Act 2014. This would be in place of existing Dog Control Orders.
- 1.3 In June 2017, Cabinet delegated authority to the Corporate Director – Community Well Being and Environment, in consultation with Councillor Rebecca Vale, Cabinet Member for Operational Services to undertake a comprehensive consultation exercise in line with the powers.

2. RECOMMENDATION

The Cabinet is asked to DECIDE that:

2. 1 **in response to the positive support for measures to control dogs, a Public Spaces Protection Order (PSPO) is made in the Wyre Forest District, under powers contained within the Anti –Social Behaviour, Crime and Policing Act 2014, commencing 1 October 2017 for a period of 3 years on the basis set out in the report.**
2. 2 **That the fixed penalty amount shall be £100 for each notice issued**

3. **BACKGROUND**

- 3.1 In June 2017 Cabinet considered a report relating to the introduction of a PSPO which allows authorities to deal with a type of antisocial behaviour in a particular area where it is having, or is likely to have, a detrimental effect on the quality of life of those in the locality, is of a continuing or persistent nature and is unreasonable.

It can prohibit certain things or require specific things to be done. A PSPO may be introduced **only** after a meaningful period of consultation and must be widely promoted and publicised if it is introduced.

- 3.2 A consultation exercise was widely promoted in June 2017 and an online survey was completed by 927 people by the deadline of 3 September 2017. The survey was also promoted through the Council's Countryside and Conservation teams across its Nature Reserves and SSSI's (Sites of Special Scientific Interest). Key stakeholders and partners were directly contacted, including Parish and Town Councils, the Chief Officer of Police for the local area, the Police and Crime Commissioner and Land Owners in the area. In addition to the comprehensive promotion of the online survey, Council Enforcement officers undertook a drop in session in each of the towns across the District in July.

4. **KEY ISSUES**

- 4.1 The full results of the survey are attached as appendix 1; however, in summary the table below shows the extent to which each issue was supported or other wise.

Q	To what extent to do agree/disagree that :-	Percentage agree or strongly agree
1.	the Council should have the power to make sure a person in charge of a dog, cleans up after it	97%
2.	there should be a new offence that would mean dog walkers could receive a fine if they don't have the means to pick up their dog's poo	86%
3.	dogs should be kept on a lead in Kidderminster Cemetery QE2/Jubilee Gardens	88% 70%
4.	a dog should be placed on a lead when asked to do so by an authorised person on public land	84%
5.	The number of dogs one person may have under their control in a place to which the public have access should be limited	Yes = 60%
6.	How many dogs. ..one person should be allowed to have under their control at a time	Up to 2 = 33% Up to 3 = 38% Up to 4 = 25%
7.	There should be a new offence ...excluding dogs from certain areas e.g. children's play areas	86%
8.	Dogs should be excluded from :- Fenced off play areas Splash pads/water play areas	Yes = 99% Yes = 95%
9.	the penalty for committing an offence should be £100	76% = about right

10.	the Council should have the power to make sure a person in charge of a dog cleans up after it on all land in the District to which the public has access	85%
11.	areas that it is ok not to clean up after your dog – missing info	Forested areas, farm land, deeply rural areas – “stick and flick” is acceptable

4.2 67% of survey respondents were dog owners, with 73% living in post codes DY 10, 11 and 12 and 63% of responders walked their own dog.

4.3 In addition to the survey responses, 467 individual comments were received. A number of respondents identified a lack of bins as an issue and frequently mentioned areas where further bins would assist the problem. For example Northwood Lane, Trimpey Reservoir, Spennells, Habberley Valley and Rifle Range.

4.4 Several people would like to see more dog zones where they can run off the lead in an enclosed area. Others mentioned the increasing habit of bags being left after dog mess has been picked up. This is a littering offence and will be addressed as part of ongoing education campaigns when residents will be reminded that dog poo can be disposed of in normal litter bins.

There were a number of comments about dog owners who claim their dog never fouls while out walking and therefore they think they should not be penalised for not having bags.

4.5 There was frequent mention of certain areas where dogs were not in control, for example Hurcott Wood, St George’s Church and some other churchyards, Marlpool Lane and park and generally in Stourport. Respondents also mentioned over 14 specific “hotspot” areas where dog fouling is considered to be persistent and requiring attention. The enforcement team will endeavour to address these particular concerns.

4.6 A number also referred to the practice of “stick and flick” which is sometimes adopted by the Forestry Commission and seen as appropriate in less obviously public places. This is not something that officers are looking to encourage in Wyre Forest at the current time. The Council would prefer to get the message out to dog owners to educate them to “pick up”.

4.7 In most areas there is clear support for the requirements of a PSPO. In terms of the number of dogs that can be under the control of an individual, 60% of respondents agreed that the number should be limited. However, there was a split in terms of agreement on what that number should be with the most popular being a limit of 3 dogs, with 38% of respondents favouring this. In view of this, the proposed PSPO will **not** limit the number of dogs one person can have under their control. This element will be reviewed after three years.

4.8 Many respondents also commented about concerns in the overly robust enforcement by Council officers and indeed the capacity to enforce over such a large area.

4.9 It is proposed that the PSPO incorporate the following:

- **Fouling on all publicly accessible land in the administrative area of the Council (This would include nature reserves, agricultural land with rights of way and private land accessed by the public) where dog faeces is not picked up and properly disposed of**
- **Exclusion of dogs from fenced off play areas, including splash parks (where applicable).**
- **Requirement for provision of a means, or suitable receptacle, to pick up dog faeces.**
- **Control of dogs by being kept on a lead in Kidderminster Cemetery and Queen Elizabeth II Gardens, Bewdley.**
- **Control of dogs by direction of an authorised officer on all publically accessible land in the administrative area of the Council.**

4.10 Unless specified, the PSPO will cover any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission (s 74(1) of the Act). This means that the measures will also apply to agricultural land and Nature Reserves.

4.11 There will however be exemptions. For example the measures will not apply to assistance dogs used by the blind or by persons who lack the physical ability to comply with the requirements of the PSPO.

4.12 It is intended that the powers will be carried out by the Council's Community and Environmental Protection team primarily as well as any other designated authorised officer. The Community and Environmental Protection team is putting together a training programme so that other appropriate personnel can be authorised to carry out powers under the PSPO. This may include Canals and Rivers Trust personnel, Community Housing Wardens and Friends of Parks volunteers.

4.13 In accordance with the Act, the PSPO will cease to have effect after three years. However, that period can be extended for a further three years if, following a review, it continues to be necessary.

4.14 For a period of three months after the introduction of the PSPO Council officers will use their discretion and adopt an informal/educational approach to the enforcement of the new legislation. During this period a communication and social media campaign will run aimed at alerting the public to the new laws and to engage with the parishes, particularly on the issue of replacement signage and patrolling of hotspots.

5. FINANCIAL IMPLICATIONS

5.1 The cost of publicising the PSPO and relevant signs can be met from within existing operational enforcement budgets.

Income received through enforcement action is re-invested into the service and will be used on educational campaigns, bin installation and signage.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 There is a requirement for publicity within the Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014. These require that where a local authority has made a PSPO, they must publish it on its website, social media accounts and erect such notices as it considers sufficient to advise members of the public that the PSPO has been made and the effect of such an order.
- 6.2 Offences are dealt with by the issue of a fixed penalty notice requiring a set payment to be set at £100. However, failure to comply with either a prohibition, or requirement, within the order is an offence upon summary conviction (offences heard within the Magistrates Courts) for which defendants can face a fine not exceeding level three on the standard scale (currently £1,000).

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 There will be exemptions for protected characteristics identified within an initial Equality Impact Needs Assessment. For example the measures will not apply to assistance dogs used by the blind or by persons who lack the physical ability to comply with the requirements of the PSPO.

8. RISK MANAGEMENT

- 8.1 In a review of risks associated with the potential introduction of a PSPO it is considered that transparent communication with the public is essential to mitigate any risks of misinterpretation. It is also important to communicate the “soft” introduction of the new powers within the first three month period where officers will undertake educational activity and widespread promotion of the details of the PSPO.

9. CONCLUSION

- 9.1 Powers available within the Anti-social Behaviour, Crime and Policing Act 2014 give the Council the ability to tackle issues of community concern. The implementation of a PSPO utilises powers so that Civil and Environmental Protection Officers have the necessary tools to undertake enforcement action where necessary and proportionate. The overwhelmingly supportive responses to the consultation from dog owners indicate wide support for the proposals. It should be noted that any new powers will be proportionately enforced and will give officers extra power to enforce in persistently problem areas. The majority, who are sensible dog owners, will not be adversely affected by the introduction of a PSPO.

10. CONSULTEES

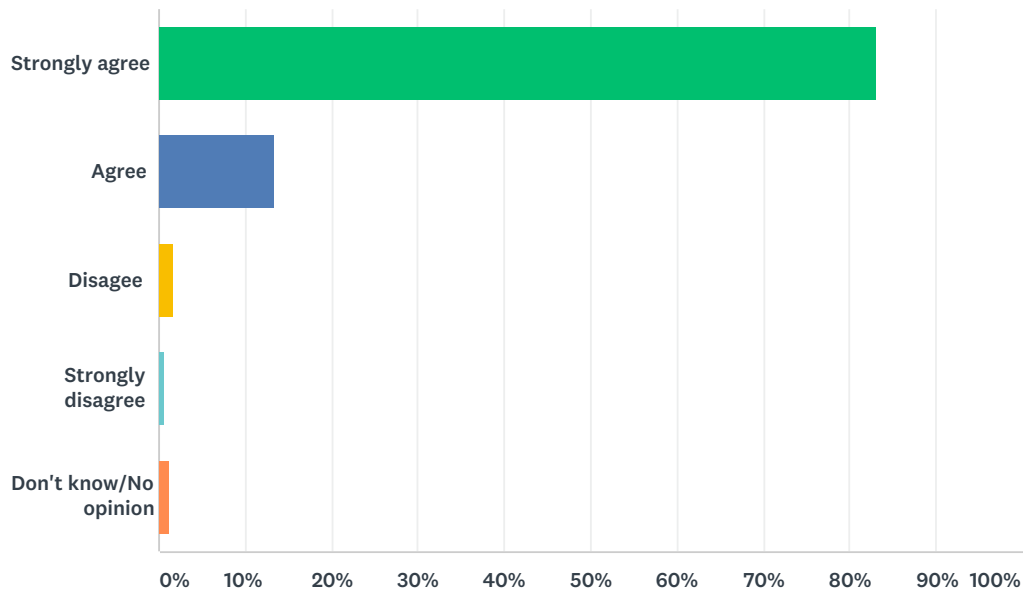
- 10.1 Cabinet
CLT
Overview and Scrutiny

11. BACKGROUND PAPERS

- 11.1 Cabinet Report June 2017

Q1 To what extent do you agree/disagree that the Council should have the power to make sure a person in charge of a dog cleans up after it?

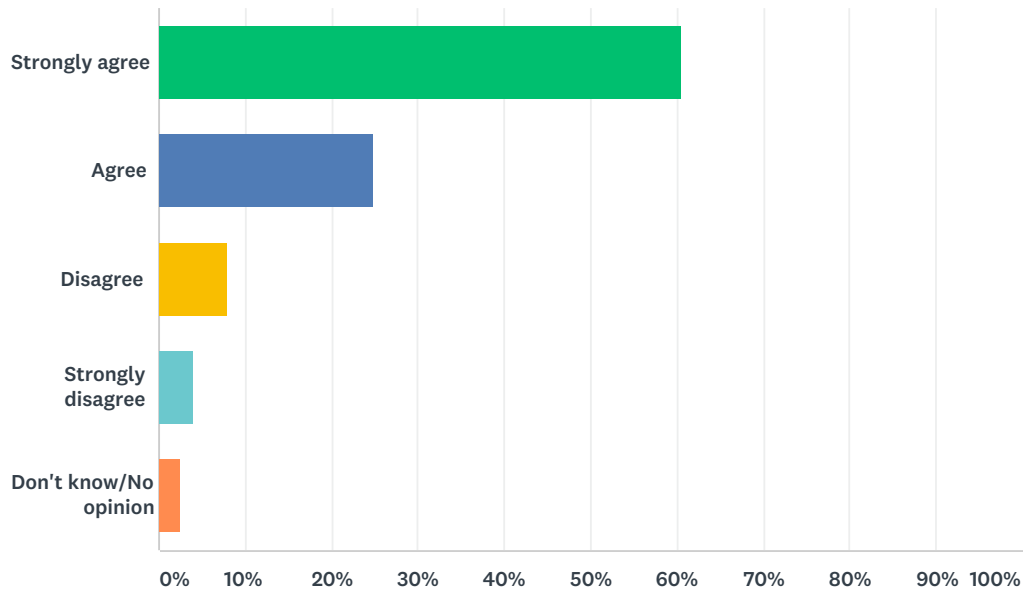
Answered: 927 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly agree	83.06%	770
Agree	13.48%	125
Disagree	1.62%	15
Strongly disagree	0.65%	6
Don't know/No opinion	1.19%	11
TOTAL		927

Q2 To what extent do you agree/disagree that there should be a new offence under a PSPO that would mean dog walkers could receive a fine if they don't have the means (e.g. bags, poop scoop) to pick up their dog's poo?

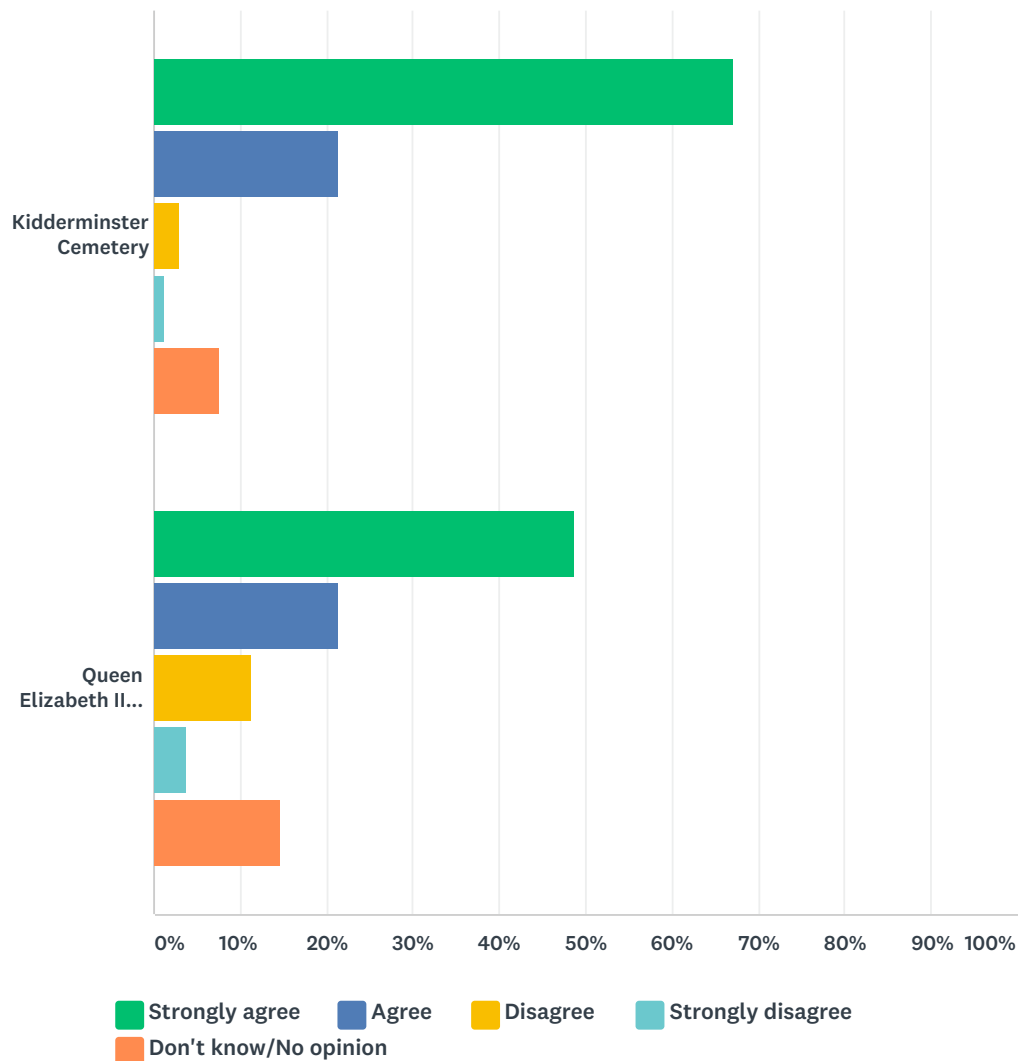
Answered: 920 Skipped: 7



ANSWER CHOICES	RESPONSES	
Strongly agree	60.54%	557
Agree	25.00%	230
Disagree	8.04%	74
Strongly disagree	3.91%	36
Don't know/No opinion	2.50%	23
TOTAL		920

Q3 Wyre Forest District Council has received complaints regarding dogs off leads in the following areas. To what extent do you agree/disagree that dogs should be kept on a lead in...

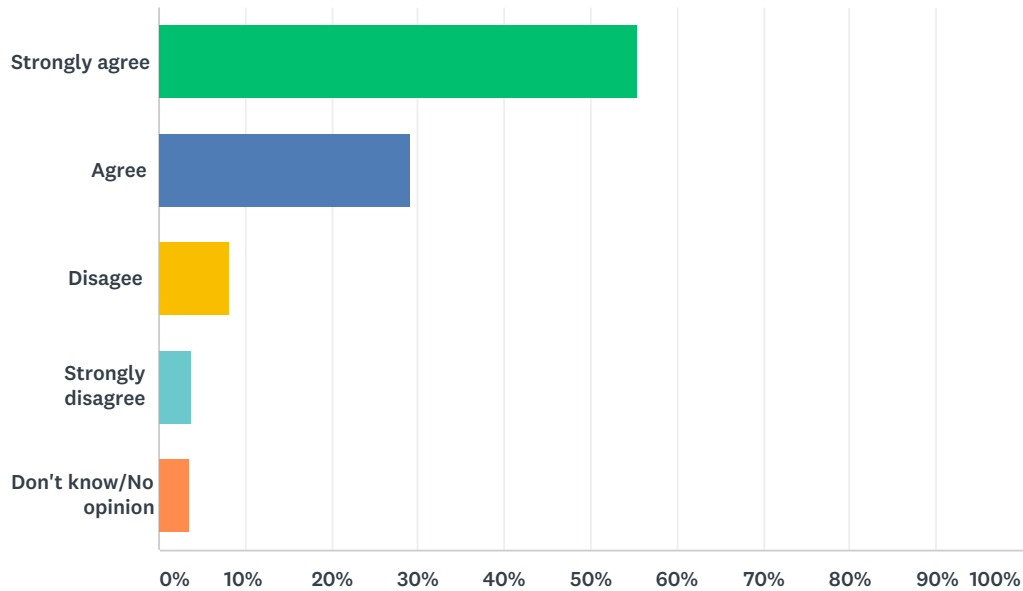
Answered: 915 Skipped: 12



	STRONGLY AGREE	AGREE	DISAGREE	STRONGLY DISAGREE	DON'T KNOW/NO OPINION	TOTAL
Kidderminster Cemetery	67.07% 613	21.33% 195	2.84% 26	1.31% 12	7.44% 68	914
Queen Elizabeth II Jubilee Gardens in Bewdley	48.85% 445	21.41% 195	11.31% 103	3.84% 35	14.60% 133	911

Q4 To what extent do you agree/disagree that a dog should be placed on a lead when asked to do so by an authorised person on any public land, e.g. a Council Officer?

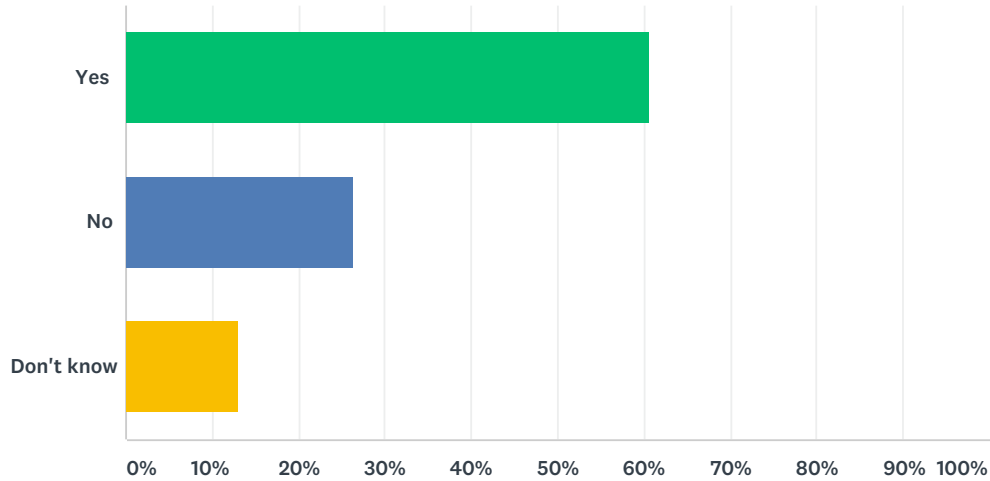
Answered: 913 Skipped: 14



ANSWER CHOICES	RESPONSES	
Strongly agree	55.42%	506
Agree	29.03%	265
Disagree	8.21%	75
Strongly disagree	3.83%	35
Don't know/No opinion	3.50%	32
TOTAL		913

Q5 Do you think that the number of dogs one person may have under their control in a place to which the public have access should be limited?

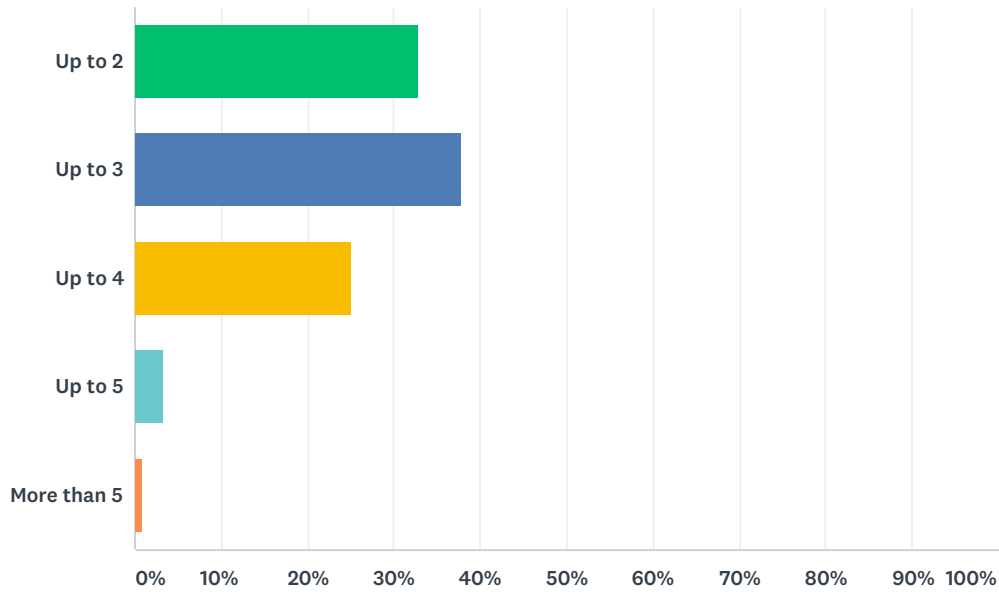
Answered: 909 Skipped: 18



ANSWER CHOICES	RESPONSES	
Yes	60.73%	552
No	26.29%	239
Don't know	12.98%	118
TOTAL		909

Q6 If Yes, how many dogs do you think one person should be allowed to have under their control at a time?

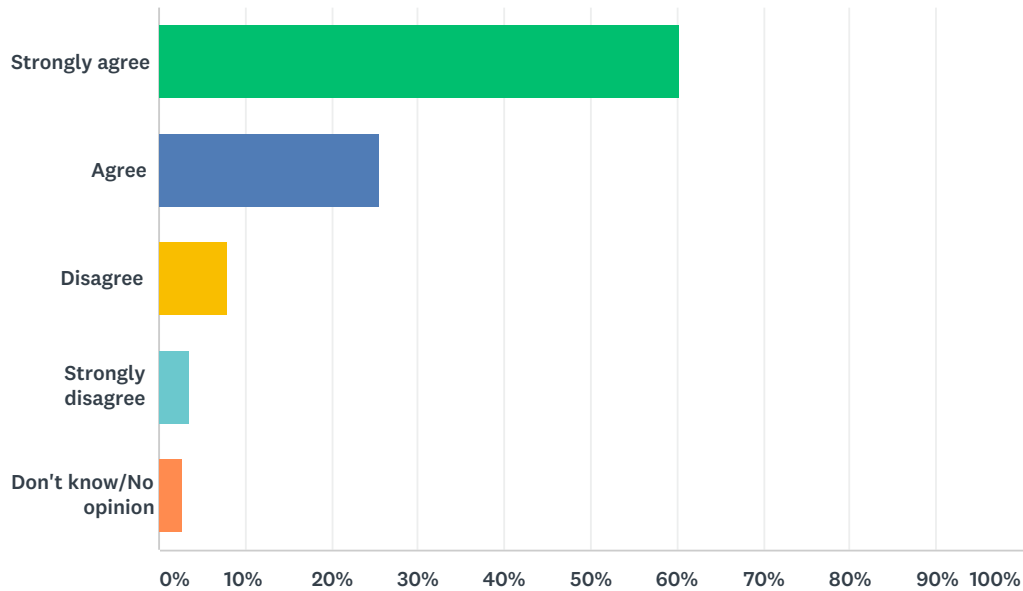
Answered: 551 Skipped: 376



ANSWER CHOICES	RESPONSES	
Up to 2	32.85%	181
Up to 3	37.93%	209
Up to 4	25.05%	138
Up to 5	3.27%	18
More than 5	0.91%	5
TOTAL		551

Q7 To what extent do you agree/disagree that there should be a new offence under a PSPO excluding dogs from certain areas, e.g. children's play areas?

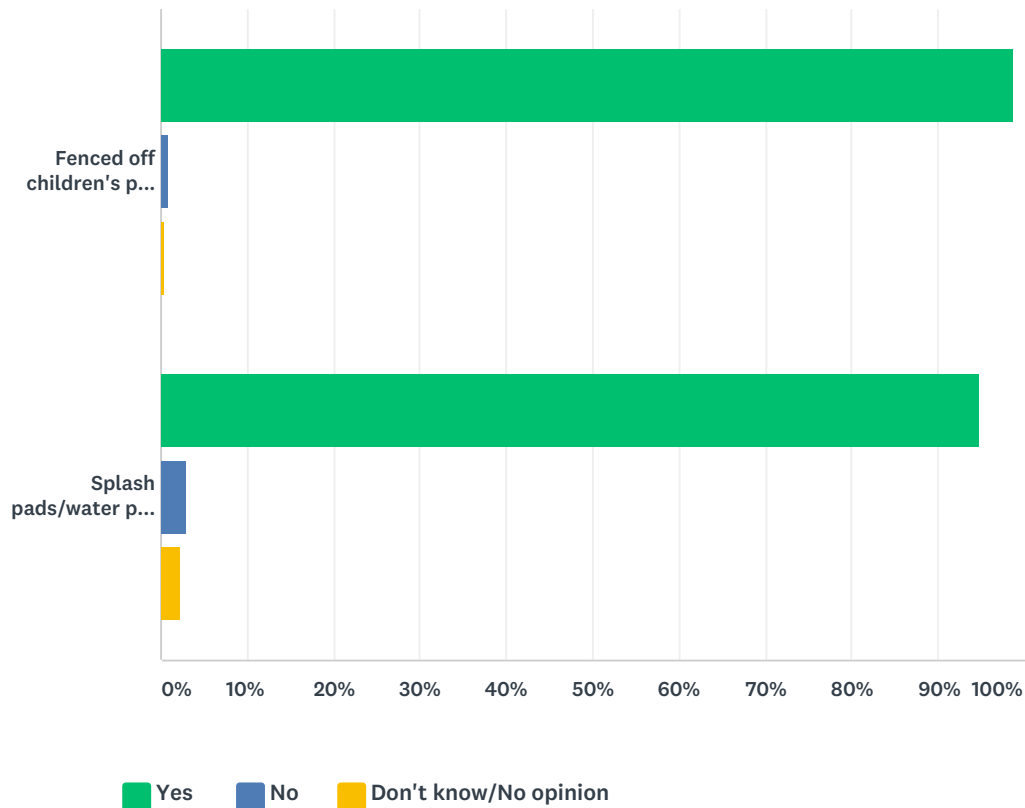
Answered: 906 Skipped: 21



ANSWER CHOICES	RESPONSES	
Strongly agree	60.15%	545
Agree	25.61%	232
Disagree	7.95%	72
Strongly disagree	3.64%	33
Don't know/No opinion	2.65%	24
TOTAL		906

Q8 If you agree dogs should be excluded from certain areas, do you think they should be excluded from...

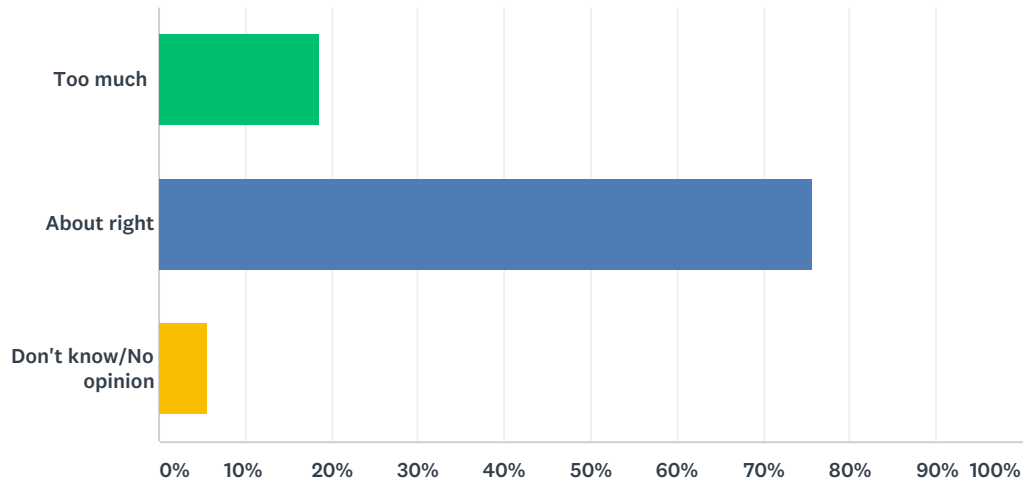
Answered: 776 Skipped: 151



	YES	NO	DON'T KNOW/NO OPINION	TOTAL
Fenced off children's play areas	98.71% 766	0.77% 6	0.52% 4	776
Splash pads/water play areas	94.70% 733	2.97% 23	2.33% 18	774

Q9 Wyre Forest District Council suggests that the penalty for committing an offence under a PSPO should be a £100 fine (the legislation says this is the maximum). Do you think this is...

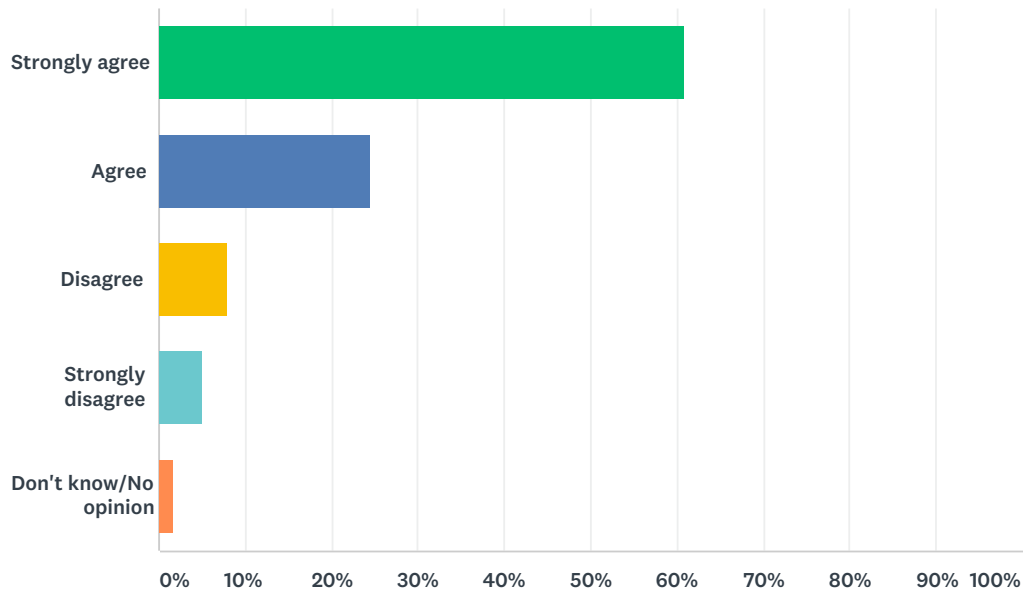
Answered: 901 Skipped: 26



ANSWER CHOICES	RESPONSES	
Too much	18.53%	167
About right	75.80%	683
Don't know/No opinion	5.66%	51
TOTAL		901

Q10 We are proposing that the Council should have the power to make sure a person in charge of a dog cleans up after it on all land in the district to which the public have access. This would include nature reserves, agricultural land with rights of way and private land accessed by the public. To what extent to you agree/disagree with this?

Answered: 900 Skipped: 27



ANSWER CHOICES	RESPONSES	
Strongly agree	60.78%	547
Agree	24.56%	221
Disagree	7.89%	71
Strongly disagree	5.00%	45
Don't know/No opinion	1.78%	16
TOTAL		900

Q11 If you disagree or strongly disagree – which areas of the district do you think it is ok for people not to clear up after the dog they're in charge of and why?

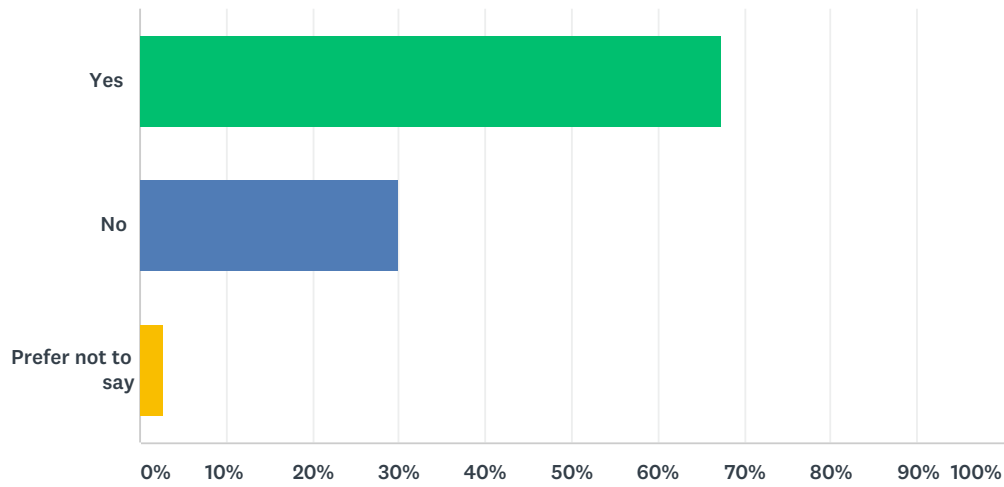
Answered: 114 Skipped: 813

Q12 Any other comments?

Answered: 467 Skipped: 460

Q13 Are you a dog owner/dog walker?

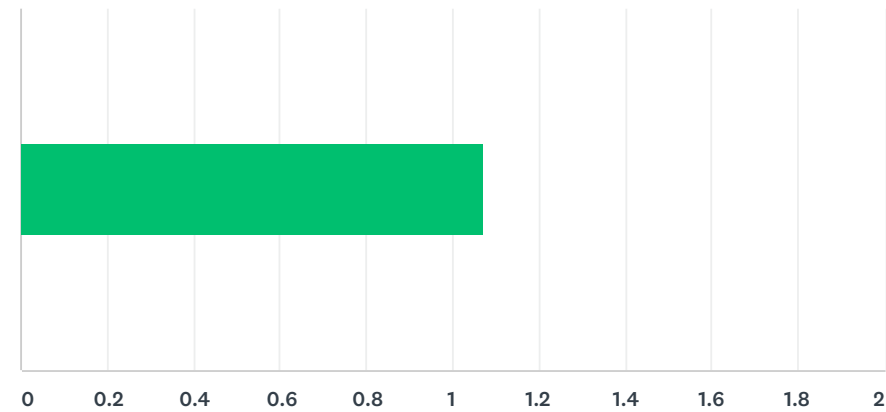
Answered: 857 Skipped: 70



ANSWER CHOICES	RESPONSES	
Yes	67.33%	577
No	29.87%	256
Prefer not to say	2.80%	24
TOTAL		857

Q14 How many dogs do you usually walk?

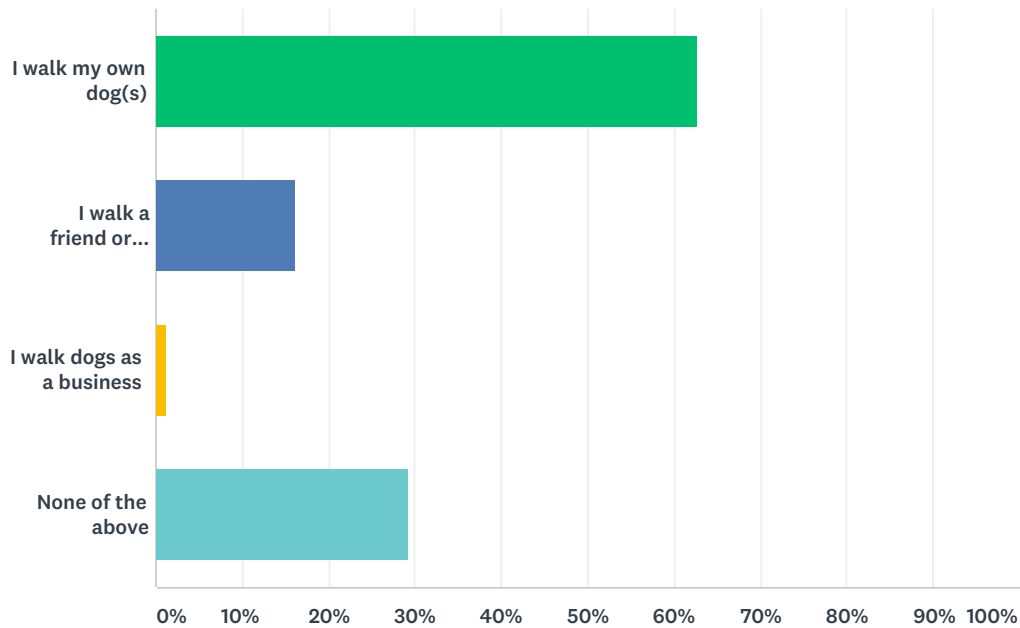
Answered: 857 Skipped: 70



ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	1	919	857
Total Respondents: 857			

Q15 Which of the following applies to you?

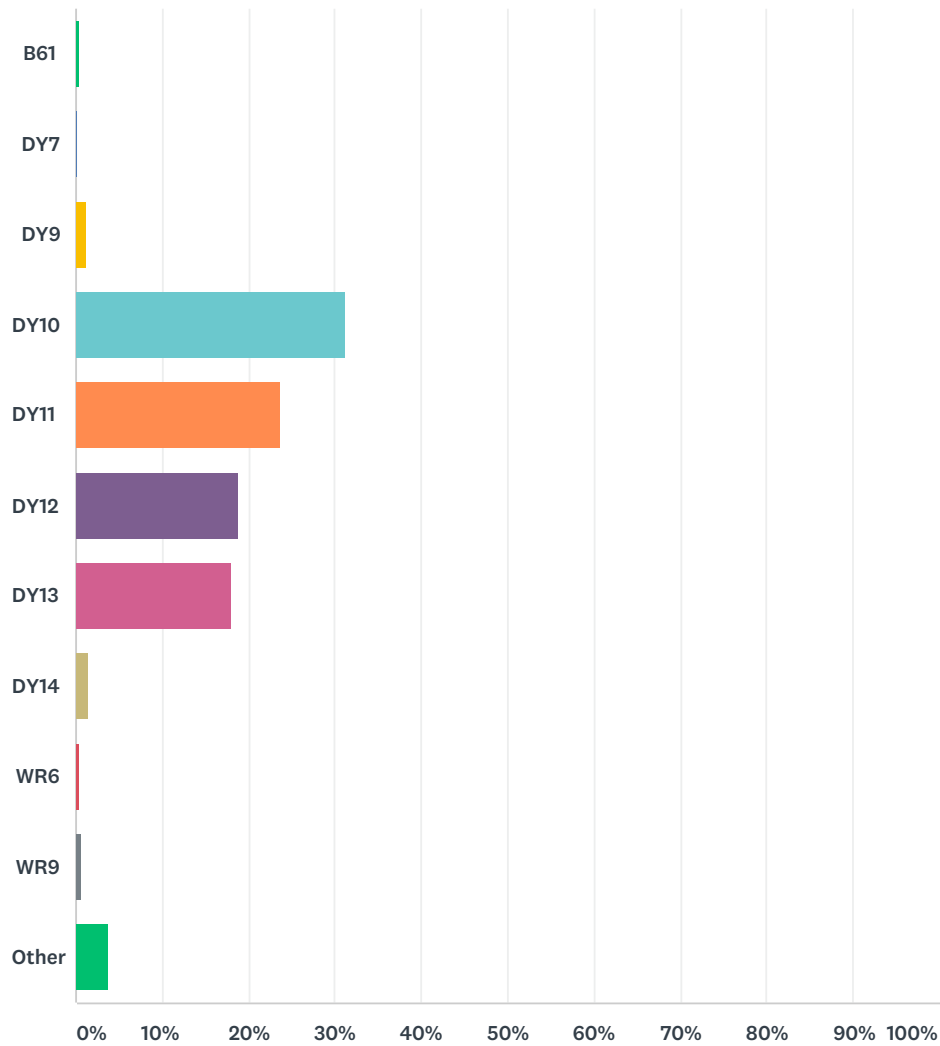
Answered: 857 Skipped: 70



ANSWER CHOICES	RESPONSES	
I walk my own dog(s)	62.66%	537
I walk a friend or family member's dog(s)	16.10%	138
I walk dogs as a business	1.17%	10
None of the above	29.29%	251
Total Respondents: 857		

Q16 Where do you live? (Please select the first part of your postcode)

Answered: 857 Skipped: 70



ANSWER CHOICES	RESPONSES	
B61	0.35%	3
DY7	0.23%	2
DY9	1.17%	10
DY10	31.16%	267
DY11	23.69%	203
DY12	18.90%	162
DY13	18.09%	155
DY14	1.40%	12
WR6	0.47%	4
WR9	0.70%	6
Other	3.85%	33
TOTAL		857

WYRE FOREST DISTRICT COUNCIL

**Cabinet
Wednesday 20th September 2017**

**Overview and Scrutiny Committee
Thursday 7th September 2017**

The Introduction of a Public Spaces Protection Order (PSPO) in Place of Dog Control Orders

The Committee considered the results of a public consultation exercise undertaken over a 10 week period commencing on 19 June 2017 about the proposed introduction of a new Public Spaces Protection Order (PSPO) in the district.

Members supported the introduction of a PSPO as dog fouling was an emotive issue and any powers that the authority had to tackle issues of community concern should be used. In light of the responses received relating to the number of dogs one person may have under their control at a time, Members requested that further consideration be given to this matter.

Recommend to Cabinet:

- 1. In response to the positive support for measures to control dogs, a Public Spaces Protection Order (PSPO) is made in the Wyre Forest District, under powers contained within the Anti –Social Behaviour, Crime and Policing Act 2014, commencing 1 October 2017 for a period of 3 years on the basis set out in the report.**
- 2. The fixed penalty amount shall be £100 for each notice issued.**
- 3. Further consideration be given to limiting the number of dogs one person may have under their control at a time.**

Background papers:

Report to the Overview and Scrutiny Committee, Thursday 7th September 2017

<http://www.wyreforest.gov.uk/council/meetings/com193.htm#mt7616>

WYRE FOREST DISTRICT COUNCIL**CABINET**
20th SEPTEMBER 2017**Compulsory Acquisition of Land & Properties & Empty Property Strategy**

OPEN	
CABINET MEMBER:	Councillors Ian Hardiman – Cabinet Member for Planning & Economic Regeneration Chris Rogers – Cabinet Member for Housing, Health & Well-being
RESPONSIBLE OFFICER:	Mike Parker – Corporate Director: Economic Prosperity & Place
CONTACT OFFICER:	Mike Parker ext 2500 Mike.parker@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 – CPO guidance Appendix 2 – Empty Property Strategy 2017-22

1. PURPOSE OF REPORT

- 1.1 To agree the Council's approach to compulsorily acquiring privately owned empty residential properties and undeveloped land and to adopt an updated Empty Property Strategy.

2. RECOMMENDATION

The Cabinet is asked to **DECIDE** :

- 2.1 **To approve the principle of the use of compulsory purchase powers under s17 of the Housing Act 1985 and s226(1)(a) of the Town & Country Planning Act 1990 to acquire vacant and /or under used land and empty properties subject to reports being received and approved on an individual case by case basis;**
- 2.2 **To approve the Empty Property Strategy 2017-22;**

3. BACKGROUND

- 3.1 Under-utilised and vacant land and empty properties are important resources in supporting the Council's Corporate Priorities and Strategic Actions to 'Support You To Live In Clean, Green and Safe Communities' and 'Working Towards Meeting Current & Future Housing Needs...' and 'Preventing & Reducing Homelessness' but they are failing to contribute through their lack of active use. Not only are they an underutilised resource, their appearance can have an undermining effect on the aesthetics of the district and the quality of life of nearby residents and neighbours and can attract anti social behaviour, graffiti, vandalism and fly tipping. In short they can quickly have a negative effect on the local area in which they are situated.

- 3.2 The District Council, like most councils, continually needs to provide more good quality houses than the local housebuilding, private and social rented markets are supplying. In June 2017 the Council published its Local Plan Preferred Options consultation which set out its expected housing delivery to meet its needs over the period to 2034. Based on its Objectively Assessed Housing Need (OAHN) the Council needs to achieve 300 new housing completions per annum, including the provision of 100 affordable homes each year. Now major housing sites such as Silverwoods have neared completion the Council needs to work to ensure that this figure can comfortably be met each year. The Council currently has approximately 3000 households on its housing waiting list and in recent years has seen the number of new homes brought forward by Registered Social Landlords also reduce due to changes in the government approach to grants available to them.
- 3.3 The problem is a national one which the Government's White Paper: Fixing our Broken Housing Market, published in February 2017 sought to tackle. It encouraged local authorities to find creative ways in which the supply of housing could be increased as well as beginning to tackle ways in which the national housebuilders could be encouraged to build more new houses. In the White Paper the government highlighted their proposed reforms to Compulsory Purchase to make the process clearer, fairer and faster, encouraging local authorities to "...think about how they can use these powers to promote development..."; further the White Paper went on to say that the government "propose to encourage more active use of compulsory purchase powers to promote development on stalled sites for housing."
- 3.4 At the time of writing there were 397 empty properties in the district that have been empty for more than six months. Whilst the Council's Private Sector Housing Team work proactively to bring these properties back into use, the process is resource hungry and takes time as the Council currently works with and supports owners to bring their properties back into use rather than resorting to more formal action.
- 3.5 The Council adopted an Empty Property Strategy in 2011 for the period 2011-15 and needs to bring forward a new strategy for adoption. In 2014 the Council also adopted an Enforced Sale Policy which was anticipated would be used in 'exceptional circumstances' when the Council had exhausted other discretionary and legal powers to bring the property back into use.
- 3.6 Empty properties and undeveloped land has financial consequences for the Council; empty properties could bring in additional Council Tax if they are occupied [and the Council has taken more pro active steps already to ensure that completion notices for Council Tax purposes are served in a timely manner for new build completions] and would increase the amount of New Homes Bonus that the Council would receive; undeveloped land likewise would increase the Council Tax base as well as contributing to New Homes Bonus once development was complete.
- 3.7 The Worcestershire Partnership Plan adopted in 2017 recognised the need to increase the supply of new housing. It said that "we need to ensure that there are a sufficient number of good quality homes for the population to address the housing shortage and support economic growth ambitions". Maximising housing delivery is one of the key actions expressed within the document in order to tackle homelessness and improve housing related health outcomes.

4. KEY ISSUES

- 4.1 There are more actions that the Council could take, following the lead set out in the Housing White Paper to increase the supply of housing in the district. The Council has already identified the Capital Portfolio Fund to enable the investment in revenue generating regeneration opportunities, which could include new housing for private rented use by the Council acting as private landlord. Cabinet has agreed the continued work towards establishing a Local Authority Trading Company which would enable the Council as sole shareholder in the company to promote the purchase of residential properties to let. Council has also established the availability of Loans to Third Parties to similarly stimulate regeneration across the district which could include lending for residential projects.
- 4.2 In addition paragraph 51 of the National Planning Policy Framework provides that Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers.
- 4.3 This paper brings together the additional powers that the Council could use to compel land and property owners to make better use of their land and to reduce the number of empty properties by bringing them back into use.

4.4 Compulsory Purchase Orders (CPO):

The Council already has the ability to use CPOs to acquire land and property and has hitherto used those powers sparingly and only where necessary to intervene in the market to facilitate major regeneration and development projects e.g KTC.1 which facilitated the development of Weavers Wharf. There is legislation, guidance and case law which sets out the process for CPO and what matters the Council must take into account (see Appendix 1 for brief outline). In particular the Council will need to be clear which legislation it is seeking CPO under (see below), that it can demonstrate the compelling case and purposes for the CPO and that Human Rights have been taken into account. Each CPO case will need to be brought forward separately for Cabinet and all the relevant matters will need to be reported at that time. In line with the White Paper suggestion, it will be particularly pertinent for the Council to consider the use of CPO on sites that have had the benefit of residential planning permission and the owner/developer has failed to implement it in part or in whole, as well as to bring back long term empty properties into use.

4.5 Enforced Sale:

In 2014 the Council adopted a policy for the enforced sale of empty properties under the Law of Property Act 1925 where there are situations where property owners in the district have incurred debts and are not paying those debts; The Law of Property Act allows for the recovery of debts that have been registered as a charge on that property through an enforced sale of the property.

- 4.6 Debts that can be recovered this way are typically Council Tax debt (this requires an initial stage of legal action to be able to apply the debt as a charge) and costs incurred by the Council that can be directly applied to a property for example Housing Act 2004 notice costs and works in default. Enforced Sale can be used on any property type providing the Council is able to attach a charge under a relevant statute. Since

adopting the policy officers have used the threat of forced sale to encourage owners of empty properties to sell them without the need to take formal legal steps to force the sale.

4.7 Empty Dwelling Management Orders (EDMO):

The Council has powers under the Housing Act 2004 to use Empty Dwelling Management Orders (EDMO) where dwellings have been empty for more than two years. There are various criteria that have to be met and any order is made following approval by a Residential Property Tribunal and is thus not solely in the control of the Council. Moreover, even if granted a final order for seven years, this merely gives the Council the power to let the property and to retain the rent only so far as it covers the Council's costs, including costs of making the order and making the property habitable. Any "profit" has to be returned to the owner. Thus EDMOs are resource intensive and not necessarily a popular route for the Council to pursue.

4.8 Empty Properties Policy:

The Council recognises the importance of empty properties to the overall supply of housing in the district and had in place an Empty Property Strategy 2011-15 which is now out of date, so the Council proposes to adopt a new Strategy from 2017-22 (Appendix 2). The Council currently identifies 397 as being long term empty i.e. vacant for more than six months; on average the Council has been able to bring back 30 or so properties into use each year but the process of achieving this, depending on the reasons the property is vacant in the first place, can be very resource hungry and it can take considerable officer input into negotiating the active use of empty properties with owners or next of kin. Coupled with more active use of CPOs it is envisaged that the active use of empty properties could be accelerated and with the proposed establishment of the Local Authority Trading Company (LATC) will enable the Council to acquire properties and bring them back into private rented use.

5. FINANCIAL IMPLICATIONS

- 5.1 It is proposed that the costs of acquisition of land and property will either come from the Council's Capital Portfolio Fund which will require the business cases to be developed for each intended investment or through the LATC directly.
- 5.2 The cost of pursuing CPOs in terms of the process will be borne through existing budgets and either factored in as a 'cost' of acquisition for consideration as part of the investment business case or will be covered at the cost of the LATC by way of an indemnity agreement.
- 5.3 Bringing underused land and empty properties back into use enables the Council to increase the Council Tax base as well as achieving an improved New Homes Bonus settlement, all of which assists the Council in supporting the continued delivery of its services.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 Housing Compulsory Purchase powers can be exercised under s17 of the Housing Act 1985; when made under the Town & Country Planning Act 1990 it is under s 226(1) of the Act.
- 6.2 Powers under s17 can be used as a general power to purchase where the Council intends to acquire land or houses for the purpose of providing housing, it includes power to acquire land for the purpose of disposing of houses provided, or to be provided, on the land or of disposing of the land to a person who intends to provide housing accommodation on it. It also includes a power to acquire it compulsorily even if that the land is not immediately required for those purposes as long as the land is likely to be required for those purposes within ten years from the date on which he confirms the compulsory purchase order.
- 6.3 Powers under s226 can be used where the authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land or the property is required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated; in addition under s226(1A): the authority must think the acquisition is likely to improve economic, social or environmental well-being of area

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 Not required at this stage but will be required as part of the case by case consideration of the justification for the use of the powers.

8. RISK MANAGEMENT

- 8.1 If the Council does not utilise the tools and powers it has to bring under- utilised land and properties back into use it increases the risks associated with limited supply of housing across the district and with the ability of households to be able to afford new housing, thus exacerbating housing need across the district.
- 8.2 There are potential costs and use of officer resources associated with pursuing the acquisition of land and property, especially through CPO that may not be recoverable if the Council fails to proceed with the intended acquisition.

9. CONCLUSION

- 9.1 The Council recognises the potential that vacant and underused land and buildings can have on the supply and variety of new housing across the district and following the direction of travel being set nationally by the government as set out in the Housing White Paper, the Council intends to be more proactive in using the powers available to it – particularly those associated with compulsory purchase – to stimulate the market to bring the land and buildings into active use or otherwise the Council will acquire them and bring them back into productive use itself, which could include

selling or bringing into the ownership of its intended LATC to be run as private rented housing.

10. CONSULTEES

10.1 Corporate Leadership team

11. BACKGROUND PAPERS

11.1 Empty Property Strategy 2011-15.

A CPO should only be made:

1. Where there is a compelling case in the public interest. Each case will need to be examined individually, however bringing vacant homes back into use, and bringing forward housing development schemes on undeveloped sites (thereby ensuring that sufficient homes are provided to meet the needs of the District's residents) are clearly capable of being in the public interest.
2. The Council should be sure that the purposes for which the CPO is made justify interfering with the human rights of those with an interest in the land affected. The Secretary of State confirming the order will take a balanced view between the intentions of the acquiring authority, the concerns of those with an interest in the land affected and the wider public interest. Each case will need to be examined individually, and CPO will only be authorised where the Council has balanced the various interests but considers that the use of compulsory purchase powers in that case is justified.
3. Where the Council has a clear idea of how it intends to use the land which it is proposing to acquire. In respect of empty property CPOs that come forward, the Council may either look to a LATC to retain the properties within its own housing stock, or dispose of them with an obligation that the new owner brings them back into use. In respect of undeveloped/vacant sites CPOs that come forward – the Council may obtain planning permission for housing development on the site (or make use of any existing planning permission) which is the subject of the CPO.
4. Where resources are likely to be available within a reasonable time-scale to deliver the proposals - the Council has the funding available to fund the acquisition of empty homes and undeveloped sites. Details of the funding available for the specific CPO will be provided prior to the decision to authorise a CPO for a specific site or property.
5. Where the Council can show that the scheme is unlikely to be blocked by any impediments to implementation. Planning consent for residential use will likely already exist for empty properties and in the case of vacant sites may be sought for housing development if a suitable planning consent does not already exist.
6. CPO should be a last resort. CPO will only be sought after attempts to contact the owner and/or encourage them to bring the property/site back into use themselves have failed. The Council will endeavour to negotiate voluntary acquisition of a property or site, rather than acquire by CPO. Negotiations will continue after the CPO is made, and where an owner has credible evidence that they will bring the property back into use themselves, in an acceptable timescale, the Council may enter legal agreements or undertakings with the owner giving them opportunity to do so.
7. The CPO should only be made if it will provide qualitative or quantitative housing gain.
8. The CPO should be in accordance with national and local planning policy.

9. When using section 226 (1) (a) Town & Country Planning Act 1990 to justify CPO, the acquiring authority must not exercise the power unless they think that the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of the area for which the acquiring authority has administrative responsibility.

2017- 2022

Wyre Forest District Council Empty Properties Strategy



Wyre Forest
District Council



2017-2022

Contents

Introduction.....3

Why do properties remain empty.....3

Why to work to bring empty properties back into use.....4

Empty properties in Wyre Forest.....5

Achievements to date.....6

Key Aims and Objectives.....7

Delivering our Objectives and the Resources available.....8

Wyre Forests Action Plan.....12

Appendix 1 Empty Homes Scoring System.....15

Introduction

Wyre Forest District is situated within North West Worcestershire. The District is made up of three towns, Kidderminster, Bewdley and Stourport-on-Severn together with a rural hinterland which includes a number of small villages. The residential population is estimated to be in the region of 97,975 (Census 2011) with around 45,008 domestic dwellings.

Currently we have 3190 people on Wyre Forest District Councils housing waiting list and this figure is increasing year on year, the District Council therefore looks at working to ensure empty homes are brought back into use as a matter of priority to help improve housing options within the district. As at January 2017 Wyre Forest District Council has 778 empty properties of which 365 have stood empty for over 6 months some many years. The Council believes at a time of such housing need this is a wasted resource and therefore it is seen as a priority to bring empty homes back into use.

This strategy aims to identify the causes of empty properties, why they remain empty and a clear action plan showing how we intend to reduce the number of wasted homes. The overarching aim of this strategy is to help alleviate the housing need within the district, to offer wider housing choice to residents and to reduce the blight that can result where properties are left empty and neglected.

Why do properties remain empty?

There are many reasons why domestic properties remain empty in Wyre Forest. A property will usually be empty during a change of ownership; there is nothing wrong with this and it is usually an indicator of a healthy housing market. However it may be an indicator of underlying problems when a property is not occupied within a reasonable timescale. The nationally recognised formal measure is a property that has remained unoccupied for longer than 6 months. From the research already carried out amongst the owners of long term empty properties the main reasons stated for leaving a property empty are:

- Owners lacking information about the options available to them.
- Owners moving into residential care.
- Delays in the administration of the estate where the owner has died.
- Perceived problems with renting the property out
- Owners waiting for further price increases in the market before selling.
- The costs associated with renovation of older and long term empty properties.
- Properties that are awaiting demolition and/or redevelopment.
- Emotional attachment or being overwhelmed when considering how to deal with the property.

Why work to bring empty properties back into use?

From a housing policy perspective, the overriding reasons for bringing long term empty properties back into use is to increase the numbers of homes available for those in need and minimise the under use of existing housing. At a time of growing housing need this can assist in widening the choice of housing available and may lessen the risk of homelessness.

There are also sustainable neighbourhood reasons as well and these include:

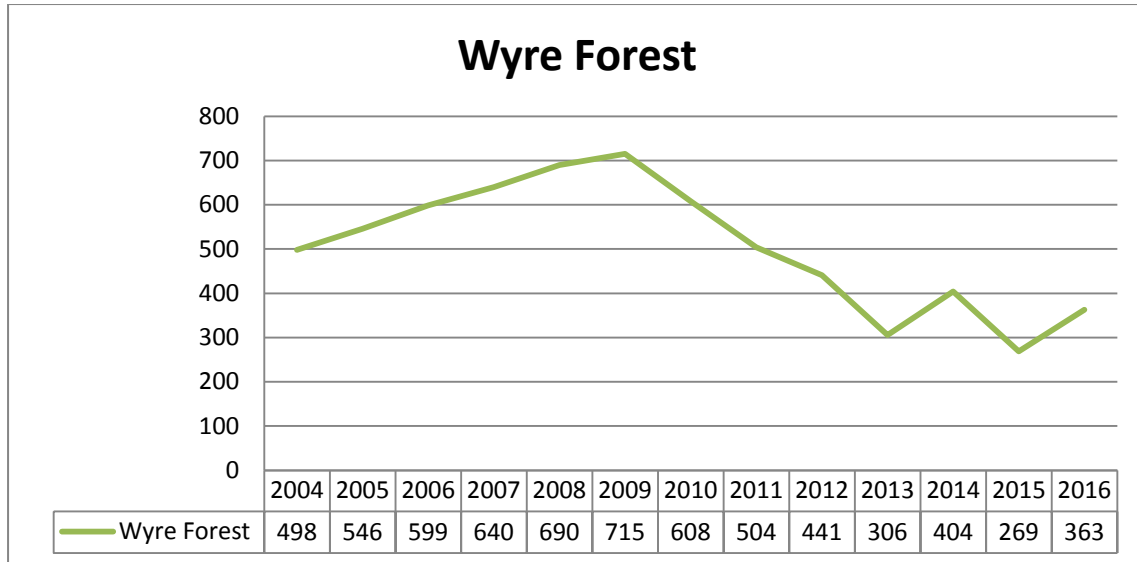
1. **To discourage crime and vandalism**-empty properties are known to attract anti-social behaviour and are a magnet for vandalism and arson.
2. **To discourage fly tipping and other environmental crime on the land of an empty property**- empty properties are often surrounded by rubbish and can pose a risk to public health.
3. **To discourage price devaluation of neighbouring properties**- neighbouring property prices can be affected by as much as 30% (Empty Homes Agency).
4. **Reduce Expense to the owner**- It's less expensive to have a property in use than to leave it empty. It is estimated that the average annual costs of keeping a three bedroom house empty can be around £7000 per year in Wyre Forest based upon typical council tax, lost income, standing charges and maintenance costs.

New Homes Bonus

Launched in April 2011, the New Homes Bonus is a grant paid by central government to the Council for increasing the level of housing. The amount of money is based on the number of new build homes, conversions and long term empty homes brought back into use. The scheme is intended to act as an incentive for local authorities to encourage housing development and to have an effective empty homes strategy. Rewards will only be paid for a net increase in housing, meaning that local authorities could miss out on funding if the numbers of occupied properties do not increase. It is therefore clear that at a time when local government resources are diminishing, the potential financial benefits Wyre Forest can accrue from the New Homes Bonus are significant and could affect the ability of the Council to deliver services.

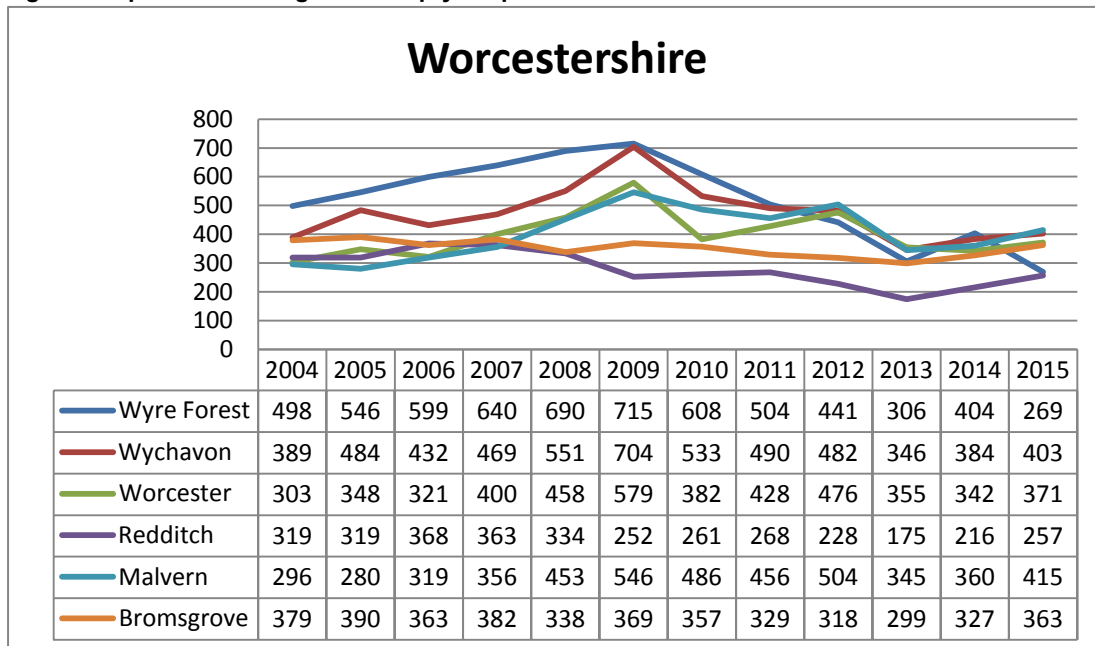
Empty properties in Wyre Forest

Wyre Forest currently has around 365 long-term empty properties on the Council Tax database. The numbers have decreased steadily over the past few years with a slight increase during 2016. This strategy has been designed therefore to stop the increase happening and reduce the amount of empty homes in the future years. Fig 1: Long Term Empty Properties in Wyre Forest as at October 2016



Information provided from gov.uk

Fig 2: Comparison of Long Term Empty Properties in Worcestershire as at 2015



Information provided from gov.uk

Empty properties are an issue that affects all areas of Worcestershire and as at October 2015 Worcestershire had a total of 2078 long term empty properties. Fig 2 shows that as of October 2015 we had the 2nd lowest number of empty properties in Worcestershire. We have also showed the largest decline over the past 11 years.

Achievements to date

This strategy replaces the 2011-2014 Empty Property Strategy. During the period of the 2011-2014 Empty Property Strategy 100 properties were returned to use through the direct intervention of Wyre Forest District Council. From Fig 1 it can be seen that there was a significant decrease in the amount of long term empty properties up until 2016 which saw a increase compared to 2015, this is partly due to new housing coming onto the market which is yet to be occupied and conditions in the market making a slow turn around in properties along with people holding out for a better price.

The table below lists the objectives set out in our previous strategy and includes comments to indicate what we have achieved to date.

Actions	Outcome
To raise awareness of empty properties across the district and to promote the advice and assistance available.	We have updated our website to include a empty properties online form which enables users to report empty properties directly. An updated empty properties leaflet has been developed which is sent out alongside the letters and questionnaires to owners of empty properties this gives an explanation as to why we are interested in reducing the number of empty homes and to offer advice and further guidance.
To reduce the number of homes becoming empty for more than six months by improving the process of identifying the appropriate action needed to address them.	By using our information technology systems we have improved and streamlined our process of identifying what action is needed and logging action taken to create a data trail against each individual property.
To establish and maintain an accurate database of empty properties in the district and gather other relevant up to date information to help establish trends and priorities for action.	A database has been set up and used to track progress on Empty Properties over 6 months this information is shared with the Council Tax department to avoid duplication of work.
To work closely with partners to gain the necessary co-operation and commitment to tackle the issues associated with empty properties and to identify solutions	We have an annual review process with Council Tax to coordinate activities of different parts of the Council on empty properties. We attend regular update meetings with the West Midlands Empty Property Officer Group to discuss what the other councils in the area are doing. We have worked with all the councils in the county to tackle empty homes through actions in the Worcestershire Housing Strategy 2011 – 2016.

Key Aims and Objectives

Wyre Forest District Council's aim is to bring its empty residential properties back into use. This may help to alleviate growing housing need and offer more choice in the market, it will also help us to maintain our neighbourhoods and prevent the blight that is a factor of empty homes.

To achieve this aim, it is important to set some clear objectives. These objectives are:

1. To raise awareness of private sector empty properties across the district and gain co-operation and commitment necessary to tackle the issues from both within the Council and externally from all involved partners.
2. To bring empty properties back into use and to increase housing supply.
3. To promote the range of advice and assistance available to owners of empty private sector properties.
4. To minimise the number of properties becoming empty long-term through the use of early intervention initiatives.
5. To obtain clear and accurate information relating to empty private sector homes and monitor trends in order to establish priorities for interventions.
6. To enhance the process for managing the identification, assessment and prioritisation of cases to enable the most appropriate course of action to be taken by the Council.

To reduce the number of empty residential dwellings across the district we will:

1. Monitor the number of empty properties monthly, paying particular attention to new additions so that we can target our resources accordingly.
2. Ensure that we contact owners of empty property to advise them of options and initiatives aimed at bringing the properties back into use.
3. Pro-actively use the full range of tools available to the Council which are aimed at bringing long-term empty properties back into use, including Compulsory Purchase Orders, Enforced Sale Procedures and Empty Dwelling Management Orders.
4. Target all properties which are having an adverse effect on the sustainability of neighbourhoods.

5. Further develop existing initiatives and options available to owners of empty properties to make it easier for them to bring their properties back into use, such as the Rent Bond Scheme.

**Delivering our Objectives and
the Resources available.**

Prioritisation of dealing with empty properties

. The Council will prioritise the work it undertakes on empty homes based on consideration of the following factors:

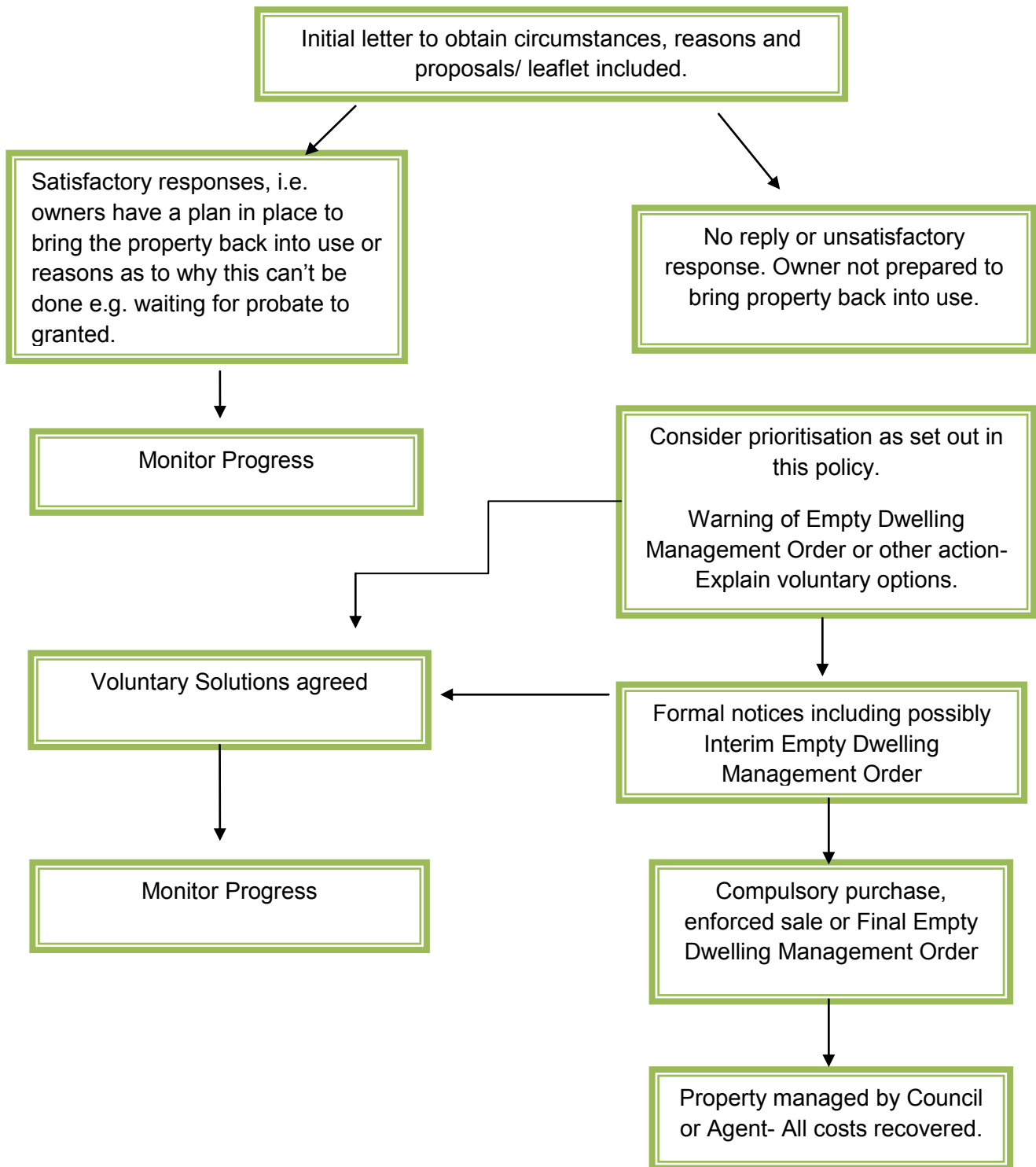
1. Health and safety risk to the public
2. Impact on the environment
3. Impact on neighbouring property owners and area
4. Opportunity to bring properties back into use that would meet local housing need
5. Clear evidence
6. Length of time left empty without action by the owner
7. The likelihood of the owner undertaking works without Council action

When targeting a particular property we have developed an Empty Homes Scoring System (appendix one) this takes the above factors into account and assesses each individual property on its own merit it also helps us decide if the proposed outcome outweighs the resources that we will need to put into it.

The majority of empty properties are not problematic and remain empty without being a cause of major concern to the general public. However, in terms of the need for housing in the district it is unacceptable for new build and existing properties to remain empty over an extended period. It is the Council's view that valuable housing resources should be used for housing wherever practical and the Council is prepared to take action to bring these properties back into use when owners are unwilling to achieve a voluntary solution.

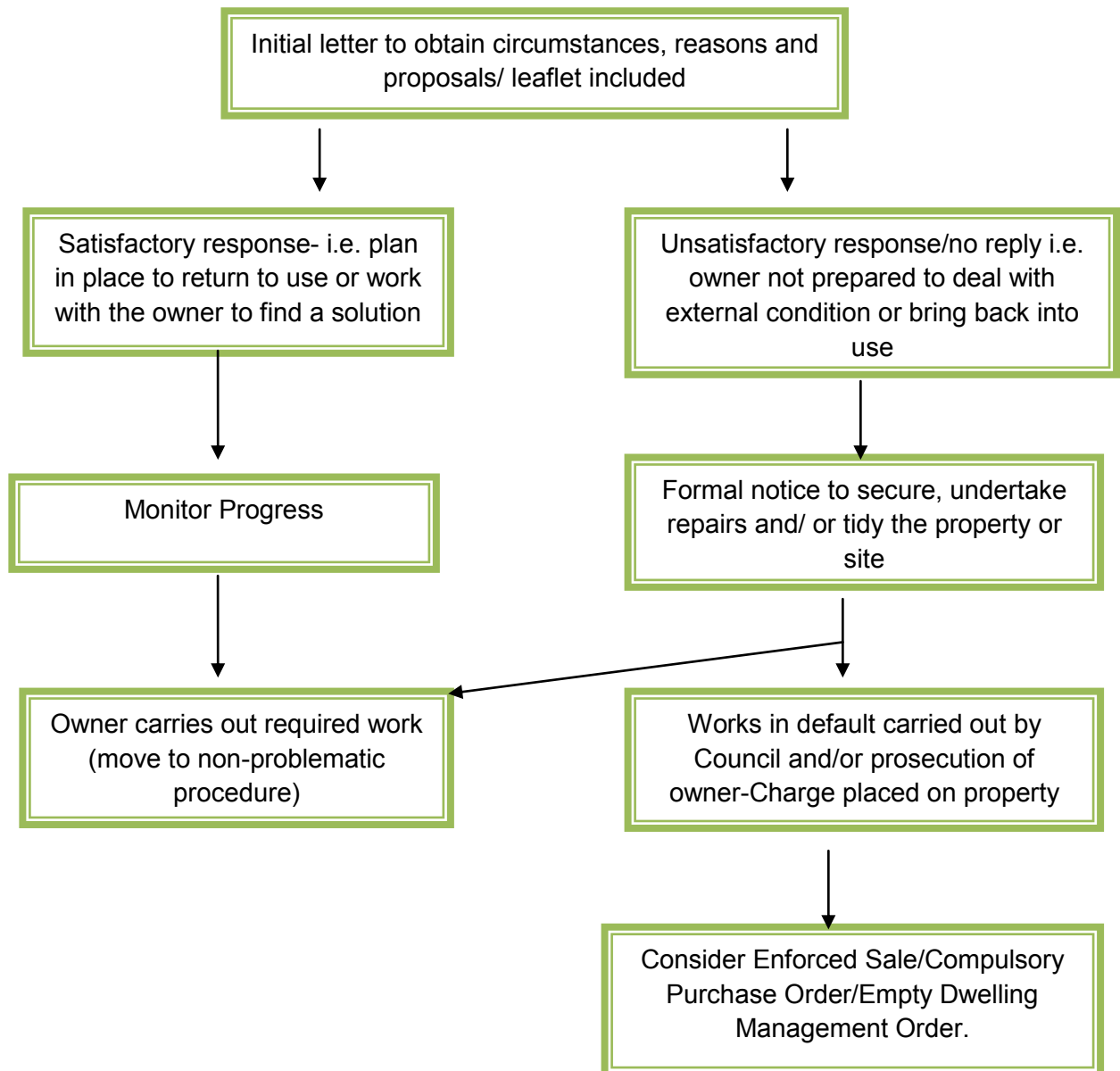
The Council considers that in the majority of cases, bringing empty properties back into use will provide much needed specific types of property and bridge a gap between supply and demand generally thereby enabling others to find a home.

The proposed procedure for dealing with non-problematic properties is set out as follows:



Wyre Forest District Council recognise the detrimental impact empty properties can have on communities, both in terms of blight and the waste housing resource at a time of growing need.

The proposed procedure for dealing with problematic properties is set out as follows:



Enforcement Options

The Council will use the full range of powers available to tackle empty residential dwellings including enforcement measures where negotiation fails, including the use of Improvement Notices, Compulsory Purchase Orders, Enforced Sale Procedures and Empty Dwelling Management Orders. Each empty property will be considered on its own merits and the Council will take what it considers to be best course of action to achieve the most positive outcome for the neighbourhood. Enforcement action is covered by the Housing Enforcement Policy.

Details of the enforcement powers that we may use are as follows:

Housing Act 2004 Improvement Notices

Improvement notices under this act require the property owner(s) to bring the property up to a habitable standard within a given period of time. These will be used for properties where owners are not making reasonable progress themselves to bring the property up to habitable standard. This action would normally be a pre-cursor to use of EDMO and ESP powers.

Enforced Sale Procedure (ESP)

The Enforced Sale Procedure uses powers under Section 103 of the Law of Property Act 1925 and offers an option to recoup debts above £1000.00 and bring empty properties back into use through forcing a change in ownership. This is less complicated than Compulsory Purchase and can be used in conjunction with carrying out Works in Default where notices have been served on owners requiring works to be done to resolve any visual detriment being caused by the empty property. If these notices are not complied with, the Council has the right to carry out the works and seek to recover the debt. A charge is placed against the property and the Council then forces the sale of the property to recover the outstanding debt for the works unless the property owner has paid that debt. It is principally a means of debt recovery but has the associated benefit of a sale to a person who will bring the property back into use.

Compulsory Purchase Order (CPO)

The Housing Act 1985, section 17 allows the Local Authority to acquire underused or ineffectively used property for residential purposes if there is a general housing need in the area. In addition section 226 of the Town and Country Planning Act 1980 (as amended by section 99 of the Planning and Compulsory Purchase Act 2004) allows Local Authorities to acquire land or buildings if acquisition will allow improvements or redevelopment to take place. CPO is intended to prompt the owner to enter into constructive dialogue with the Local Authority and to avoid the need to resort to such measures.

Empty Dwelling Management Orders (EDMO)

Empty Dwelling Management Orders were introduced in July 2006 under the provisions of the Housing Act 2004. The intention of an EDMO is to bridge the gap between voluntary

measures and existing enforcement procedures. It will provide an effective back up to such arrangements where owners have refused offers of assistance and do not have plans of their own to bring the property back into use. The threat of an EDMO is intended to put pressure on the owner to enter into constructive dialogue with the Local Authority with the object of agreeing the best course of action to secure occupation, thereby avoiding the need for an order to be made.

Use of other Enforcement powers: - The use of other powers will be considered where appropriate and best course of action taken to resolve empty property issues; the aim being the achievement of the Council's wider strategic objectives around sustainable communities' local environmental improvements and regeneration of Wyre Forest. Examples include Section 215 of the Town and Country Planning Act 1990 which will be considered where the condition of an empty property is considered to be adversely affecting the amenity of an area requiring the owner to carry out works, or the use of Section 79 of the Building Act 1984 which addresses defective premises and ruinous and dilapidated buildings. Other powers available include the requirement to secure a property against intruders using the Local Government (Miscellaneous Provisions) Act 1982 Section 29 and the power to require works to clear rubbish and treat for vermin using the Prevention of Damage by Pests Act 1949 section 4.

Prosecution

Where a person fails to comply with a notice requiring works and/or fails to provide information required in response to a requisition for information, the Council will give serious consideration to issuing a civil penalty notice or prosecution for these offences, following the Housing Enforcement Policy.

Wyre Forest's Empty Property Action Plan

Strategic Aim 1: To maintain accurate information about the numbers of long term empty homes

Ref	Objectives	Why	Target/Date	Resources	Accountable Officer
1	Maintain, and where possible improve the accuracy of data held by the council regarding the number of empty homes	To ensure that the action is targeted at those homes which are causing the most detrimental impact on their neighbourhood and which will positively impact on the new homes bonus	To reduce the number of empty properties by a minimum of 20 per annum. To give a total of 100 by 2022	Housing Services Officer Council Tax	Housing Services Officer

Actions towards this objective include:

An annual audit of empty homes
Develop good working relationships with owners of empty homes- to encourage them to be brought back into use
Effective partnership working with colleagues in resources column.

Ref	Objectives	Why	Target/Date	Resources	Accountable Officer
2	To encourage owners of empty properties to advise the council when the property is occupied	To ensure that action is targeted at those homes that are still currently empty to maximise use of resources	Ongoing	Housing Services Officer/ Council Tax Officers	Housing Strategy Officer

Actions towards this objective include:

Distribution of the empty homes leaflet with council tax bills with an empty classification on the property.
To carry out annual audits of all empty homes
To develop the Councils website enabling residents to advise the Housing Team when an empty property becomes occupied.

Strategic Aim 2: To encourage owners of privately owned empty homes to bring them back into residential use

Ref	Objective	Why	Target/Date	Resources	Accountable Officer
1	To encourage owners to bring empty homes back into use through a range of information and advice	Empty homes are a waste of resources and by targeting empty homes the council may improve it's income stream	To bring back into use 20 homes per year.	Housing Services Officer/Private Sector Housing Team	Housing Services Officer

Actions towards this objective will include:

Provide access to free advice and information for owners
To provide the Empty Homes leaflet with letters sent out
Work with landlords and letting agents

2	Where owners are considering bringing properties back into use through renting then encourage the owners to rent them through our rent bond scheme.	To increase the number of affordable empty homes in the district	To bring back into use 5 homes per year via the rent bond scheme	Housing Services Officer/ Private Sector Liaison Officer	Housing Services Officer

Actions towards this objective will include:

To work closely with the Private Sector Liaison Officer
To work with the Community Led Housing Coordinator to develop community schemes within empty homes

3	Develop specific enforcement measures for bringing properties into use where owners are unwilling to do so	To reduce the amount of detrimental properties in the district and increase the new homes bonus	To ensure that adequate procedures are in place to take enforcement action if required	Housing Services Officer/ Private Sector Housing Team and Legal	Principal Environmental Health Officer (Housing & Water Management)

Actions towards this objective will include:

To work closely with the Council Legal team to develop a procedure to ensure a streamline process between the departments and the property owner.

Strategic Aim 3: To minimise the number of empty properties becoming long-term through early interventions

1	Mail outs to all empty property owners (over 6 months)	To capture the empty home owners before the properties become long term empty and risk becoming a detrimental impact on the area	Ongoing/ To reduce the amount of long term empty properties	Housing Services Officer	Housing Services Officer

Actions towards this objective will include:

To work closely with the Council Tax Department to ensure that monthly lists are raised and sent over to the Housing Strategy Officer to action.
Act upon the information received from property owners and provide advice and assistance if required.

2	Follow up mail outs to owners of all empty properties over 6 months who have previously advised that they are renovating their properties etc.	To monitor and check on progress of properties which are classed as long term empty to encourage owners to put them back into occupation	To reduce the amount of empty homes and increase the new homes bonus.	Housing Services Officer	Housing Services Officer

Actions towards this objective will include:

Maintain the IT systems and send out regular correspondence to ensure information is current and accurate

Strategic Aim 4: To minimise the amount of properties in high priority need areas becoming long term empty

1	Map Long Term empty properties onto GGP mapping system to look at hotspot areas.	To enable us to direct our resources effectively to the targeted areas.	To bring back into use homes in areas that have identified housing needs	Housing Services Officer	Housing Services Officer

Actions towards this objective will include:

Work closely with the Data Protection Management Officer to create an empty homes overlay on the GGP system within the Council.

Appendix 1.

Empty Homes Scoring System.

Property Description	Points
Time Vacant	
Over 6 Months to 2 Years	10
2 Years Plus	20
Condition (tick all that apply)	
Garden Overgrown	10
Falling into disrepair	15
Becoming an eyesore to the neighbourhood	15
Causing Damage to adjoining property	15
Attracting vandalism/anti social behaviour	15
Other (tick all that apply)	
No attempts to sell/re-let or refurbish after 2 years	5
Council receiving complaints about the property	10
Previous action/charges by the Council	15
Property in a priority area for affordable rent	20

Low scoring properties- up to 35 points

These are likely to be properties that are taking longer than expected to be reoccupied due to inheritance issues or delays in renovation. They are generally in reasonable condition, secure and unlikely to be causing a nuisance. The Council will make initial approach to the owner and maintain regular monitoring

Medium scoring properties- 40-55 points

These properties may have been empty longer or beginning to show signs of neglect and causing neighbours concern. The Council will contact the owner and enter negotiations to halt further deterioration and work towards reoccupation. If the owner does not cooperate enforcement action may be considered following inspection.

High scoring properties- 60 points or over

These properties will have been empty for several years, causing nuisance, detrimental to the area or giving serious cause for concern. They are at greater risk of attracting vandalism, arson, fly tipping and may have been subject to previous enforcement action. They are likely to also be in an area of priority need. The Council will contact the owner and the property will be inspected using Powers of Entry if necessary. Further enforcement action will be considered.

WYRE FOREST DISTRICT COUNCIL

**Cabinet
Wednesday 20th September 2017**

**Overview and Scrutiny Committee
Thursday 7th September 2017**

Compulsory Acquisition of Land & Properties & Empty Property Strategy

The Committee considered a report which set out the additional powers that the Council could use to compel land and property owners to make better use of their under-utilised or vacant assets.

Members welcomed the proposals and agreed that the more tools the authority has to expedite the process of reducing the number of empty properties within the district by bringing them back into use should be supported.

Recommend to Cabinet:

The principle of utilising more fully the powers to force the acquisition and sale of vacant land and properties, and the adoption of the updated Empty Property Strategy, be supported.

Background papers:

Report to the Overview and Scrutiny Committee, Thursday 7th September 2017

<http://www.wyreforest.gov.uk/council/meetings/com193.htm#mt7616>

WYRE FOREST DISTRICT COUNCIL

CABINET

20th September 2017

Decision-making in respect of the capital portfolio fund and development loan fund

OPEN	
CABINET MEMBER:	Councillor Ian Hardiman
RESPONSIBLE OFFICERS:	Ian Miller, Chief Executive
CONTACT OFFICERS:	Ian Miller x 2700
APPENDICES:	None

1. PURPOSE OF REPORT

- 1.1 To consider arrangements to allow a swift and commercial approach to be taken, including creation of a Cabinet sub-committee to take decisions on investments from the capital portfolio fund and development loan fund.

2. RECOMMENDATION

The Cabinet is asked to:

- 2.1 **DELEGATE to a sub-committee its decisions on investments from the capital portfolio fund and on loans from the development loan fund;**
- 2.2 **DECIDE that the membership of the sub-committee shall be any three members of the Cabinet, one of whom shall be the Leader or Deputy Leader and this person will chair any meeting of the sub-committee;**
- 2.3 **DELEGATE to the Corporate Director: Economic Prosperity and Place in consultation with the Cabinet Member for Planning and Economic Regeneration authority to make conditional offers to acquire assets for the capital portfolio fund, subject to the conditions of the offer including the need to obtain approval from the Cabinet sub-committee.**

3. BACKGROUND

- 3.1 In February, Council approved the allocation of up to £35m in 2017-18, funded by borrowing, for investment in a capital portfolio fund (£25m) and loans to third parties (£10m), now known as the development loan fund. The capital portfolio fund will support both regeneration and economic growth allied to the Council's income generation/commercialism objectives. The development loan fund will help deliver the Council's regeneration and economic development objectives in terms of both housing and commercial regeneration in accordance with the corporate plan priority "to support you to contribute to a successful local economy" whilst also potentially generating future income streams. The Cabinet adopted strategies for the two funds at its meeting on 14 June and has already considered and taken decisions on a number of potential investments. Greater

publicity has been given to the development loan fund and it is hoped that initial applications may be considered soon.

- 3.2 The early experience of taking decisions on investments has demonstrated the need for an alternative approach to decision-making to allow for swifter consideration and decisions. The current arrangement is that full business cases are considered by the Overview and Scrutiny Committee and full Cabinet at their ordinary meetings, although the cycle of meetings does not necessarily meet the demands of the marketplace. This is not an issue with the Council's own assets, as it is in control of timing. With investment opportunities available via third parties there is a need to act swiftly to secure the potential opportunities. This requirement for speed is a consequence of current strong demand for investments and swift marketing and disposal timescales set by agents and vendors. There might be mismatches between, for example, the timing of an auction or the deadline for "best and final" offers and dates of the Council's formal meetings. The Council thus needs flexibility to take decisions more swiftly in future. This is also likely to be the case in respect of potential loans.
- 3.3 It is common practice for both agents and vendors to accept conditional offers. Acceptable conditions include those of contract, conditional survey and formal internal approval. It is opportune to put in place arrangements that would allow officers to move swiftly and make conditional offers – this would not remove the requirement to complete the Council's due diligence arrangements or to obtain approval from the Cabinet sub-committee to proceed with a purchase. An offer conditional upon approval from the sub-committee does not involve any liability for the Council to acquire the asset.

4. KEY ISSUES

- 4.1 In order to support transparency of decision-making and scrutiny that can involve all groups in the Council, the intention is to retain consideration by the Overview and Scrutiny committee and Cabinet. However this does not have to involve meetings of the full committee or Cabinet, or mean that consideration should be undertaken only at scheduled meetings. As noted above, this may not allow the Council to respond to market opportunities. A more flexible approach is proposed for the Cabinet's decision-making, which would involve delegating decisions on any investment from the capital portfolio fund or loans from the development loan fund to a Cabinet sub-committee of any 3 members (chaired by either the Leader or Deputy Leader). The Cabinet sub-committee would take decisions following consideration by the scrutiny committee. The Cabinet sub-committee would take decisions following consideration by the scrutiny committee. The Overview and Scrutiny Committee intends to put in place similar arrangements for a scrutiny sub-committee and will be invited to agree these at its meeting in October.
- 4.2 Under the current arrangements, there is no authority for officers to make conditional offers to acquire assets for the capital portfolio fund. Thus the making of any such offer would have to be the subject of a report to the Cabinet sub-committee which – apart from any delay – would involve unnecessary bureaucracy with the sub-committee being asked to approve both a conditional offer and also the final business case for purchase. Only the latter stage is essential. The recommendations therefore include a delegation to the Corporate

Director in consultation with the Cabinet Member to make such conditional offers: this delegation will apply only where the conditions of the offer include the need to obtain approval from the Cabinet sub-committee. The ability to make such conditional offers will allow the Council to respond swiftly and in a commercial way to opportunities that may arise but without diluting any of the requirements for due diligence to be completed and for the Cabinet sub-committee's approval to be obtained before a purchase is finalised.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no additional financial implications for the Council arising from this report. Any costs of holding meetings of a committee in addition to the ordinary Cabinet meetings are modest and can be absorbed within existing budgets. Before finalising any purchase, the Council would complete its due diligence processes and therefore the flexibility to make conditional offers would not add to costs that the Council already faces in operating the capital portfolio fund.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 Under article 7 of the constitution, the Leader of the Council "may arrange for the discharge of any executive function.... by a committee of the Cabinet". In this case, he has decided for enhanced transparency that the decision on the delegation should be taken by the Cabinet itself. The proposal complies with the requirements of the Local Government Act 2000, Public Involvement in Health Act 2007 and Localism Act 2011.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 Not applicable.

8. RISK MANAGEMENT

- 8.1 There are no additional risks associated with the recommendation in this report.

9. CONCLUSION

- 9.1 The Cabinet is invited to approve the creation of a sub-committee to take decisions on investments from the capital portfolio fund and loans from the development loan fund, and to authorise the Corporate Director to make conditional offers subject to the conditions including the need to obtain the Cabinet sub-committee's approval.

10. CONSULTEES

- 10.1 Cabinet
10.2 Corporate Leadership Team
10.3 Group leaders, 11 July 2017. They have subsequently been consulted on a draft of this report.

11. BACKGROUND PAPERS

- 11.1 Medium Term Financial Strategy, Cabinet, 20 December 2016
- 11.2 Medium Term Financial Strategy, Council, 22 February 2017.
- 11.3 Strategies for the capital portfolio fund and loans to third parties, Cabinet, 14 June 2017

WYRE FOREST DISTRICT COUNCIL

CABINET
20 SEPTEMBER 2017)

Children and Young People's Plan (CYPP) 2017 - 2021

OPEN	
CABINET MEMBER:	Cllr Juliet Smith
RESPONSIBLE OFFICER:	Linda Draycott
CONTACT OFFICER:	As above
APPENDICES:	Appendix 1 Children and Young People's Plan 2017-2021 Appendix 2 Survey Results

1. PURPOSE OF REPORT

- 1.1 To endorse the Worcestershire Children and Young People's plan (CYPP) in line with a recommendation from the Worcestershire Connecting Families Strategic Group.

2. RECOMMENDATION

The Cabinet is asked to DECIDE that:

- 2.1 **the views of children, young people, parents/carers and practitioners and Scrutiny summarised in the report are noted;**
- 2.2 **the new Children and Young People's Plan (CYPP) 2017-2021, set out at Appendix 1 as approved by the Health and Wellbeing Board, as part of the a whole-system response to improving outcomes for children, young people and their families is endorsed; and**
- 2.3 **Wyre Forest District Council works with Worcestershire County Council and all other relevant agencies and organisations to draw up an action plan to put the CYPP into effect.**

3. BACKGROUND

- 3.1 In February 2017, the Worcestershire Health and Wellbeing Board approved the development of the new Children and Young People's Plan (CYPP) for all children and young people in Worcestershire. It also agreed to strengthen the already well-established Connecting Families Strategic Group as the key partnership group to take responsibility for developing and implementing the CYPP and for this Strategic Group to be a formal sub-group of the Health and Wellbeing Board.
- 3.2 In April 2017, the Health and Wellbeing Board received an update on the progress in developing the new CYPP and noted the emerging priorities and content. It also approved the look and feel of the new CYPP and the consultation and engagement plan.

- 3.3 The Connecting Families Strategic Group has now met in its new format three times, and has actively led on the development of the CYPP. The Strategic Group formally recommended to the Health and Wellbeing Board to approve the new CYPP on the 11 July 2017. This recommendation was based on recognising that the new CYPP is the start of a journey, it simply sets out the overarching vision and ambition for all children and young people and as such will be refreshed/challenged on a regular basis.

Worcestershire's Children and Young People's Plan: 2017 – 2021

The Children and Young People's Plan is a partnership plan and, as such, should be owned by all agencies working with children, young people and families in Worcestershire. The purpose of the plan is to:

- Set expectations around the way we work defining shared values and culture
- Clarify our collective ambition and aspirations for all children and young people in Worcestershire
- Focus on key priorities and success measures
- Provide a framework for all agencies and organisations working with children, young people and families to make the necessary impact to improve lives
- Build on and add value to existing plans.

As previously stated, it also needs to be flexible and change in accordance to need.

The CYPP is attached as Appendix 1. It has been designed to be a 'plan on a page' to set the framework and intent for further work. More detail and information will be included on the website www.worcestershire.gov.uk/cypp.

As set out above, the CYPP will set the expectation around the way all agencies will work and will need to be actively embedded across the system. The plan states that agencies will:

Listen to, hear and understand children, young people and families

- Find strengths and build on positives to help people help themselves
- Prioritise partnerships to improve outcomes - doing things with people, instead of to them, for them or doing nothing
- Focus on adding value and keep asking: Is anyone better off? Is anyone worse off?
- Be brave enough to always do the right thing for children and young people.

In addition to clarifying the shared values and expectations around the way agencies work, the plan follows a logic model of five key steps:

- The overarching vision for all children and young people
- The ultimate outcomes
- The key priorities

- The areas of work/activity that need to be implemented?
- The measurements of success?

Our vision is for

Worcestershire to be a wonderful place for all children and young people to grow up

We believe it is important that children and young people:-

- Are safe from harm
- Reach their full potential
- Make a positive contribution in their communities
- Live healthy, happy and fun filled lives

We will effect change by working together to:-

- Help children live in safe and supportive families and communities (homes and places)
- Promote safe, healthy and positive relationships
- Support children to have the best start in life and be ready for learning
- Provide access to a quality and appropriate education / learning experience for all
- Prepare young people for adult life
- Improve outcomes for our vulnerable children and young people
- Increasing young people's voice in community life, participation and engagement in developing services
- Increase access to safe and affordable activities and places to go outside of school
- Encourage physical activity and healthy eating
- Improve access to social, emotional mental health and well-being services
- Support young people, parents and carers to overcome the barriers to sustained employment

We will work together to:-

- Actively embed the children and young people plan's shared values within all agencies
- Improve safeguarding services
- Reform services for children with special education needs and disabilities
- Break the cycle of families continuing to need/rely on specialist services
- Tackle the gaps in education system/provision that prevent children and young people from accessing full time education
- Develop and implement a prevention and early help strategy
- Strengthen the social, emotional and mental health offer
- Secure partnerships that support delivery of our priorities and use public money wisely

We will know if the plan is working by the:-

- Decrease in the number of children and young people with a repeat child protection plan

- Increase in the percentage and timeliness of children who are looked after that are in permanent homes (placements)
- Increase in the percentage of children with a good level of development in early years
- Improvement in educational outcomes and positive destinations for all children and young people
- Decrease in achievement gaps at all stages
- Surveys of children and young people's views: are they having fun and having a positive influence in their communities?
- Decrease in the number of first time entrants into the youth justice system
- Increase in children, young people and parental satisfaction with emotional wellbeing or mental health services
- Improvement of health outcomes and closing of inequalities gap.

4. KEY ISSUES

4.1 Case for change

The development of the new CYPP is informed by both demographic and outcome challenges (data) as well the views of children, young people, parents/carers and practitioners. The case for change from a data perspective is informed by the Joint Strategic Needs Assessment and ongoing performance information. This information will be reviewed quarterly and the detail behind the Plan will be adapted in response.

As an overarching summary, the data currently highlights a number of potential issues and areas of concern which has informed the development of the new CYPP. These include:-

- The number of children and young people aged 19 or under in Worcestershire is projected to be 131,800 by 2025. This is an increase of 3,600 from 2015
- Birth rate is declining but is on the rise among disadvantaged families which could lead to additional demand challenges on public services
- Over 15,800 children across Worcestershire live in low income households
- The broad range of health inequalities for the under 5s
- Key Stage 2 results continue to be below expectations
- Too many children are not receiving a quality education and this is leading to poor outcomes and growing impact on wider public services
- Growing prevalence of children diagnosed with special education needs and disabilities and understanding what support may be needed to meet their needs
- Education attainment of vulnerable pupils including those eligible for free school meals, looked after children and children with special education needs and disabilities. The gap is still too big between these vulnerable groups and their peers

- Progress of Care Leavers into suitable accommodation and education, employment and/or training. 48% of care leavers are currently not in education, employment or training
- Emotional wellbeing and mental health needs of children and young people
- Demand on social care at every level (Children in Need, Child Protection and Looked After Children) and the capacity, capability and quality of social care practice.

Consultation and engagement

A wide ranging consultation and engagement plan was drawn up which included engagement with children, young people, parents, carers and staff who work with them including:

- | | | |
|---------------------|--------------------|----------------------|
| • Social Care Teams | • Family Support | • Districts |
| • CCGs | • CAMHs | • Parenting |
| • Health Visitors | • Speech and | • Housing Providers |
| • Police | Language | • Sexual Health team |
| • Schools | • Voluntary Sector | |

A variety of consultation methods were used to maximise the level of engagement.

Survey: An online survey was created which was shared widely via a variety of networks.

The same 5 questions were asked of 4 groups so that responses could be analysed in the same way. The 4 groups were:

- Children (0-12)
- Young People (13 – 24)
- Parents/Carers of children and young people
- Practitioners who work with children, young people and families.

Respondents who fitted in more than one group were able to give their answer from more than one perspective e.g. a 23 year old parent. An easy read version was also made available via the website.

Social media: There was full social media communication plan raising the awareness of the survey and that a new Worcestershire Children's and Young People's plan is being developed. This included messages on Twitter, LinkedIn, Facebook and Yammer (internal and external networks). All of the six districts and County Hall had displays on their plasma screen and their own social media channels.

Engagement packs: An engagement pack was created and shared with partner agencies via a variety of networks.

Schools: Several schools used the recent elections for discussions with children and supported them to complete the survey in lessons.

The children of Franche Primary school created several videos which were used in social media posts:

<https://www.youtube.com/watch?v=O58AwnLY5OA>
<https://www.youtube.com/watch?v=sW99BHgxRtU&>
<https://www.youtube.com/watch?v=tLzmmS0uOk8>
<https://www.youtube.com/watch?v=skj8VI7OK74&>
<https://www.youtube.com/watch?v=Gg6aUPBMJw8&>

School Councils were also invited to get involved by discussing and responding to the five questions in their meetings this term.

Libraries: Engagement Trees were placed in all 21 libraries, the same questions were asked at all 21 libraries each week for 5 weeks. A total of c.1450 face-to-face responses were received, the vast majority of which were from libraries.

Partners: A workshop was held for partners on 15th June to agree the priorities for Worcestershire prior to finalising the content. A wide range of partners attended and discussions have been fed into the final document.

Youth Cabinet: Have been briefed and we are working with them on the next steps to ensure they are fully involved.

Parents' Voice: Ran their own social media campaign promoting the survey and also ran two focus groups with invited parents (invited through social media) to have round table discussions about the plan. Their responses have been fed into the survey responses.

Implementing the Plan and Next Steps

Approving the CYPP is the start of a journey, as the CYPP simply sets out the vision and values to put children and young people at the heart of everything we do (far more than what happens now). There is more work to be done to set out an action plan of what is going to be delivered as individual organisations, and together as partners, to improve the lives of children and young people. The Plan in its current form sets out initial intentions and all partners are being asked to endorse and adopt the Plan and actively embed the shared values into their culture.

To develop the action plan there is more work to do and Wyre Forest District Council will work with Worcestershire County Council and all relevant agencies and organisations to draw up an action plan to put the CYPP into effect. This action will provide clarity on what work is currently in progress and how the CYPP can add value to this. It will also identify and address gaps of activity and focus.

To start the development agencies and organisations are being asked to:

- Consider/map their key priorities with those in the CYPP to identify common areas
- Consider how they could support the key priorities

Work is also in progress to develop a performance dashboard to demonstrate progress. This will flow from the overarching success measures outlined in the CYPP and will provide the necessary level of detail around performance progress. It is intended to build this detail on the www.worcestershire.gov.uk/cypp website pages along with links to the range of plans and programmes of work that support the implementation of the CYPP.

The implementation of the CYPP will feature as a standard agenda item at each Connecting Families Strategic Group (meets monthly). There will also be a quarterly review of progress which will feed into the Health and Wellbeing Board meeting schedule.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications arising from this report other than a commitment of officer time to work with WCC colleagues in developing an action plan and implementing the CYPP.
- 5.2 WFDC contributes an annual membership fee to the Worcestershire Safeguarding Children's Board.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The District Council has duties under the Children Act and the Anti-social Behaviour, Crime and Policing Act 2014 pertaining to the care, safety and welfare of children and young people.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 Not required.

8. RISK MANAGEMENT

- 8.1 The welfare and safety of children and young people in the District is of paramount importance. This plan sets out how agencies will work together to mitigate risks to children and young people.

9. CONCLUSION

- 9.1 The Children and Young People's plan (CYPP) is a partnership plan focussed on improving the lives, well being and potential of all children living in Worcestershire. This plan highlights the need for all agencies to work together to contribute to improving outcomes for children and young people. The report identifies the commitment required from all partner agencies to assist in improved outcomes and actively embed the shared values of the CYPP plan within our culture.

10. CONSULTEES

- 10.1 Cabinet Member with responsibility for Children and Young People
CLT

10.2 Cabinet

11. **BACKGROUND PAPERS**

None



At the heart of everything we do



Worcestershire's Children and Young People's Plan

2017 - 2021

Find out more online:
www.worcestershire.gov.uk/CYPP

This plan is owned by all agencies working with children, young people and families in Worcestershire

We will:

● Listen to, hear and understand children, young people and families

● Find strengths and build on positives to help people help themselves

● Prioritise partnerships - to improve outcomes, doing things with people, instead of to them, for them or doing nothing

● Focus on adding value, Keep asking is anyone better off? Is anyone worse off?

● Be brave enough to always do the right thing for children and young people

The plan will set expectations around the way all agencies will work





Build on and add value to existing plans and will change over time to respond to need

Focus on key priorities and success measures

Clarify our collective ambition and aspirations for all children and young people

Provides a framework for all agencies and organisations working with children, young people and families to make the necessary impact to improve lives

Our vision is for Worcestershire to be a wonderful place for all children and young people to grow up

Ultimate Outcomes	Our Priorities	What are we going to do?	How we'll know if we've made a difference
 <p>Are safe from harm</p>	<ol style="list-style-type: none"> Help children live in safe and supportive families and communities (homes and places) Promote safe, healthy and positive relationships 	<ul style="list-style-type: none"> Actively embed the children and young people plan's shared values within all agencies Improve safeguarding services Reform services for children with special education needs and disabilities 	<p>Decrease in the number of children and young people with a repeat child protection plan</p> <p>Increase in the percentage and timeliness of children who are looked after that are in permanent homes (placements)</p>
 <p>Reach their full potential</p>	<ol style="list-style-type: none"> Support children to have the best start in life and be ready for learning Provide access to a quality and appropriate education/learning experience for all Prepare young people for adult life Improve outcomes for our most vulnerable children and young people 	<ul style="list-style-type: none"> Break the cycle of families continuing to need/rely on specialist services Tackle the gaps in education system/provision that prevent children and young people from accessing full time education 	<p>Increase in the percentage of children with a good level of development in early years</p> <p>Improve educational outcomes and positive destinations for all children and young people</p> <p>Decrease in achievement gaps at all stages</p>
 <p>Make a positive contribution in their communities</p>	<ol style="list-style-type: none"> Increase young people's voice in community life, participation and engagement in developing services Increase access to safe and affordable activities and places to go outside of school 	<ul style="list-style-type: none"> Strengthen the focus on prevention and early intervention within all aspects of the children and young people's plan Strengthen the social, emotional and mental health offer 	<p>Surveys of children and young people's views: are they having fun and having a positive influence in their communities?</p> <p>Decrease in the number of first time entrants into the youth justice system</p>
 <p>Live healthy, happy and fun filled lives</p>	<ol style="list-style-type: none"> Increase physical activity and healthy eating Improve social, emotional mental health & well-being outcomes Support young people, parents and carers to overcome the barriers to sustained employment 	<ul style="list-style-type: none"> Secure partnerships that support delivery of our priorities and use public money wisely 	<p>Increase in children, young people and parental satisfaction with emotional well-being or mental health services</p> <p>Improvement of health outcomes and closing of inequalities gap</p>

Our Partnership:

All District Councils | Clinical Commissioning Groups | Department of Work and Pensions (West Mercia District) | Early Years Settings | Employers | Hereford and Worcester Fire and Rescue Service | Local Enterprise Board (Business and Skills Sector) | Public Health | Schools and College | Training Providers | Voluntary and Community Sector | West Mercia Police | Worcestershire Acute Hospital Trust | Worcestershire Children's Safeguarding Board | Worcestershire County Council | Worcestershire Health and Care Trust

What you told us is important?

Sleep because
I dream

Being good and
staying out of
trouble

Just had a baby
girl, she is the most
important thing in
my life

People being
less harsh and
being nice

Being appreciated
and having an equal
opportunity

That I'm able to
access support
and a club that
supports my
needs

Being given the
opportunities to achieve the
same as everyone else, not
being defined by my post code

If learning is
more fun

My family
as they are
everything

Family, friends, phone,
PS4, cricket bat and ball,
hockey ball and stick

Appendix 2

Survey Results

Over 2600 responses received (as of 30th June 2017)

- 1144 online survey
- c. 1450 face to face (final data is still being submitted)

A breakdown of respondent type and district area can be seen in the tables below.
(please note numbers will change again in final report as some data is still being submitted).

Respondent types		District	
Children (12 or under)	735	Bromsgrove	607
Young People (13-24)	207	Malvern Hills	311
Parents/Carers	963	Redditch	129
Practitioners	575	Worcester City	560
Other	164	Wychavon	448
Note: there is some overlap between Young People/Parent and practitioner categories and respondents can be more than one (and answer from each perspective)		Wyre Forest	345
		Outside Worcestershire	31

Gender		Disability	
Male	372	Yes	129
Female	1010	No	961

Note: Demographic data was not captured for face-to-face respondents. Sexual orientation and ethnicity data is included in the full analysis along with cross-tabs of demographic data.

Full analysis of the consultation and engagement will be published by the end of July
As a summary views were captured from 5 different viewpoints – those aged 12 and under, young people aged 13 to 24, parents/carers, practitioners and other interested citizens. Respondents were asked what was important to children in Worcestershire and what the main challenges they face were.

Children and young people tended to respond to these questions in a more simplistic fashion. For instance, they would focus on issues of 'happiness', 'family' and 'friends' which all could be described as outcomes. Adults, whilst still touching on these outcomes, gave much more detailed answers that focus on **how** these outcomes

might be achieved. For example, they commonly call for well-funded and easily accessible family support service to help families that need additional support. This family support is not an outcome in itself but could be seen as a mechanism to

achieve outcomes for children such as happiness and having a loving and supporting family.

A summary of the responses and respondent type can be seen in the tables below.
(Note: the views of other interested citizens have not been included in the initial summary as priority has been given to analysing feedback from the four main groups. This detail will be provided in the full report)

Question: What is most important to children and young people?

Answer	Children	Young People	Parent / Carers	Practitioners
Family	✓	✓		
Friends	✓	✓		
Pets	✓			
Sports and physical activity	✓		✓	✓
Education		✓	✓	✓
Employment opportunities		✓	✓	✓
Safety - family environment and having safe places to go		✓	✓	✓
Activities		✓	✓	✓
Support services - early years, family, mental health, relationships and sexual health			✓	✓

Question: What are the main issues and challenges for children and young people?

Answer	Children	Young People	Parent / Carers	Practitioners
Education and school - pressure and provision	✓	✓	✓	✓
Lack of safe and affordable places to go outside of school			✓	✓
Learning to get along with other people	✓	✓	✓	✓
Cuts in services that offer support to children and young people			✓	✓
Mental health and wellbeing		✓	✓	✓
Lack of safe, local and affordable activities	✓	✓	✓	✓

Use of social media for bullying			✓	✓
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Question: How could the lives of children and young people be improved?

Answer	Children	Young People
More <i>affordable</i> and <i>available</i> activities	✓	✓
More time with friends and family	✓	
Less bullying and/or more friends	✓	✓

NB: analysis is ongoing for responses from parents/carers and practitioners

WYRE FOREST DISTRICT COUNCIL**CABINET****20th September 2017****Worcestershire Office for Data and Analytics: endorsement of data sharing charter**

OPEN	
CABINET MEMBER:	Councillor Nathan Desmond
RESPONSIBLE OFFICERS:	Ian Miller, Chief Executive
CONTACT OFFICERS:	Ian Miller x 2700
APPENDICES:	Appendix – Worcestershire data sharing charter

1. PURPOSE OF REPORT

- 1.1 To endorse the data sharing charter that will underpin the work of the Worcestershire Office for Data and Analytics.

2. RECOMMENDATION

The Cabinet is asked to ENDORSE the Worcestershire data sharing charter in the Appendix.

3. BACKGROUND

- 3.1 This report provides an update on progress with the Worcestershire Office for Data and Analytics. It sets out the background to the programme, summarises progress to date, outlines planned next steps and seeks endorsement of the data sharing charter. Endorsement is being sought from the governance structures of all partner organisations.
- 3.2 Arising from the work on public service reform and devolution, in May 2016, KPMG was commissioned to co-produce a roadmap strategy which set out the current state of data sharing across partners, a vision for the future, and a set of practical and costed steps and interventions to improve the delivery of public services in Worcestershire through innovation and process excellence. The roadmap recommended the development of a Worcestershire Office for Data and Analytics (WODA) and the Worcestershire Partnership Executive Group agreed to a 12 month pilot to test the benefits of enhanced data sharing, demonstrated through a number of “use cases” (i.e. pilot initiatives that involve practical processes and service delivery being changed and enhanced through better data sharing than exists now). WODA aims to facilitate enhanced data sharing between partner organisations. If successful, this will lead to reduced demand for local services and improved outcomes for local service users. It will also promote opportunities for preventative action, support compliance with the EU General Data Protection Regulation (GDPR) and Data Protection Bill and identify innovation opportunities and deliver savings for partner organisations. While

several other areas have adopted similar approaches, none embraces all local public sector organisations as Worcestershire does.

3.3 Key achievements to date include:

Initiation of the programme – The WODA programme has been successfully initiated, with an embedded reporting process and clear lines of accountability. The office has a robust governance structure, which has included a Project Steering Group that convened weekly and an Executive Board in the form of the Partnership Executive Group;

Recruitment of a Chief Data Officer (CDO) – Neill Crump has been recruited as Chief Data Officer to lead the WODA team and help to publicise the office's activities on both a local and national scale. He commenced in post on 1 September;

Creation of a WODA Information Governance group –a WODA information Governance group has been established, comprising information governance leads from a range of partner organisations. It is scheduled to meet on a quarterly basis, with a remit to provide expert support and guidance regarding the ethical and lawful sharing of information;

Development of use case prioritisation and development process –a robust approach was developed for use cases, spanning from the initial identification of hypotheses to the prioritisation and selection process. Six initial use cases were selected and there has been close work with local stakeholders to design and develop implementation plans. Implementation has commenced for some of them. Outlined below is a summary of the use cases that are being taken forward:

Use Case	Summary
Business Rate Register	Local partners currently do not have shared access to local business data, such as turnover or employment size. This use case involves the pooling of business data from local partners and HMRC, so that local authorities and the LEP can target business support services to those who would benefit the most.
Patient Flow Integration	This use case aims to support the Patient Flow Centre (PFC), Acute Trust and Brokerage team in organising patient care packages by digitising the referral form and strengthening current information flows between the organisations so that they have access to real-time data.
Domestic Violence	Under the current system, police do not currently share interest markers or flags to indicate whether the individual is a repeat victim/offender. This use case entails the sharing of these data points as well as the enhanced sharing of domestic violence-related data between the Acute Trust and the social care team.
Falls & Frailty	This use case proposes a partnership between GP practices, the Clinical Commissioning Groups and the Fire Service with the aim of providing the Fire Service with the details of local vulnerable

Agenda Item No. 11.1

	individuals who consent to receiving 'Safe and Well' visits. The Fire Service would expand their current service provision to undertake Falls assessments, ensuring that individuals get the support they need.
Local Resilience Planning	The Cabinet Office have developed Resilience Direct, a resilience planning platform, and are currently encouraging Local Resilience Forums across the country to adopt it as their main resilience planning system. This use case focuses on the enhanced sharing of vulnerability data between relevant agencies and first responders, via the Resilience Direct platform.
Connecting Families	The Connecting Families team have struggled to undertake a thorough evaluation of the programme as they face consistent difficulty in accessing the relevant data from partner organisations. This use case involves the creation of information sharing pathways for the transfer of these data points.

3.4 The next steps will concentrate on:

- 3.4.1 staffing WODA, which in the pilot phase is expected to be achieved mainly through secondments from partner organisations;
- 3.4.2 use case development and benefits realisation. The use cases are at various stages of maturity. As implementation takes place, it will be possible to collect outcome data which in turn will be used to evidence the efficacy of the programme and provide baseline data against which to make future investment decisions;
- 3.4.3 launching WODA, which is scheduled for November, in order to raise public awareness and provide information about such things as the objectives and strategic ambitions of WODA, and the commitment to lawful sharing and processing of data in order to provide public reassurance that their data are safe and will be used appropriately;
- 3.4.4 developing the business case for WODA beyond its pilot phase. This will draw on evaluation and appraisal activity undertaken for each of the six use cases, as well as the proposed benefits associated with enabling the next tranche of data driven solutions for Worcestershire. It will present a fully costed work-programme addressing both capital and revenue requirements and setting these against the benefits identified. The CDO will lead on compiling the business case and will draw on resources from each of the partner organisations to ensure it reflects their ambition and ability to contribute.

4. **KEY ISSUES**

- 4.1 The approach to data sharing in Worcestershire is wide-ranging and innovative and has the ability to support transformation of public service delivery. The initial use cases will help to prove the concept and, subject to the business case for the

future, offer the prospect of potential significant financial and non-financial benefits for the Council.

- 4.2 In order to demonstrate this Council's commitment to working together with the other partner organisations, Cabinet is asked to endorse the Worcestershire data sharing charter. The charter sets out the underlying principle which is a duty to share data unless there are legal or ethical reasons that prevent sharing. However this in no way undermines compliance with data protection legislation which will continue to govern the partner organisations' work in this area.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no additional financial implications for the Council arising directly from this report. The Council's financial contribution to the pilot stage is £5k and has been funded from the Innovation Fund. The costs of supporting WODA in the future will be identified in the detailed business case that is to be prepared over the coming months. This will also address potential savings and non-financial benefits for partner organisations. A separate decision will be sought on future financial support for WODA.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 Collection, holding and processing of personal data are subject to the requirements of the Data Protection Act 1998. The legislation will be superseded by the EU's General Data Protection Regulation which comes into force in May 2018 and subsequently by the proposed Data Protection Bill which the Government has announced and which will take full effect once the UK leaves the European Union. The Council operates policies and procedures that comply with the legislation on data protection. Any sharing of data within the framework of WODA will comply with relevant legislation, including obtaining prior consent where applicable.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 Not applicable.

8. RISK MANAGEMENT

- 8.1 There are no additional risks associated with the recommendation in this report.

9. CONCLUSION

- 9.1 The Cabinet is invited to endorse the Worcestershire data sharing charter.

10. CONSULTEES

- 10.1 Cabinet
10.2 Corporate Leadership Team

11. BACKGROUND PAPERS

- 11.1 None.

Worcestershire Data Sharing Charter

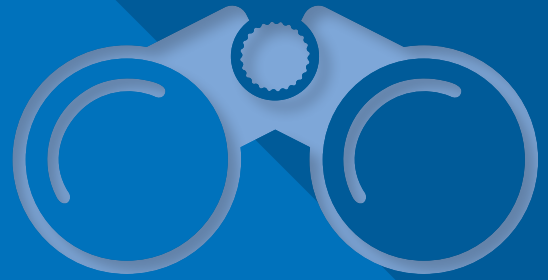
Our Purpose

Our goal is to ensure that Worcestershire's residents are safe, happy and healthy. As a Partnership group, we are committed to empowering local service providers with the information they need to make the right decisions. Enhanced data sharing across our organisations will play a pivotal role in shaping our approach and underpin our strategies around prevention, protection and intervention.

Our Commitment

"Worcestershire partners will deliver cultural and systematic change in the way we approach data sharing across the county. Collectively, we will work from a default premise of the "duty to share" data being equal to the "duty to protect" it. That is, in all circumstances, we will share data unless there is a legal or ethical reason not to. We will do this in the pursuit of improved outcomes for residents, businesses and the wider community."

The following organisations have agreed to work together to support delivery of this vision:



Our Guiding Principles

To ensure a consistent approach is taken towards achieving Worcestershire's vision, we have agreed a set of principles that will guide work towards delivering the local mandate:



Worcestershire Partners will **start with a premise of duty to share**, unless there is a legal or ethical reason not to do so.



Worcestershire Partners will **be transparent and build trust with residents, businesses and communities** through the publication of key datasets wherever possible. Every effort will be made to put the resident at the centre of decisions about their data.



Worcestershire Partners will **engage with stakeholders regularly and empower organisations and staff** to share data competently through a no-blame culture.



Worcestershire Partners will **prioritise outcomes led initiatives** with genuine prospects for improving outcomes for residents, businesses and the wider community.



Worcestershire Partners will **comply with all relevant legislation** when sharing data.



Worcestershire Partners will **invest real energy in achieving and delivering change**.



Worcestershire Partners will **provide expert strategic leadership** with clear lines of accountability to ensure confidence throughout the system.



Worcestershire Partners will **develop clear and compelling use cases** to ensure that we are able to demonstrate the impact of data sharing.



Worcestershire Partners will **provide a clear mandate for prioritising data sharing initiatives**.



Worcestershire Partners will **undertake thorough evaluation of projects and programmes** to ensure value for money is being delivered.



Worcestershire Partners will **consider data sharing when commissioning new projects**.



Worcestershire Partners will **champion change in central government** and encourage government departments to lead the way in sharing data and breaking down silos.

WYRE FOREST DISTRICT COUNCIL

CABINET
20th SEPTEMBER 2017

Budget Monitoring First Quarter 2017/18

OPEN	
CABINET MEMBER:	Nathan J Desmond – Cabinet Member for Resources
RESPONSIBLE OFFICER:	Tracey Southall, Corporate Director – Resources
CONTACT OFFICERS:	Tracey Southall Ext. 2100 Tracey.southall@wyreforestdc.gov.uk Kath Pearsall Ext.2165 Kathryn.pearsall@wyreforestdc.gov.uk
APPENDICES:	Appendix 1 - Wyre Forest District Council Revenue Budget Total Requirements - District Council Purposes Appendix 2 - Budgetary Control Report - Revenue Appendix 3 - Final Capital Outturn against Programme 2016/17 Appendix 4 - Capital Programme 2017/18 with slippage from 2016/17 Appendix 5 – Wyre Forest Forward/ Cabinet Proposal Progress Report Appendix 6 - Budget Risk Matrix <i>The appendices to this report have been circulated electronically and a public inspection copy is available on request. (See front cover for details.)</i>

1. PURPOSE OF REPORT

- 1.1 To monitor the Revenue Budget and Capital Programme in accordance with the Local Government Act 2003.
- 1.2 To inform members of the Housing Benefit Overpayment debt position as at 30th June 2017.
- 1.3 To inform members of the Sundry/Property debt position as at 30th June 2017.

2. RECOMMENDATIONS

The Cabinet is asked to DECIDE:-

- 2.1 That the projected budget variations and comments outlined within this report and appendices 2 to 6 be noted.

3. **KEY ISSUES - BUDGET MONITORING 1st QUARTER 2017/18**

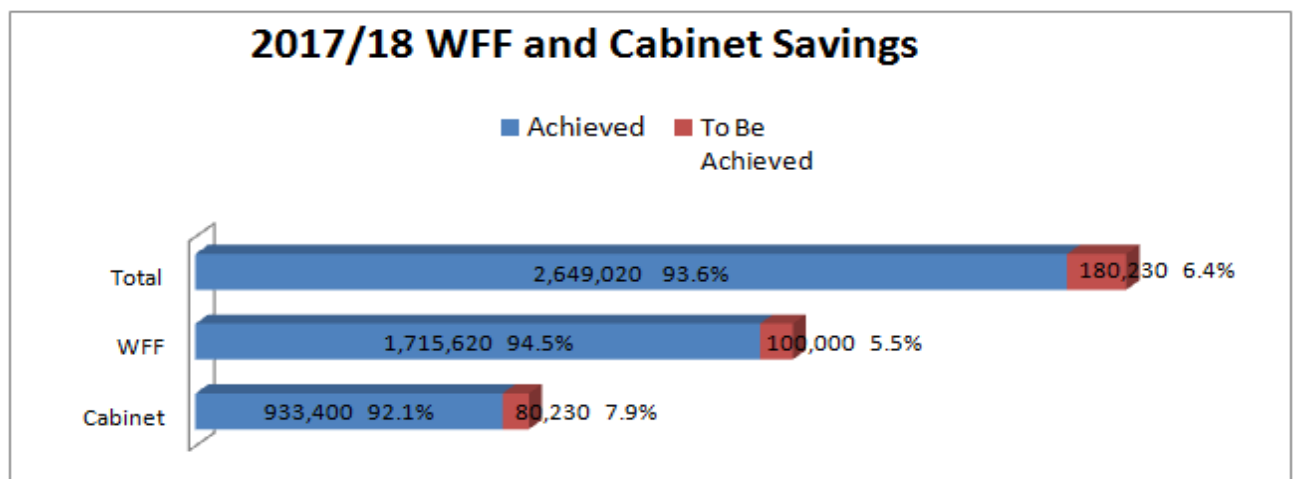
3.1 The projected outturn at 31st March 2017 is an under spend of £300,200. The details are in **Appendix 2** and the main variances are:

- £150,000 favourable – Continued improvement of recovery of Housing Benefit overpayment
- £120,000 favourable – Pension Fund Deficit – cost savings as a result of payment in advance for 3 years in respect of latest actuarial evaluation.
- £100,000 favourable – Salary and administrative saving based on year to date estimates, subject to confirmation during the budget process
- £39,300 adverse: costs awarded on successful planning appeal and anticipated costs for expert advice during planning enquiry
- £20,000 adverse: Leisure Service income – reduced element of overall leisure income target. This should be compensated for in other areas and will be confirmed during the budget process
- £10,500 adverse: Cemetery – income reduction due to limited spaces

3.2 **Wyre Forest Forward Savings Programme/Cabinet Proposals**

3.2.1 The Council has a good track record of continuously identifying opportunities to make savings. A budget realignment exercise to be considered as part of the revised budget process will seek to confirm ongoing reductions in light of the positive trends identified in 2016/17 Final Accounts results. This should mitigate some of the costs pressures that will inevitably be identified in the Medium Term Financial Plan (MTFP) together with the already substantial savings achieved against Wyre Forest plans and Cabinet Proposals. The current position against savings targets are detailed in **Appendix 5**. A refreshed savings plan based on latest projections will be prepared in the revised budget process.

Summary of 2017/18 Wyre Forest Forward and Cabinet Proposal Savings



3.3 Net Expenditure

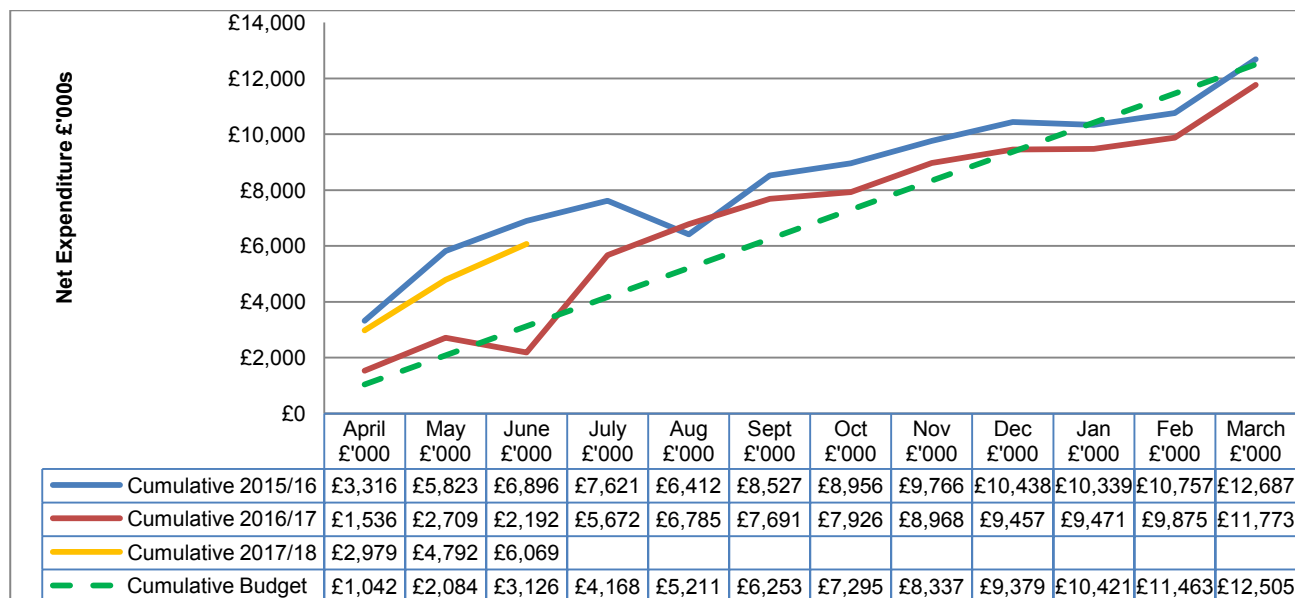
The level of net expenditure should represent the level of resource employed by the Council in order to undertake its statutory and discretionary services. This is because the Council's commercial activity should be undertaken only if the charges made, cover the costs of the service provided, or beyond that, make a contribution to the Council's overheads. At the financial year end, the overall final position is forecast as follows :

Summary of main variances to budget

	Annual Budget (Original Budget 2017-18)	YTD June 2017 (including commitments)	Predicted Outturn	Variance
Adverse Variance				
Community Well-Being and Environment	£4,695,910	£883,548	£4,726,410	£30,500
Economic Prosperity and Place	£2,409,260	£1,399,337	£2,448,560	£39,300
Favourable (or no) Variance				
Resources	£3,990,710	£3,814,950	£3,720,710	Cr £270,000
Chief Executive & Solicitor to the Council	£1,708,320	£318,975	£1,708,320	£0
Capital Account	Cr £298,990	Cr £348,076	Cr £298,990	£0
Generic Variations	-	-	Cr £100,000	Cr£100,000
TOTALS	£12,505,210	£6,068,734	£12,205,010	Cr £300,200

The profile of net expenditure varies against budget, not only because of the fluctuation in income, but also to reflect the seasonal variations in activity and the way that payments are made to, and received from, organisations, including government and other Councils. This is shown in the following graph:

Net Revenue Expenditure profile (including commitments) during 2017/18 compared against budget



The Quarter 1 position includes over £2,161k of commitments to cover expenditure for the whole financial year

At Quarter 1, significant variances to budget are difficult to anticipate. To try and draw attention to events that may cause service related budget variances, risks have been identified and the Council's response are included in Appendix 6.

3.4 External Income

External Income is a very important element within the finances of the Council, it affects the level of resources the Council can fund and makes an important contribution to a balanced budget.

The level of external income predicted for 2017/18 is £6.515m, against a 2016/17 actual performance of £6.220m.

Summary of income performance against budget throughout the year

	April £'000	May £'000	June £'000	July £'000	Aug £'000	Sept £'000	Oct £'000	Nov £'000	Dec £'000	Jan £'000	Feb £'000	Mar £'000
Prior Years												
2015/2016	£353	£678	£1,105	£1,728	£2,091	£2,474	£3,064	£3,430	£3,902	£4,555	£4,995	£5,531
2016/2017	£380	£849	£1,314	£1,774	£2,151	£2,603	£3,390	£3,733	£4,109	£4,740	£5,175	£6,220
Current Year												
Original Budget 2017-2018	£544	£1,088	£1,633	£2,177	£2,721	£3,265	£3,809	£4,353	£4,898	£5,442	£5,986	£6,530
Actual 2017/2018	£426	£909	£1,468									

Agenda Item No. 11.2

Predicted Annual Outturn 2017/2018 - Profile	£543	£1,086	£1,629	£2,172	£2,715	£3,258	£3,800	£4,343	£4,886	£5,429	£5,972	£6,515
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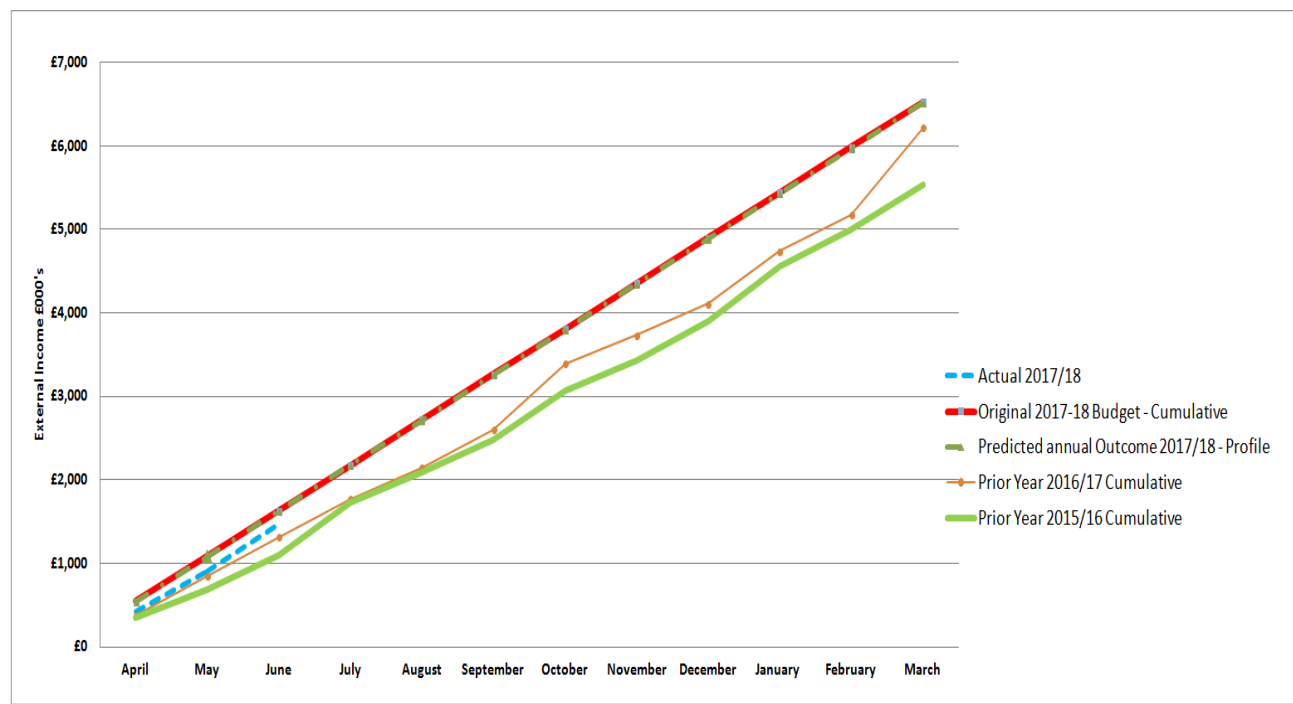
(Note all figures are cumulative £'000)

External Income achieved to date exceeds the position this time last year and all prior years since 2012/13, allowing some degree of confidence in the annual budget target.

As in previous years, the actual income generated lags behind the profiled budget – this is mainly due to recharges made in arrears, annual contract arrangements with the County or other Local Government bodies.

Further work around the monitoring of income generation, in particular demand led income, is in progress to enhance this key area of budgetary control reporting..

Projection of External Income against Original Budget



Summary of Income Performance by Category – June 2017

Category All figures in £'000s	ORIGINAL Budget 2017/18 £'000s	Projection as at June 2017 £'000s	Actual June 2017 YTD £'000s	% achieved of ORIGINAL Budget	Projected Year End Variance £'000s	% achieved of projection
Fees and Charges	£4,313	£4,295	£1,142	26.4%	(£18)	26.5%
Grants and Subsidies	£185	£185	£25	13.5%	£0	13.5%
Interest	£111	£117	£10	9.0%	£6	8.5%
Other	£95	£98	£16	16.8%	£3	16.3%

Rental Income	£1,122	£1,116	£239	21.3%	(£6)	21.4%
Shared Services Income	£704	£704	£36	5.1%	£0	5.1%
TOTAL	£6,530	£6,515	£1,468	22.4%	(£15)	22.5%

Actual income is 22.4% of budget - and therefore 2.6% points below the target position as at June 2017, this amounts to a £165K shortfall at this stage of the year.

Based upon the income projection completed each month - the following variations to budget have been identified; all other income is expected to be on budget.

Full Year Income Generation Projection 2017/18 – Qtr1

Major Variances over £5,000

Description	2017/18 Budget £	2017/18 Profiled Budget £	2017/18 Actual To Date £	Projection to Year End £	Variance Projection Less Budget £	Comment
SOME SECTIONS PREDICT EXTERNAL INCOME IN EXCESS OF ORIGINAL BUDGET						
Interest	-£39,670	-£6,625	-£7,455	-£45,000	-£5,330	Better than expected returns
Waste Services*	-£22,000	-£5,507	-£10,648	-£28,000	-£6,000	Bulky Waste Services
SOME SECTIONS PREDICT A SHORTFALL IN EXTERNAL INCOME COMPARED TO ORIGINAL BUDGET						
Community Development	-£20,000	-£5,000	£0	£0	£20,000	Unachievable element of overall Leisure income target
Cemetery	-£65,500	-£16,375	-£11,852	-£55,000	£10,500	Reduced spaces available

***Note** – variances in external income maybe affected by variances in expenditure.

3.5 Capital Programme

The final Capital Programme and Vehicle, Equipment and Systems Renewal Schedule for 2016/17 is enclosed as **Appendix 3**. Spending was generally in line with budget although expenditure on some schemes has been slipped into 2017/18.

- 3.6** The updated Capital Programme and Vehicle, Equipment and Systems Renewal Schedule for 2017/18, including slippage from 2016/17 are enclosed as **Appendix 4**. Appraisal models for the Council Policy on the Capital Portfolio Fund and the scheme for Loans to Third Parties are being progressed to support our corporate priorities of regeneration and economic development and housing. The capital budget for both schemes currently remains in 2017/18, but will be rescheduled during the revised budget process.

3.7 Risk Matrix

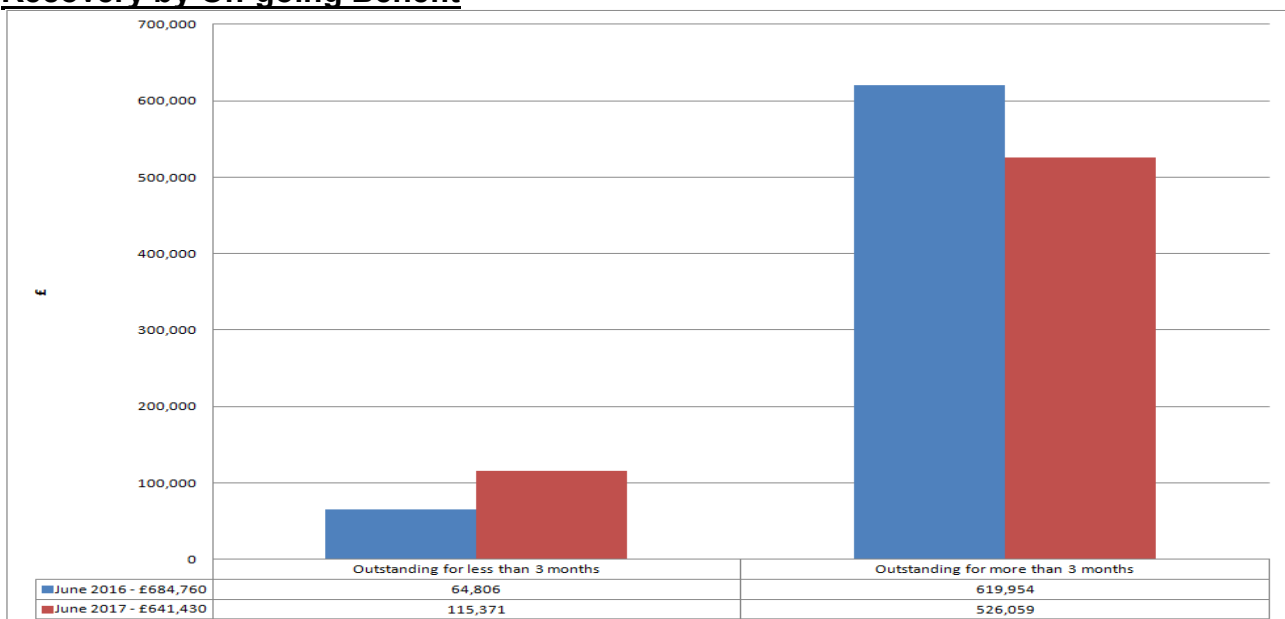
The Budget Risk Matrix has been reviewed to reflect the current assessment of risk. A copy is enclosed for information as **Appendix 6**.

3.8 Income and Outstanding Debt

The position relating to Housing Benefit Overpayment is shown in the next two graphs, split to show those debts being recovered from on-going benefit and those debts being recovered via an invoice:

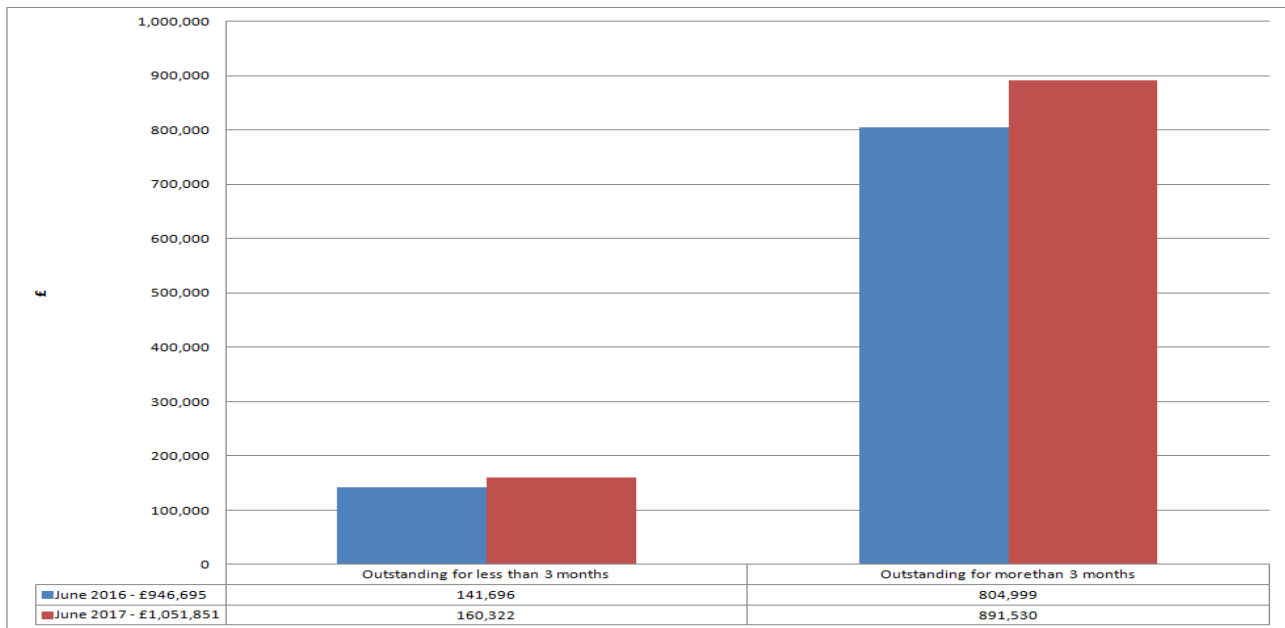
Comparison of the value of Housing Benefit Overpayment outstanding as at June 2016 and June 2017

Recovery by On-going Benefit



(E.G. In June 2016 the total value of debts outstanding for less than three months, being collected from on-going benefit was £64,806, compared to June 2017 where £115,371 was outstanding for less than three months)

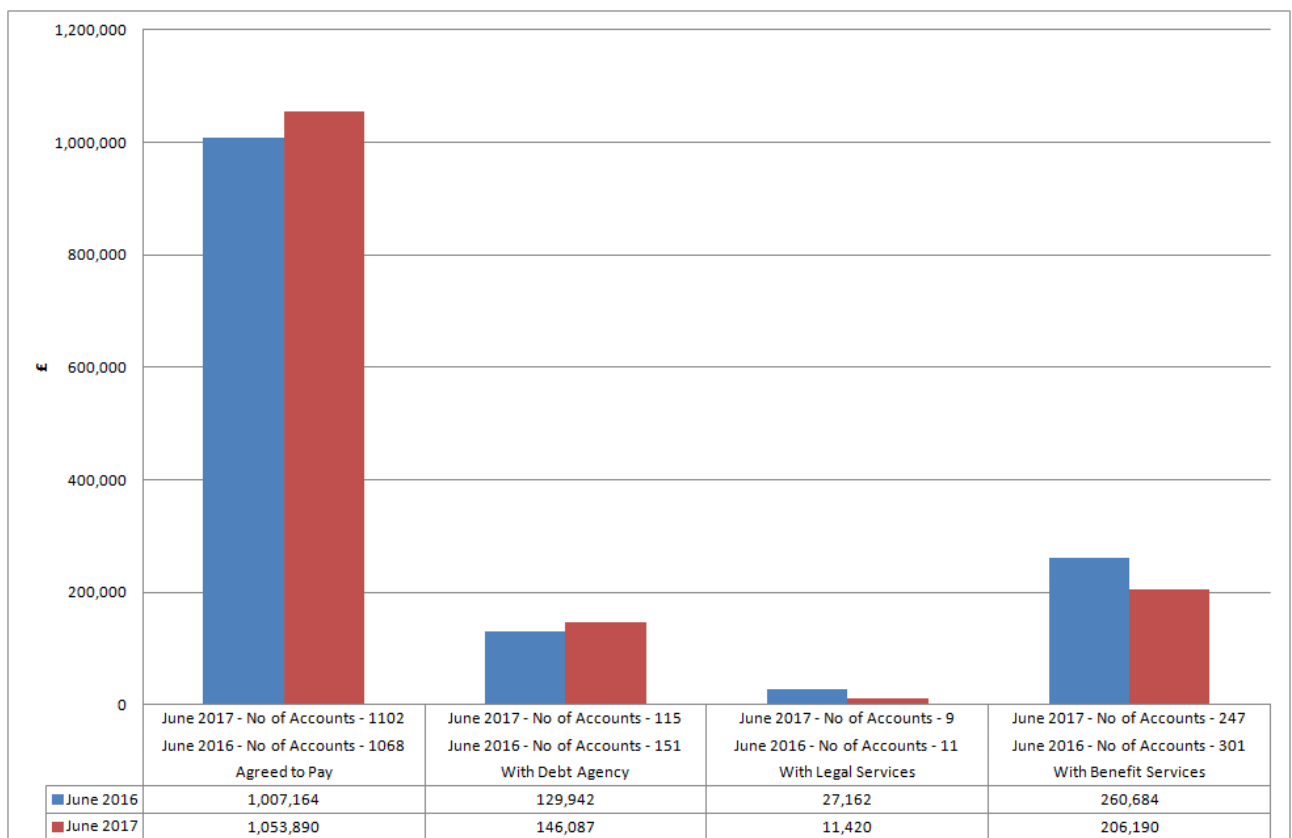
Recovery by Invoice



(E.G. In June 2016 the total value of debts outstanding for less than three months, being collected by invoice was £141,696, compared to June 2017 where £160,322 was outstanding for less than three months)

Debts over three months old have agreements in place to pay, have been referred to the Council's Legal Services, or remain with the Benefit Service to pursue. Debts are referred as a last resort to a Debt Collection Agency. In Quarter 1 debts of £4,310 have been recovered at a cost of £754. The number of accounts, the value outstanding and how this will be collected is shown in the following graph:

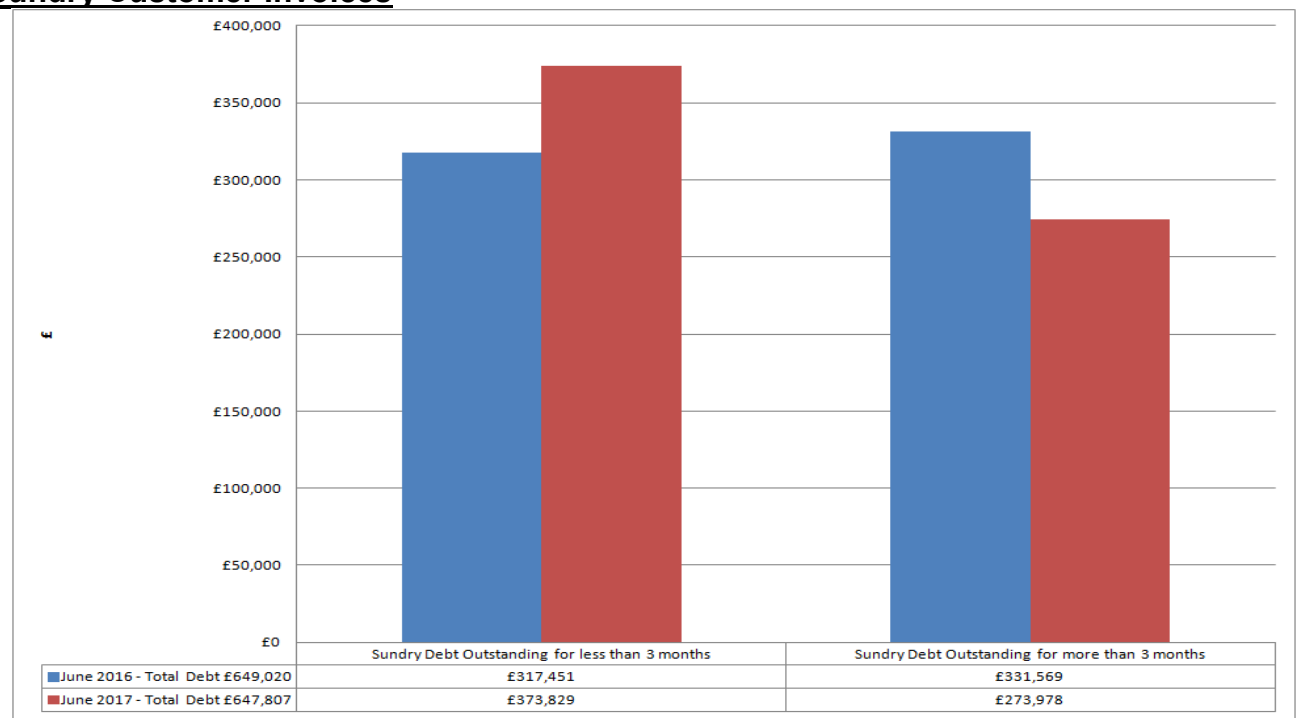
The number of Accounts, the Value Outstanding and Collection Method



(E.G. In June 2016, 1068 claimants with a total debt of £1,007,164 had agreed to pay compared to June 2017, where 1102 claimants with a total debt of £1,053,890 had agreed to pay)

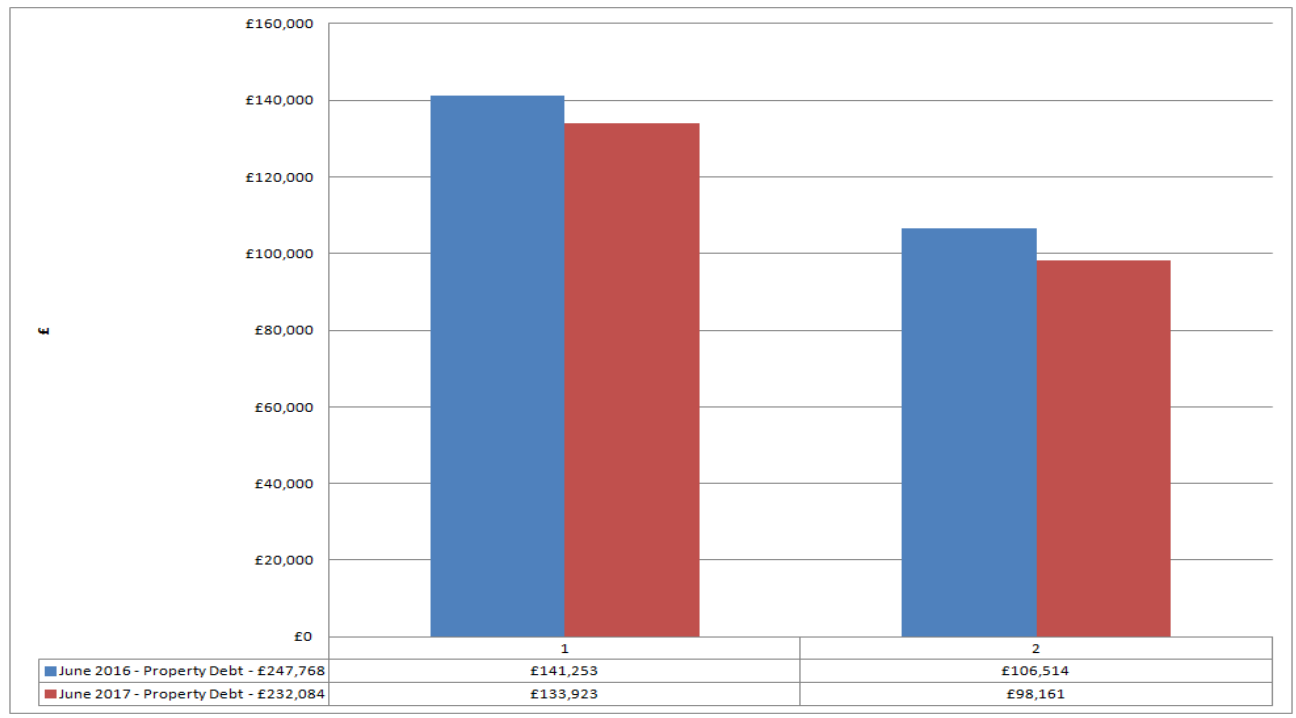
3.9 The position relating to outstanding Sundry/Property Customer Invoices are as follows:

Sundry Customer Invoices



(E.G. In June 2016 the total value of debts outstanding for less than three months, was £317,451, compared to June 2017 where £373,829 was outstanding for less than three months).

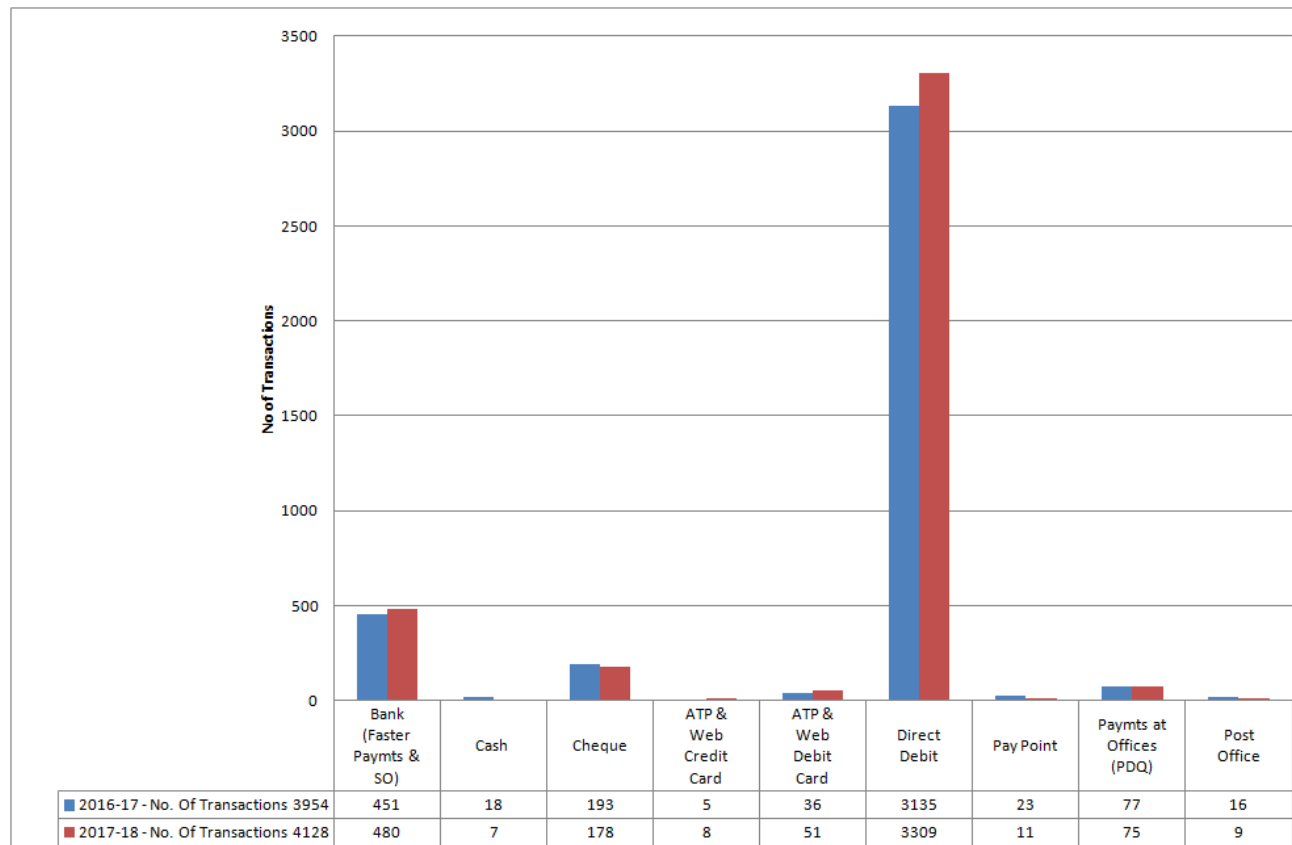
Property Customer Invoices



(E.G. In June 2016 the total value of debts outstanding for less than three months, was £141,253, compared to June 2017 where £133,923 was outstanding for less than three months)

- 3.10** The payment method for collection of sundry and property debts is analysed in the following graph

Comparison of payment methods for customer invoices raised as at June 2016 and June 2017



The Council is committed to ensuring customer have a range of payment methods available to them and to promote channel shift from cash and cheque to efficient forms of payment through Direct Debit, Web and Telephone.

4. **FINANCIAL IMPLICATIONS - BUDGET MONITORING 1ST QUARTER 2017/18**

- 4.1 A copy of the Council's approved Revenue Budget is enclosed as **Appendix 1** for Members' information.
- 4.2 The most significant issue facing the Council remains its financial position. The updated medium term financial strategy, approved by February Council, provides a balanced approach for the next three years. There is a planned contribution from reserves in 2017/18 of £308,420 and the forecast impact of changes to the Funding regime mean that by 2019/20 transfers from reserves are required of around £800,000. The overall funding gap increases to around £2m from 2019/20 and further work on the Wyre Forest Forward Savings Strategy is actively being progressed to close this gap and ensure the future financial sustainability of the Council. More certainty around the scale of future financial savings will be known following the release of further detail on the Funding Reform.
- 4.3 Our net revenue budget will have reduced from £16.4m in 2009/10 to £10.74m in 2019/20 based upon current plans. This represents a fall of around 35% in absolute terms, and more in real terms. The total savings target from the Wyre Forest Forward programme including all Cabinet Proposals have been increased to £3.832m in 2019/20, of which projections show we should achieve £2.836m (74%);

forecast as at mid June 2017. The further target is particularly challenging but early work has already started to progress savings plans and we are optimistic this is achievable, especially when we consider the Council's strong track record in reducing expenditure since 2009. The current and planned proposals including the Council Policy on Loans to Third Parties and Capital Portfolio Fund to support the Council's key priority of securing the economic prosperity of the district, potentially are key drivers towards closing the gap between what we are spending and our income.

- 4.4 Whilst there is an increased level of general reserves available towards balancing the budget of £3.914k (including the £1m Working Balance) following the 2016/17 Final Accounts Savings, it is clear that the future financial position for the Council will continue to be challenging, particularly in the light of the fiscal uncertainty given the result of the European Referendum with austerity measures set to continue to balance the national budget. However it is too early to judge the impact of the decision to leave the European Union on Local Government Finances; at the moment the only tangible impact has been modest financial market volatility but this has not had a material impact to date. The Bank of England reduced the Bank Base Rate to 0.25% in early August 2016, the first change since 2009. The reduced level of funding currently programmed for the Council in the future is being mitigated by a raft of transformational reviews being developed and implemented as part of the Wyre Forest Forward programme.
- 4.5 We are now into the fifth year of the Business Rates Retention Scheme and remain in the Worcestershire Pool reformed from 2016/17 without Malvern Hills District Council. The 2016/17 results were extremely positive for the Pool overall and also for Wyre Forest with the Pool retaining total levy of £1.18m, of which 50 percent (after deduction of the £10k Worcestershire County Council administration fee) is held in a risk reserve with the remainder distributed to Pool members. This Council achieved the 2016/17 budget estimate of £2.802m including our estimated share of retained growth of £200k over baseline. However, the increased risk around appeals in relation to Supermarkets, the impact of the baseline reset from April 2017, in particular remains. We hold Business Rates/Regeneration Risk Earmarked Reserves of £570k towards the mitigation of the significant risk and uncertainty around Business rates including the as yet, unknown impact of the proposed move to 100% retention of growth.
- 4.6 Changes to the New Home Bonus funding stream for 2017-18 payments, with the introduction of the national baseline of 0.4% below which funding allocations will not be made, has resulted in a significant reduction in this funding stream for this Council. Estimates for future funding for New Homes Bonus are in the process of revision, but early indications are that housing growth has slowed down resulting in further funding reductions. This will be part of the revised budget process.
- 4.7 Housing Benefits overpayments – the council needs to monitor performance as it receives from the Department of Work and Pensions benefit subsidy on those payments which are identified as overpayments. The rate of subsidy varies dependent on the classification of the overpayment. In addition should the Council recover the full or any part of an overpayment then those recovered monies can be retained by the Council.

- 4.8 Sundry/Property Debt – The income generated through the raising of invoices is a very important part of the Council's finances. We will continue to monitor Sundry and Property debt to ensure that invoices are paid in a timely manner and that processes are in place to recover outstanding income.

5. LEGAL AND POLICY IMPLICATIONS

- 5.1 The Local Government Act 2003 (sections 25–29) placed additional duties on Local Authorities on how they set and prioritise budgets.
- 5.2 Section 28 places a statutory duty on an authority to review its budget from time to time during the year. If the Budget Monitoring Report shows that there has been deterioration in the Authority's financial position, the Authority must take such action as it concludes necessary. The Cabinet currently reviews the Budget on a quarterly basis.
- 5.3 Our External Auditor Grant Thornton makes an assessment based on the annual programme of external audit work. The focus is on ensuring there are proper arrangements in place for securing financial resilience and that the organisation has proper arrangements for challenging how it secures economy, efficiency and effectiveness.

6. EQUALITY IMPACT ASSESSMENT

- 6.1 This is a financial report and there is no requirement to undertake an Equality Impact Assessment.

7. RISK MANAGEMENT

- 7.1 The budget risk matrix in **Appendix 6** is regularly reviewed and updated. Regular monitoring of expenditure and other financial information mitigates risk for the Council.

8. CONCLUSIONS/ACTION

- 8.1 The information contained within Appendices 2, 3, 4, 5 and 6 provides Members with an overview of financial trends within the period to 30th June 2017
- 8.2 A further report identifying the updated position for 2017/18 from the revised budget will be submitted to the Cabinet as part of the budget process.

9. CONSULTEES

- 9.1 Corporate Leadership Team.
- 9.2 Cabinet.
- 9.3 Service Managers

10. BACKGROUND PAPERS

Council 22nd February 2017

Cabinet Report on Provisional Final Accounts 2016/17 23rd May 2017
Cabinet Financial Strategy 2016/2019 7th February 2017

Hyperlink to Committee Reports

<http://www.wyreforest.gov.uk/council/meetings/main.htm>

WYRE FOREST DISTRICT COUNCIL

REVENUE BUDGET TOTAL REQUIREMENTS - DISTRICT COUNCIL PURPOSES

SERVICE	2016/17		2017/18			2018/19			2019/20		
	Original Estimate £	Revised Estimate £	At Nov.16 Prices £	Inflation £	TOTAL £	At Nov.16 Prices £	Inflation £	TOTAL £	At Nov.16 Prices £	Inflation £	TOTAL £
CHIEF EXECUTIVE	5,781,210	5,944,620	5,856,320	38,510	5,894,830	5,314,360	100,650	5,415,010	5,143,450	164,280	5,307,730
COMMUNITY WELL-BEING AND ENVIRONMENT	5,238,130	5,009,580	4,594,340	63,650	4,657,990	4,441,820	143,720	4,585,540	4,295,450	226,630	4,522,080
ECONOMIC PROSPERITY AND PLACE	2,532,520	2,717,220	2,306,590	19,790	2,326,380	2,203,910	49,190	2,253,100	2,132,350	85,010	2,217,360
LESS: CAPITAL ACCOUNT	13,551,860	13,671,420	12,757,250	121,950	12,879,200	11,960,090	293,560	12,253,650	11,571,250	475,920	12,047,170
INTEREST RECEIVED	(578,970)	(896,800)	(433,190)	380	(432,810)	(162,420)	1,040	(161,380)	(75,700)	1,680	(74,020)
CAPITAL PORTFOLIO FUND AND LOANS TO THIRD PARTIES	(113,660)	(93,480)	(41,180)	0	(41,180)	(37,170)	0	(37,170)	(77,170)	0	(77,170)
	0	0	100,000	0	100,000	(75,000)	0	(75,000)	(110,000)	0	(110,000)
TOTAL NET EXPENDITURE ON SERVICES	12,859,230	12,681,140	12,382,880	122,330	12,505,210	11,685,500	294,600	11,980,100	11,308,380	477,600	11,785,980
LESS: CONTRIBUTION (FROM) TO RESERVES	211,400	512,050			(308,420)			(533,640)			(756,320)
NET BUDGET REQUIREMENT	13,070,630	13,193,190			12,196,790			11,446,460			11,029,660
LESS: REVENUE SUPPORT GRANT	(1,179,060)	(1,179,060)			(510,220)			(100,680)			356,790
BUSINESS RATES	(2,602,060)	(2,602,060)			(2,653,230)			(2,731,510)			(2,818,810)
BUSINESS RATES GROWTH	(85,000)	(200,000)			(220,000)			(250,000)			(250,000)
COLLECTION FUND SURPLUS	(90,000)	(90,000)			(90,000)			(90,000)			(90,000)
NEW HOMES BONUS	(2,350,460)	(2,358,020)			(1,896,400)			(1,296,130)			(1,050,140)
TRANSITION GRANT	(43,230)	(43,230)			(43,080)			0			0
GENERAL EXPENSES - COUNCIL TAX INCOME	6,720,820	6,720,820			6,783,860			6,978,140			7,177,500
COUNCIL TAX LEVY		205.36			205.36			209.34			213.40
COUNCIL TAX BASE		32,727			33,034			33,334			33,634

BUDGETARY CONTROL REPORT
MAJOR REVENUE VARIATIONS QUARTER ONE (TO 30th JUNE 2017)

Total Original Budget 2017/18- Net Expenditure on Services	12,505,210
Reduced Expenditure on Services	(300,200)
TOTAL QUARTER ONE PROJECTION TO YEAR END 2017/18	12,205,010

<u>Description of Estimated Major Variances</u>	Extra Costs/ Reduced Income £	Savings/ Additional Income
<u>Chief Executive and Solicitor to the Council</u>		
1. No major variations		
<u>Resources</u>		
1. Pension Fund Deficit - cost savings as a result of payment in advance over 3 years from 2017-18 to 2019-20 in respect of the latest actuarial evaluation.		(120,000)
2. Housing Benefit Overpayments - Continued improvement of recovery of Housing Benefit overpayments		(150,000)
<u>Community Well Being and Environment</u>		
1. Leisure Service income - unachievable element of overall leisure income target. It should be compensated for in other areas and will be confirmed during the budget process	20,000	
2. Cemetery - Income reduction due to limited spaces	10,500	
<u>Economic Prosperity and Place</u>		
1. Planning fees - costs of appeals and expert advice	39,300	
<u>Corporate Variations</u>		
1. Salary and administrative savings - based on year to date estimates, subject to confirmation during budget process		(100,000)
	69,800	(370,000)
Reduction on Original Budget (based on Quarter One 2017/18 Projection)		(300,200)

Outturn Position (Post Audit)
Q4 Budget Monitoring 2016/17 (final)
Capital Programme 2016/17

Capital project description	2016/17 Budget (Full Year) £	YTD Actual Expenditure (Net Income) £	Projected Variation vs Budget £	Slippage to 2017/18 £	Explanation
<u>CHIEF EXECUTIVE</u>					
New Headquarters - Office Accommodation	11,640	Cr 1,972	Cr 13,612	13,610	Contractor account still to be finalised due to outstanding issues. Balance to slip to 2017/18.
ICT Strategy	250,000	144,615	Cr 105,385	105,390	Ongoing ICT schemes. Balance to slip into 2017/18.
Boundary Wall at 49 Worcester Street	10,000	0	0	10,000	Ongoing dispute regarding liability for damage to wall. Balance to slip to 2017/18
Total S6 CHIEF EXECUTIVE	271,640	142,643	Cr 118,997	129,000	
<u>COMMUNITY WELL-BEING AND ENVIRONMENT</u>					
Parking Facilities: Improvements to Car Parks	80,010	0	Cr 80,010	80,010	Car park improvements currently under review. Slipped to 2017/18.
Vehicle Renewals (Capital Programme)	599,420	302,560	Cr 296,860	256,420	See separate Vehicle, Equipment and System Renewals schedule.
Franchise St S106 - Brinton Park/Arts Development	46,760	0	Cr 46,760	46,760	To be used for Brintons Park HLF project. Balance to slip to 2017/18.
Public Conveniences Refurbishment	30,990	29,658	Cr 1,332	0	Scheme complete.
Future Leisure Provision	4,395,290	3,862,489	Cr 532,801	532,810	Retention monies and contingency remain. Balance to slip into 2017/18.
Northwood Lane Improvements	11,250	3,429	Cr 7,821	7,830	For landscape development improvements. Balance to slip into 2017/18.
Total S11 COMMUNITY WELL BEING & ENVIRONMENT	5,163,720	4,198,136	Cr 965,584	923,830	
<u>ECONOMIC PROSPERITY AND PLACE</u>					
Disabled Facilities Grants	940,000	687,097	Cr 252,903	252,910	Ongoing grant scheme - balances will slip to 2017/18.
Private Sector Measures	80,000	80,302	302	Cr 300	Small level of 2016/17 expenditure in advance of 2017/18 budget.
Planning Delivery Grant Capital Projects	26,240	6,990	Cr 19,250	19,250	Land Charges System upgrade commenced. Balance to slip to 2017/18.
Flood Relief	10,000	0	Cr 10,000	10,000	Schemes still being negotiated with land owners. Balance to slip into 2017/18.
Regeneration of Economic Development	961,360	597,254	Cr 364,106	364,110	Balance to slip to 2017/18.
Bewdley Medical Centre	291,360	20,965	Cr 270,395	270,400	Scheme ongoing. Balance to slip to 2017/18.
North Worcs Water Management Capital Projects-Redditch	96,000	52,544	Cr 43,456	43,460	Scheme ongoing. Balance to slip to 2017/18.
North Worcs Water Management Capital Projects-Bromsgrove	3,930	3,650	Cr 280	280	Scheme ongoing. Balance to slip to 2017/18.
Repair & Renew Flood Grants	3,200	0	Cr 3,200	3,200	Scheme ongoing. Balance to slip to 2017/18.
Carbon Management Plan	0	26,000	26,000	Cr 26,000	2016/17 expenditure (Econospeed devices) in advance of 2017/18 budget.
New Street Conversion	0	5,417	5,417	Cr 5,410	2016/17 expenditure (project management) in advance of 2017/18 budget.
Total S5 ECONOMIC PROSPERITY & PLACE	2,412,090	1,480,220	Cr 931,870	931,900	
TOTAL	7,847,450	5,820,999	Cr 2,016,451	1,984,730	

Outturn Position (Post Audit)
Q4 Budget Monitoring 2016/17 (to March 2017)
Vehicle, Equipment and System Renewals 2016/17

Detail	Revised Capital Programme 2016/17 £	Q4 Expenditure 2016/17 £	Projected Total 2016/17 Expenditure £	Slippage to 2017/18 £	Old Vehicle Fleet Number to be replaced	COST CENTRE
1. <u>VEHICLES</u>						
.	25,000	0	0	25,000	N/A	
TIPPER 3,500kg	30,000	0	0	30,000	AV179	R200
TIPPER 7,500kg	45,000	0	0	45,000	AV033	R002
VAN	20,000	0	0	20,000	AV174	R200
LIGHT VAN	20,000	0	0	20,000	AV203	R200
LIGHT VAN	20,000	0	0	20,000	AV043	R035
LIGHT VAN	18,000	0	0	18,000	AV204	R185
CAR	18,000	9,250	9,250	0	AV178	
4x4	23,000	0	0	23,000	AV191	R163
ROAD SWEEPER	120,000	111,542	111,542	0	AV166	R200
PAVEMENT SWEEPER	70,000	59,180	59,180	0	AV207	R200
PAVEMENT SWEEPER	70,000	59,180	59,180	0	AV208	R200
GARAGE EQUIPMENT	23,420	0	0	23,420	N/A	R229
TRACTOR	32,000	0	0	32,000	AV070	R236
RIDE ON MOWER	35,000	35,000	35,000	0		
CHIPPER WITH TRAILER	30,000	28,408	28,408	0	AV182	R236
	599,420	302,560	302,560	256,420		

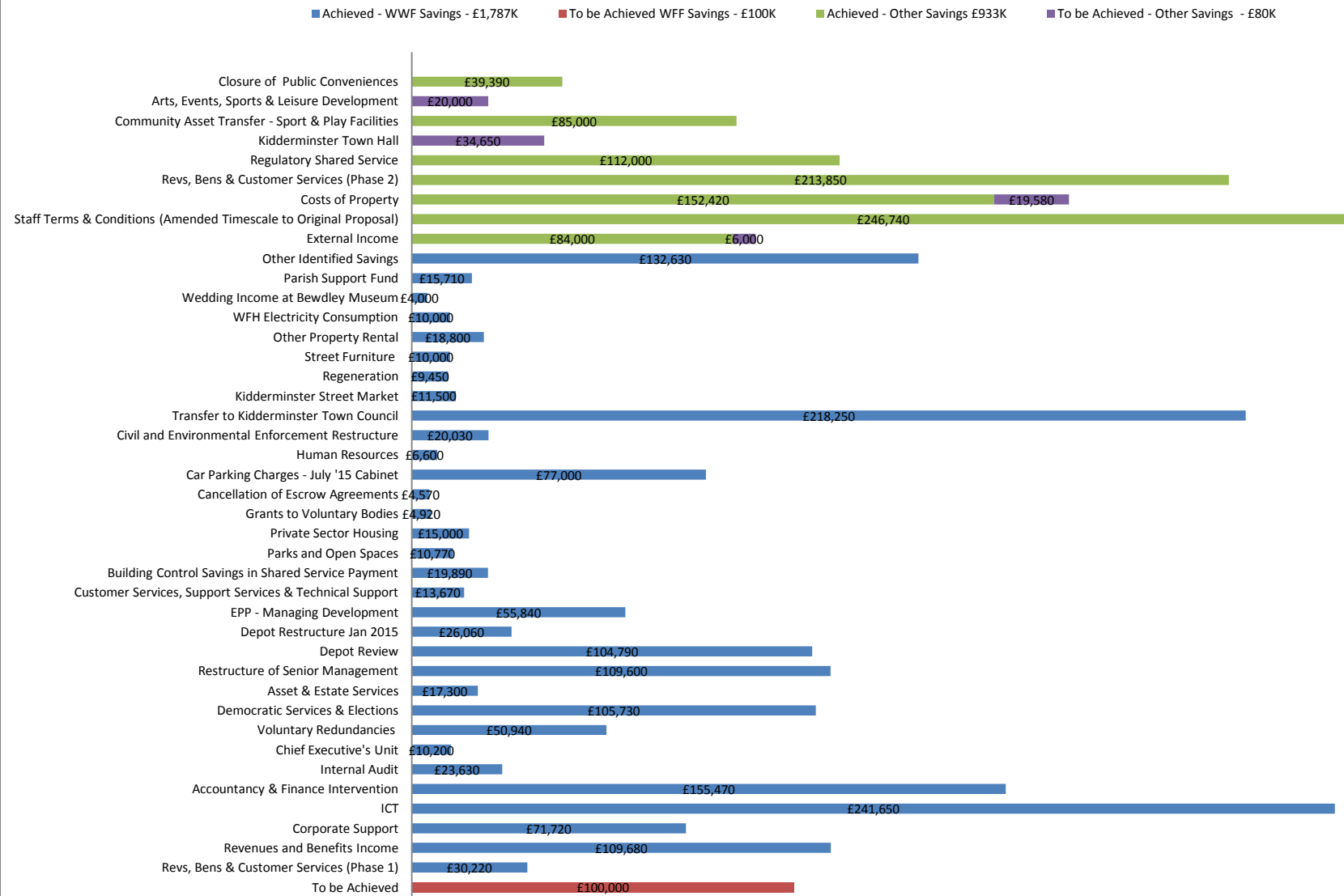
Capital project description	2017/18 Budget (Full Year)- Includes slippage from 2016/17	YTD Actual Expenditure (Net Income)	Commitment	Year To Date Expenditure Including Commitments	Projected Total 2017/18 Expenditure	Slippage to 2018/19	Explanation
	£	£	£	£	£	£	
RESOURCES							
ICT Strategy	191,700	Cr 3,025	10,781	7,756	191,700	0	Anticipated to complete in 2017/18
Financial Management System Replacement	69,500	0	0	0	69,500	0	Upgrade of financial system, anticipated to be spent this financial year
TOTAL S2 RESOURCES	261,200	Cr 3,025	10,781	7,756	261,200	0	
CHIEF EXECUTIVE							
New Headquarters - Office Accommodation	413,610	0	131,939	131,939	413,610	0	Contractor account still to be finalised due to outstanding issues. Balance likely to slip.
Total S6 CHIEF EXECUTIVE	413,610	0	131,939	131,939	413,610	0	
COMMUNITY WELL-BEING AND ENVIRONMENT							
Parking Facilities: Improvements to Car Parks	80,010	0	0	0	30,000	50,010	Improvements for Short and Long Tariff
Vehicle Renewals (Capital Programme)	1,126,420	0	124,490	124,490	986,420	140,000	See separate Vehicle, Equipment and System Renewals schedule.
Franchise St S106 - Brintons Pk/Habberley Valley	46,760	0	0	0	46,760	0	Allocated to HLF. In the process of re-submitting second bid, outcome should be known by December.
Future Leisure Provision	727,250	20,000	180,293	200,293	727,250	0	Retention monies and contingency remain. Currently anticipate to finalise in 2017/18
Northwood Lane Improvements	7,830	0	0	0	7,830	0	To be completed in 2017/18.
Green Street Depot Investment	1,100,000	0	29,531	29,531	50,000	1,050,000	Phase 1 Consultancy commenced. Main works likely to slip into 2017/18.
Brinton Park HLF Capital Scheme	100,000	0	0	0	100,000	0	In the process of re-submitting second bid, outcome should be known by December.
Total S11 COMMUNITY WELL BEING & ENVIRONMENT	3,188,270	20,000	334,314	354,314	1,948,260	1,240,010	
ECONOMIC PROSPERITY AND PLACE							
Disabled Facilities Grants	1,575,370	387,978	339,191	727,169	1,100,000	475,370	Please carry forward for ongoing commitment to longer term DFG work.
Private Sector Measures	185,260	Cr 1,314	1,436	122	185,260	0	Schemes in progress - anticipated to complete in 2017/18
Planning Delivery Grant Capital Projects	19,250	8,250	11,000	19,250	19,250	0	Land Charges System upgrade to complete in 2017/18.
Flood Relief	38,410	0	0	0	10,000	28,410	Will spend on early warning rain gauges
Regeneration of Economic Development	364,110	2,609	87,778	90,387	364,110	0	Ongoing scheme - anticipated to complete in 2017/18
Carbon Management Plan	124,220	135	0	135	5,000	119,220	Anticipated spend on charging points subject to business case.
Bewdley Medical Centre	270,400	0	266,335	266,335	270,400	0	Ongoing scheme - anticipated to complete in 2017/18
North Worcs Water Management Capital Projects-Redditch	43,460	0	0	0	43,460	0	Ongoing schemes - anticipated to complete in 2017/18
North Worcs Water Management Capital Projects-Bromsgrove	280	0	0	0	0	0	Scheme complete
Repair & Renew Flood Grants	3,200	0	0	0	0	0	Scheme complete
Future Investment Evergreen Fund	467,610	0	0	0	467,610	0	Currently assumed to complete in 2017/18
Worcester Street Improvement Grant	500,000	0	0	0	500,000	0	Anticipated for public consultation to commence in 2017 with works to commence in 2018
New Street Conversion	291,650	935	277,011	277,946	291,650	0	Project on site and due to complete September 2017.
Industrial Units Development	2,150,040	0	0	0	2,150,040	0	Detailed business case currently being prepared
Capital Portfolio Fund	25,000,000	0	0	0	25,000,000	0	Appraisal model being developed. Capital budget currently remains in 2017/18.
Loans to Third Parties	10,000,000	0	0	0	10,000,000	0	Scheme being developed. Capital budget currently remains in 2017/18.
Total S5 ECONOMIC PROSPERITY & PLACE	41,033,260	398,594	982,750	1,381,344	40,406,780	623,000	
TOTAL	44,896,340	415,569	1,459,784	1,875,353	43,029,850	1,863,010	

Q1 Budget Monitoring 2017/18 (to June 2017)
Vehicle, Equipment and System Renewals 2017/18

APPENDIX 4

Detail	Slippage from Capital Programme 2016/17 £	Original Capital Programme 2017/18 £	Amended Capital Programme 2017/18 £	Q1 Expenditure 2017/18 £	Projected Total 2017/18 Expenditure £	Slippage to 2018/19 £	Old Vehicle Fleet Number to be replaced	COST CENTRE	Comments
1. VEHICLES									
REFUSE FREIGHTER 26,000kg	0	100,000	95,500	0	95,500	0	AV237	R002	About to start procurement process, should be complete in 2017/18.
REFUSE FREIGHTER 26,000kg	0	100,000	95,500	0	95,500	0	AV238	R002	About to start procurement process, should be complete in 2017/18.
REFURBISHMENT FUND	25,000	0	25,000	0	25,000	0	N/A		
REFUSE FREIGHTER 24,000kg	0	161,000	165,500	0	165,500	0	AV235	R002	About to start procurement process, should be complete in 2017/18.
REFUSE FREIGHTER 24,000kg	0	161,000	165,500	0	165,500	0	AV236	R002	About to start procurement process, should be complete in 2017/18.
CMP ELECTRIC BIN LIFTS	0	9,000	9,000	0	9,000	0	AV235, AV236	R002	About to start procurement process, should be complete in 2017/18.
CMP ENGINE MANAGEMENT SYSTEM	0	9,000	9,000	0	9,000	0	AV235, AV236	R002	About to start procurement process, should be complete in 2017/18.
7500kg RCV	0	80,000	80,000	0	0	80,000	AV211	R002	Renewal to slip into 2018/19.
7500kg TIPPER	45,000	0	45,000	0	45,000	0	AV033	R002	Contract awarded, awaiting delivery.
3500KG TIPPER	0	40,000	40,000	0	40,000	0	AV180	R002	Contract awarded, awaiting delivery.
LIGHT VAN	18,000	0	18,000	0	18,000	0	AV204	R185	Contract awarded, awaiting delivery.
4x4	23,000	0	23,000	0	23,000	0	AV191	R163	About to start procurement process, should be complete in 2017/18.
3500KG TIPPER	30,000	0	30,000	0	30,000	0	AV179	R200	About to start procurement process, should be complete in 2017/18.
PAVEMENT SWEEPER	0	70,000	70,000	0	70,000	0	AV270	R200	Procurement process not yet started. Vehicle to be replaced in 2017/18.
3500KG VAN	20,000	0	20,000	0	20,000	0	AV174	R200	Procurement process started. Delivery in 2017/18.
LIGHT VAN	20,000	0	20,000	0	20,000	0	AV203	R035	Procurement process started. Delivery in 2017/18.
GARAGE EQUIPMENT	23,420	0	23,420	0	23,420	0		R229	Procurement process started. Delivery in 2017/18.
3500KG TIPPER	0	20,000	20,000	0	20,000	0	AV063	R236	To be replaced 2017/18. No procurement process, will be getting quotes on 2nd hand vans instead. May be replaced with a flatbed instead of a tipper.
3500KG TIPPER	0	30,000	30,000	0	0	30,000	AV193	R229	Renewal to slip into 2018/19.
3500KG TIPPER	0	30,000	30,000	0	0	30,000	AV216	R236	Slipped to future year.
MIDI TRACTOR	0	30,000	30,000	0	30,000	0	AV189	R236	Procurement process not yet started. Vehicle to be replaced in 2017/18.
RIDE ON MOWER	0	30,000	30,000	0	30,000	0	AV250	R236	Procurement process started. Delivery in 2017/18.
TRACTOR	32,000	0	32,000	0	32,000	0	AV070	R236	Procurement process not yet started. Vehicle to be replaced in 2017/18.
LIGHT VAN	20,000	0	20,000	0	20,000	0	AV043	R193	Procurement process started. Delivery in 2017/18.
2. OTHER									
FINANCIAL MANAGEMENT SYSTEM REPLACEMENT	0	69,500	69,500	0	69,500	0	N/A	R430	Anticipated to complete in 2017/18
	256,420	939,500	1,195,920	0	1,055,920	140,000			

WWF/Cabinet Savings for 2017-18



BUDGETARY RESPONSE TO EACH RISK MANAGEMENT ISSUE IN ORDER OF QUADRANT

ISSUE	BUDGETARY RESPONSE
Quadrant 1 - Low Risk, Low Impact 1. External Funding, Partnerships 2. Impact of Investment Returns 3. Underlying Borrowing Requirement (CFR)	Keep under periodic review Continue to evaluate sustainability of each scheme as part of project appraisal. Continue to monitor and report as appropriate. The Governor of the bank of England has indicated that the rate may reduce further from the current 0.25%. Balances available for investment are reducing over the MTFP and this together with the lower returns has been taken into account in the base budget. We continue to work with Capita in this area. The rising CFR over the term of the Budget Strategy will be carefully monitored in close liaison with Capita to gauge both the timing and type of external borrowing.
Quadrant 2 - High Risk, Low Impact 1. Exit from the European Union	Consider Action To-date the impact has not been significant but this will be closely monitored.
Quadrant 3 - Low Risk, High Impact 1. Finance Strategy/Accountability 2. Car Parking Income 3. Council Tax - increase in base 4. Wyre Forest House final sign off of all retentions 5. Industrial Estates and Other Property 6. Lions Field (formerly Eastern Gateway)- Future Development 7. Land Charges Ring fencing /Charging/HIPs 8. ICT Investment/channel shift 9. Shared Services Joint working 10. Budgetary Control/Austerity Measures 11. Prudential Code for Capital Accounting – Borrowing rates 12. Diminishing Reserves/Cash flow 13. Pension Costs 14. Recovery of Icelandic Investments	Review Risk - Contingency Plans Council are required to adopt a three year Balanced Budget Strategy. Usages/Income level closely monitored, New simplified policy introduced from October 2017 and is factored into the MTFP Assumption of increase of 300 pa should hopefully be realised. Managed closely by Chief Executive and CLT/Cabinet Managed through Property Disposal Strategy Evaluation of selection questionnaire for 4 prospective bidders to enable tender documents to be sent out. This project will continue to be carefully managed Reduced income allowed for within Base Budget reduces the scale of any challenge. ICT Strategy Group formed to oversee/enhance the governance, planning and delivery arrangements of the strategy between ICT and council service areas. Shared Services partnerships continue to contribute to collaborative efficiencies but will be monitored to ensure risk is managed and mitigated. Continue to discourage non-essential expenditure, monthly budget monitoring reports provide more management information. Focus on income generation and innovative alternative service delivery models. External borrowing is £17m, rates remain low but the economy is still volatile and future rates difficult to predict; Capita continue to provide technical advice Cash flow management will be tighter given reduction in capital and revenue reserves and use of the Cash flow models are being used to improve management information to help mitigate any risk in this area Higher payments made as a result of the 2013 year's triennial revaluation and upfront pension fund deficit payment of £5.26m as a result of the 2016 year's triennial resulting in a cash saving of £360K have improved our position. Under £1m is outstanding and work will continue to achieve maximum recovery.
Quadrant 3 Continued 15. MMI Claw Scheme 16. Green Street Depot Investment 17. Information Governance	Claims received and settled so far, ear marked reserve held. Phase 1 consultancy commenced. Currently on schedule and on budget; this will be carefully managed. Investment is required to provide a sustainable depot site. Internal working group chaired by the Chief Executive is reviewing this area to ensure the Council continues to be safeguarded
Quadrant 4 - High Risk, High Impact 1. Government Grant – Funding Changes, further Spending Reviews and New Homes Bonus 2. Business Rates - Retention Scheme, Appeals, Pooling and revision of funding arrangements 3. Devolution debate and Combined Authorities 4. Impact of Transformational Programme 5. Local Council Tax Discount Scheme 6. Council Tax collection levels 7. Business Rate Growth 8. Capital Receipts - Realisation of to fund expenditure 9. Environment and Economic Regeneration 10. Changes to Housing Benefit Scheme – universal credit/localisation of support for Council Tax 11. Wyre Forest Forward Efficiency savings 12. Homelessness 13. Potential Local Government Reorganisation 14. Realignment of area/alignment of political area: Worcestershire V Greater Birmingham	Immediate Action Significant issue given the scale of the Spending deficit. The Cabinet Financial Strategy Advisory Panel process will assist Wyre Forest Forward coordinating Councils future Plans. Proposed changes to funding arrangements introduce uncertainty and risk, the new Worcestershire Pool may mitigate this. Annual review of pooling arrangements but future of pooling uncertain. Our robust regeneration programme is a mitigation factor. Monitored closely by CLT/Cabinet Managed by CLT/Cabinet with reports to Group Leaders. The impact of the revised Local Scheme will be kept under review by the Chief Executive/Director of Resources Assumptions in relation to decreased collection rates have been made in the Council Tax Base calculations as a result of the Local Council Tax Discount Scheme and these will be carefully managed and reported on. Given proposed funding reform independent business rates growth is of key importance to funding streams. Our regeneration policy, innovative service delivery options and proposed loans to third parties policy all help mitigate risk. Capital Programme funding reflects realistic timescale for the realisation of asset disposal receipts. Temporary borrowing will be used when necessary. The Council continues to be proactive in this area and this is closely monitored by Cabinet/CLT The continued overhaul of the benefits systems will be carefully managed and monitored. Progress continues to be monitored and reported regularly to members. The Welfare Reform, Universal Credit and Council Tax Benefit Reform could all increase the number of Homelessness cases within the district. This will be carefully monitored and managed by the Housing Team. Macroeconomic area strategically assessed and managed by the Leadership team. Kept under strategic review by the Leadership team in liaison with two LEPS. The three LEP footprint proposals are also within our radar.

WYRE FOREST DISTRICT COUNCIL

**Cabinet
Wednesday 20th September 2017**

**Overview and Scrutiny Committee
Thursday 7th September 2017**

Wyre Forest Health and Wellbeing Plan Update

The Committee received an update on the work undertaken to improve health and wellbeing in Wyre Forest. Members reviewed the projects undertaken over the past year and endorsed the new plan for 2017/21.

Members welcomed the continuation of the annual Showcase Event for Older People event, which provides a wealth of advice and information from a variety of organisations about the services they provide.

Recommend to Cabinet:

The Wyre Forest Health and Wellbeing Strategy and Health Action Plan 2017/21, as set out at Appendix 2 of the report, be approved.

Background papers:

Report to the Overview and Scrutiny Committee, Thursday 7th September 2017

<http://www.wyreforest.gov.uk/council/meetings/com193.htm#mt7616>

WYRE FOREST DISTRICT COUNCIL

**Cabinet
Wednesday 20th September 2017**

**Overview and Scrutiny Committee
Thursday 7th September 2017**

Climate Change Update

The Committee received an update on the implementation of the Wyre Forest Climate Change Action Plan 2016/17. Members reviewed the work undertaken over the past year and commended the positive use of social media in promoting projects such as the Wyre Forest Repair Cafe.

Members endorsed the new action plan and hoped it would have a positive impact on the district.

Recommend to Cabinet:

The Climate Change Action Plan 2017/18, as set out at Appendix 2 of the report, be approved.

Background papers:

Report to the Overview and Scrutiny Committee, Thursday 7th September 2017

<http://www.wyreforest.gov.uk/council/meetings/com193.htm#mt7616>