

**Open**

# **Cabinet**

# **Agenda**

**6pm**  
**Tuesday, 12th June 2018**  
**Council Chamber**  
**Wyre Forest House**  
**Finepoint Way**  
**Kidderminster**



## Cabinet

### **The Cabinet Members and their responsibilities:-**

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

### **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 Friday 22<sup>nd</sup> June 2018*

Councillors wishing to "call in" a decision on this agenda should contact Louisa Bright, Principal Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email [Louisa.Bright@wyreforestdc.gov.uk](mailto:Louisa.Bright@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 Louisa Bright, Principal Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email [Louisa.Bright@wyreforestdc.gov.uk](mailto:Louisa.Bright@wyreforestdc.gov.uk)

Documents referred to in this agenda may be viewed on the Council's website - [www.wyreforestdc.gov.uk/council/meetings/main.htm](http://www.wyreforestdc.gov.uk/council/meetings/main.htm)

### **WEBCASTING NOTICE**

This meeting is being filmed\* for live or subsequent broadcast via the Council's website site ([www.wyreforestdc.gov.uk](http://www.wyreforestdc.gov.uk)).

At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1998. The footage recorded will be available to view on the Council's website for 6 months and shall be retained in accordance with the Council's published policy.

**By entering the meeting room and using the public seating area, you are consenting to be filmed and to the possible use of those images and sound recordings for webcasting and or training purposes.**

If members of the public do not wish to have their image captured they should sit in the Stourport and Bewdley Room where they can still view the meeting.

If any attendee is under the age of 18 the written consent of his or her parent or guardian is required before access to the meeting room is permitted. Persons under 18 are welcome to view the meeting from the Stourport and Bewdley Room.

**If you have any queries regarding this, please speak with the Council's Legal Officer at the meeting.**

\* Unless there are no reports in the open session.

Wyre Forest District Council

Cabinet

Tuesday, 12th June 2018

Council Chamber Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

<b>Agenda item</b>	<b>Subject</b>	<b>Page Number</b>
<b>1.</b>	<b>Apologies for Absence</b>	
<b>2.</b>	<b>Declarations of Interests by Members</b>  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.	
<b>3.</b>	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on the 27th March 2018 and the minutes of the meeting of the Cabinet Sub-Committee held on 2 <sup>nd</sup> May 2018.	<b>6</b>
<b>4.</b>	<b>CALL INS</b> a verbal update will be given on any decisions which have been "called in" since the last meeting of the Cabinet.	
<b>5.</b>	<b>Items Requiring Urgent Attention</b>  To consider any item which, in the opinion of the Chairman requires consideration at the meeting as a matter of urgency.	
<b>6.</b>	<b>Public Participation</b>  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 Monday 4 <sup>th</sup> June 2018 . (See front cover for contact details).	

<b>7.</b>		
<b>7.1</b>	<b>Councillor Nathan Desmond</b> <b>Final Accounts Outturn 2017/2018</b>	
	To consider a report from the Corporate Director: Resources to receive the provisional outturn position in relation to the Final Accounts for 2017/18.	<b>15</b>

<b>8.</b>		
<b>8.1</b>	<b>Councillor Ian Hardiman</b> <b>Wyre Forest District Local Plan Review: Revised Local Development Scheme (Project Plan 2018 – 20)</b>	
	To consider a report from the Head of Strategic Growth to update Cabinet on the progress made in undertaking the Local Plan Review, to agree a revised the Local Development Scheme (Project Plan 2018 – 2020) and to revise the process of pre-application advice in light of the amended timetable.	<b>23</b>
	To also consider recommendations from the Overview and Scrutiny Meeting from its meeting on Thursday 7 <sup>th</sup> June 2018.	

<b>9.</b>	<b>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.</b>	
<b>10.</b>	<b>Exclusion of the Press and Public</b>  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

<b>11.</b>	<b>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.</b>	
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**WYRE FOREST DISTRICT COUNCIL  
CABINET**

**COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER  
27TH MARCH 2018 (6 PM)**

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**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.80 Apologies for Absence**

There were no apologies for absence.

**CAB.81 Declarations of Interests by Members**

No declarations of interest were made.

**CAB.82 Minutes**

**Decision: The minutes of the Cabinet meeting held on 7th February 2018 and the Cabinet Sub-Committee meeting held on 15<sup>th</sup> March 2018 be confirmed as a correct record and signed by the Chairman.**

**CAB.83 Call Ins**

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

**CAB.84 Items Requiring Urgent Attention**

There were no items requiring urgent attention.

**CAB.85 Capital Strategy 2018-21**

A report was considered from the Corporate Director: Resources and the Corporate Director: Economic Prosperity and Place which provided Members with information on the new Investment Guidance and considered a Capital Strategy for 2018-21 that had regard to the requirements of the new investment guidance with particular reference to non financial investments.

The Cabinet Member for Resources led Members through the report. He explained that the Government had issued new statutory Guidance on Local Government Investments in early February 2018. One of the key requirements of the guidance was the requirement of a Capital Strategy including a number

of additional disclosures for non financial investments to be approved by Full Council. He added that the strategy highlighted the risks involved, and emphasised the importance of being open and transparent with regards to the risks involved over the medium and long term.

The Cabinet Member for Resources added that the current limit for expenditure on the Capital Portfolio Fund is £25m, to be funded in full from prudential borrowing. He explained that it was not proposed to spend the amount in one venture, it would be spread across a whole range of different investments when due diligence has been done. He added that investments would support economic regeneration and could include housing provision.

The Leader of the Council echoed the Cabinet Member for Resources' comments and agreed that the report was clear, open and transparent.

The Chair of the Overview and Scrutiny Committee advised Members that the Overview and Scrutiny Committee were happy to support the recommendations made in the report. She thanked the Officers for their hard work on what was a complex and detailed report.

In answer to a Members question regarding the contribution the Council makes within the Local Enterprise Partnership (LEP) geographies the Leader of the Council explained that Cabinet had taken the view to invest in the LEP s' areas in order to have a wider range of projects. He added that indirectly the revenue raised would benefit the residents of Wyre Forest.

**Decision:**

**In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 22<sup>nd</sup> March 2018:**

**RECOMMENDED TO COUNCIL:**

- 1.1 The Capital Strategy 2018-21 including the associated Quantitative Indicators in Appendix 1 and the updated Strategy for Capital Portfolio Fund set out in Appendix 2 of the report to Cabinet be approved.**
- 1.2 The limits for gross debt of non treasury investments compared to net service expenditure and for commercial income as a percentage of net service expenditure as set out in Appendix 1 of the report to Cabinet be approved.**
- 1.3 The limits for loan investments as set out in Section 5.1 of the report to Cabinet be approved.**

**CAB.86 Budget Monitoring Third Quarter 2017-18**

A report was considered from the Corporate Director: Resources which briefed Members on the Council's financial performance for the period ending 31<sup>st</sup> December 2017 and to present the current projected outturn position for the

2017-18 financial year.

The Cabinet Member for Resources led Members through the report. He commented that the report clearly set out an under spend at year end. He added that this was very positive at this stage of the financial year.

The Leader of the Council echoed the comments of the Cabinet Member for Resources and said that, although the under spend was modest in the broad scheme, it was pleasing.

**Decision:**

**The projected budget variations and comments outlined within the report to Cabinet and appendices 2 to 5 be noted.**

**CAB.87 Acquisition of Land in Broadwaters Ward**

A report was considered from the Property and Investment Manager which sought support to acquire a vacant parcel of land at Radford Avenue / Horsefair in Kidderminster, using its compulsory purchase powers (CPO) if necessary, to enable the bringing forward of a development scheme at a prominent position within the Horsefair.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration led Members through the report. He explained that the Council had an ambition to facilitate the redevelopment of the land which was located on a key gateway into Kidderminster and had been vacant for many years. He added that the Council had been in discussion with the landowner for a number of years to discuss the prospect of redevelopment, but no agreement had been reached and there had been little active dialogue since 2014. He emphasised that the Council remained committed to acquiring the land by private treaty negotiation where practicable. However compulsory purchase powers may be necessary to enable a scheme to be brought forward within a reasonable timescale.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration explained that the Council's intention was to continue to finesse a redevelopment proposal with a view to bringing forward a proposal through the Council's Capital Portfolio fund for the Council to undertake the redevelopment of the site. He confirmed that should the proposal not be financially viable the intention would be to obtain a planning permission and dispose of the land on the open market for a private developer to deliver. An offer had been made for the purchase of the land and a response was awaited from the land owner. It was suggested that a three month period be allowed from the date of the Cabinet meeting and if satisfactory progress was not made to negotiate the purchase of the land during that time the Council should proceed with the CPO process.

The Leader of the Council commented that Councils had the power under the

Town and Country Planning Act 1990 to acquire land compulsorily for strategic redevelopment. He added that the land was currently an eyesore and its regeneration would be to the benefit of local residents and businesses.

The Chair of the Overview and Scrutiny Committee commented that she was sure residents would be pleased to see something so positive happen to this site and added that there was full support for the proposals at the Overview and Scrutiny Committee.

**Decision:**

**In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 1<sup>st</sup> March 2018:**

**If satisfactory progress has not been made to acquire the land at Radford Avenue described in the report to Cabinet through private treaty within three months of this decision:**

- 1.1 The Council makes a Compulsory Purchase Order (“CPO”) under section 226(i) (a) of the Town and Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 for the acquisition of the land and new rights within the areas shown edged on the attached Plan for the purpose of securing the redevelopment of the land.**
- 1.2 The Corporate Director: Economic Prosperity and Place in consultation with the Solicitor to the Council be authorised to:**
  - 1.2.1 Take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order, including the publication and service of all notices and the presentation of the Council’s case at any Public Inquiry.**
  - 1.2.2 Acquire interests in land and new rights within the Compulsory Purchase Order either by agreement or compulsorily.**
  - 1.2.3 Approve agreements with land owners setting out the terms for the withdrawal of objections to the Order, including, where appropriate, seeking exclusion of land from the Order and/or making arrangements for relocation of occupiers.**
- 1.3 The Corporate Director: Economic Prosperity and Place in consultation with the Cabinet Member for Planning & Economic Regeneration be given delegated authority to determine the most appropriate method by which the site will be developed in a timely manner, whether by the Council or through disposal.**

**CAB.88 Acquisition of Land in Areley Kings and Riverside Ward and Procurement of a Development Partner**

A report was considered from the Corporate Director: Economic Prosperity and Place which considered the future use of a Compulsory Purchase Order (CPO) to acquire land at Severn Road, Stourport (known as Carpets of Worth Land) to bring the land forward for residential led redevelopment (including consideration of the potential of also incorporating a medical centre, depending on discussions with NHS England) and to agree the identification and selection of a Development Partner that the Council can work with to deliver housing.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration led Members through the report. He explained that dialogues with house builder contacts suggested that owner aspiration concerning price was the most probable barrier to the sale of the Land and consequently the housing coming forward. He advised that should the land be marketed at a value which reflected the current market value it was considered that it would generate strong interest from national house buyers, affordable housing providers and regional house builders. He explained that the Council was also aware of interest in the site from the NHS as a potential location for a medical centre in Stourport if the health centre were to relocate from the existing County Buildings location on Bewdley Road.

The Deputy Leader and Cabinet Member for Planning and Regeneration further explained that, in December 2017, Bruton Knowles were instructed by the Council to contact the landowners to identify their intentions for the land. However unfortunately Bruton Knowles had been unable to establish a dialogue with the owners. He advised that the position of a substantial undeveloped housing site was unsustainable in regard to both local and national requirements for an increased supply of housing. He confirmed that if the landowner continued to resist or chose to continue their lack of engagement, matters may need to progress to a full CPO. Should this be the case, the Council would need to identify and secure a development partner to acquire the land and subsequently to deliver housing.

Councillor N Knowles left the meeting at this point (6.44 PM)

The Leader of the Council commented that the report to Cabinet set down a marker to the landowner and the public that the Council is prepared to use all best endeavours to redevelop brownfield sites. He explained that there was an expectation from the Government for Councils to acquire land but, as the Government do not provide funding, it was necessary to secure a development partner. He added he wholeheartedly supported the recommendations.

The Chair of the Overview and Scrutiny Committee commented that this was a site that had attracted attention at the commencement of the Local Plan Review and residents were keen that the land be developed. The Leader of the Council agreed that he hoped for positive progress on the site in a timely fashion.

In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 1<sup>st</sup> March 2018:

1.1 The following be agreed:

- The principle of acquiring the subject land through 'Private Treaty' negotiation.
- The principle of using CPO powers to acquire the land, should 'Private Treaty' negotiations prove to be unsuccessful. (A more detailed report would be submitted should the use of CPO Powers be requested)
- Authorise the procurement of a 'Development Partner' to whom the Land would pass upon acquisition.

1.2 Delegated authority be given to the Corporate Director: Director Economic Prosperity and Place in consultation with the Solicitor to the Council and the Cabinet Member for Planning & Economic Regeneration to:

1.2.1 Enter into negotiations for the acquisition of land at the former Carpets of Worth, Severn Road, Stourport on Severn.

1.2.2 Procure and appoint a suitable 'Development Partner' to work with the Council to acquire the Land including agreeing the evaluation model for procuring such a development partner based on financial advantage, deliverability and securing planning policy objectives and appointing based on the outcome of the evaluation.

1.3 Once a Development Partner has been identified and subject to the submission to Cabinet of a detailed report for approval, the principle of future use of Compulsory Purchase Powers over land at the former Carpets of Worth, Severn Road, Stourport-on-Severn in the event that the current landowner is unwilling to dispose of the Land.

**CAB.89 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.90 Lion Fields Parcel Two – Former Magistrates Court – Development Proposals**

A report was considered from the Head of Economic Development and Regeneration – North Worcestershire which sought to agree the development strategy for Parcel Two of the Lion Fields site.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration moved the recommendations set out in the confidential report to Cabinet, which were seconded by the Leader of the Council, who added that he fully supported the redevelopment scheme.

**Decision:**

**In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 22nd March 2018:**

**Delegated authority be given to the Corporate Director: Economic Prosperity and Place, in consultation with the Solicitor to the Council and Corporate Director: Resources and Cabinet Member for Planning and Economic Regeneration to take all necessary action to deliver a viable redevelopment scheme as set out in the confidential report to Cabinet.**

There being no further business, the meeting ended at 6.57 PM.

**WYRE FOREST DISTRICT COUNCIL  
CABINET SUB-COMMITTEE  
STOURPORT-ON-SEVERN ROOM/BEWDLEY ROOM, WYRE FOREST HOUSE,  
FINEPOINT WAY, KIDDERMINSTER  
2ND MAY 2018 (5.00 PM)**

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**Present:**

Councillors: M J Hart (Chairman), J D Smith and R J Vale.

**Observers:**

Councillors: H E Dyke, N Knowles and F M Oborski MBE.

**CABSC.5 Apologies for Absence**

There were no apologies for absence.

**CABSC.6 Declarations of Interests by Members**

No declarations of interest were made.

**CABSC.7 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.**

**CABSC.8 Investment Proposal**

The Sub-Committee considered a confidential report which set out a proposed investment using the Council's Capital Portfolio Fund.

The Corporate Director: Economic Prosperity and Place led Members through the report. He provided the background to the investment opportunity, including its location, condition and valuation.

An in depth discussion ensued. The proposal was moved and seconded and was unanimously carried.

**Decision:**

**In line with the recommendations from the Overview and Scrutiny Sub-Committee from its meeting on 1<sup>st</sup> May 2018**

- 1.1 The business case for the purchase of the Freehold property known as ("the Property") be agreed, subject to the existing**

**leases.**

- 1.2 Delegated authority be given to the Corporate Director: Economic Prosperity & Place in consultation with the Corporate Director: Resources, the Solicitor to the Council and the Cabinet Member for Planning & Economic Regeneration to conclude the purchase of the property once satisfied with the receipt of the signed leases and their contents.**

There being no further business, the meeting ended at 5.37 PM

**WYRE FOREST DISTRICT COUNCIL****CABINET REPORT****12<sup>th</sup> June 2018****REPORT ON THE PROVISIONAL FINAL ACCOUNTS OUTTURN 2017/18**

<b>OPEN ITEM</b>	
<b>CABINET MEMBER:</b>	Nathan Desmond
<b>DIRECTOR:</b>	Corporate Director: Resources
<b>CONTACT OFFICER:</b>	Tracey Southall Ext. 2100 <a href="mailto:tracey.southall@wyreforestdc.gov.uk">tracey.southall@wyreforestdc.gov.uk</a> Helen Ogram Ext 2907 <a href="mailto:Helen.ogram@wyreforestdc.gov.uk">Helen.ogram@wyreforestdc.gov.uk</a>
<b>APPENDIX 1</b>	<b>Appendix 1 - Explanation of Major Variations on Revised 2017/18 Budget</b>

**1. PURPOSE OF REPORT**

- 1.1 To receive the provisional outturn position in relation to the Final Accounts for 2017/18.

**2. RECOMMENDATIONS**

The Cabinet is asked to NOTE as detailed in Appendix 1:-

- 2.1 The most welcome news that a total saving of £443,950 has been achieved for 2017/18 reducing to £86,950 after the transfers to risk reserves as set out in 2.2 below. This has been achieved by prudent budget management, particularly in relation to Pay and General Administration budgets and includes a release of earmarked reserves of £233k compared to the planned £240k as set out in 3.7.
- 2.2 That £350,000 from the 2017/18 savings has been used to increase the existing earmarked reserve for the Innovation Fund to continue to meet the costs of our challenging Wyre Forest Forward Programme as detailed in 4.6.
- 2.3 That in addition to the Service savings above, £900,000 from the 2017/18 Business Rates surplus has been used to replenish the Business Rates Equalisation/Regeneration Risk Reserve to a level proportionate to assessed risk. This was planned in the Medium Term Financial Strategy (MTFS) as set out in 4.2.3. A further reserve of £100,000 to support the work of the Commercial Activity Programme Board has also been created out of surplus Business Rates.

**BACKGROUND**

- 3.1 The Accounts and Audit Regulations 2015 have been incorporated into the Council's Financial Regulations. These regulations require that the Council's Statement of Accounts be produced and approved by the Chief Financial Officer on or before 31<sup>st</sup> May, 2018. For this Council the Corporate Director: Resources is the Chief Financial Officer
- 3.2 Regulations require an accelerated closedown table for the 2017/18 accounts with the draft accounts being prepared by the end of May and the final audited accounts by the end of July. As part of the preparations for this earlier closedown, the Finance team worked with Grant Thornton last year to bring forward the completion of closedown processes. This was a successful exercise, with this Council being one of the 17% of principal bodies to receive an unqualified opinion on our accounts by 31<sup>st</sup> July 2017, and provided learning points for this year when the earlier closedown is a statutory requirement.
- 3.3 The Audit Committee considered and endorsed the full Pre-Audit Statement of Accounts on 30<sup>th</sup> May 2018, and a full copy of the Statement of Accounts will be made available on the Council's Intranet for Members' perusal.
- 3.4 The Statement is then subject to audit. Whilst the Council's external auditor, Grant Thornton, has until 31<sup>st</sup> July 2018 to complete the audit, this is the first year of the earlier statutory timeline for completion of the accounts. The accounts will be formally published on the 31<sup>st</sup> July.
- 3.5 Should it be necessary for Grant Thornton to agree technical changes with the Chief Financial Officer while the accounts are subject to audit, these will be made under delegated powers. All Members of the Council will be provided with an electronic copy of the Statement.
- 3.6 Members may wish to note that the Council's Accounts will be made available for public inspection as required by the Accounts and Audit Regulations 2015, for a period of 30 days between 1<sup>st</sup> June 2018 and 12<sup>th</sup> July 2018. The revised legal requirements no longer include an appointed day when external auditors must be available for questions or queries. If any local government elector for the area has any questions on the Accounts for the external auditor an appointment should be made in advance, in writing.
- 3.7 The provisional revenue outturn position has identified savings of £86,950. This is after the planned release of earmarked reserves of £233k (£240k assumed in the Medium Term Financial Strategy report 17<sup>th</sup> December 2017, paragraph 8.4) This is subject to audit and after the creation of an earmarked reserve for the top-up of the Innovation Fund of £350k. Two additional reserves were also created out of the Business Rates surplus for this year, the first was a planned £900k top-up of Business Rates Equalisation/Regeneration Risk Reserve, the second is revenue funding for the Commercial Activity Programme Board of £100k. Appendix 1 summarises major variations from the Revised Budget for Members' information.

#### 4. KEY ISSUES

- 4.1 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 was a planned use of reserves in 2017/18 of £89,790 and the forecast impact of changes to the Funding regime mean that by 2020/21 annual transfers from reserves are required of around £800,000. The overall funding gap increases to around £1.6m from 2020/21 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.

#### **Business Rates – Provisional Outturn for 2017/18**

- 4.2.1 This has been the fifth year of the Business Rates Retention Scheme and the second year of operation of the smaller Worcestershire Business Rates Pool without Malvern Hills District Council. Draft results for this year show 2017/18 as being the most successful so far for the Pool overall and also for Wyre Forest, with the Pool retaining total levy of £2.258m, of which 50 percent (after deduction of the £10k Worcestershire County Council administration fee) is held in a risk reserve with the remainder distributed back to Pool members. As planned, this Council has exceeded our revised budget estimate of £2.873m including our estimated share of retained growth of £220k over baseline. This has facilitated an essential top-up of the Business Rates Equalisation /Regeneration Risk Reserve as set out in 4.2.3 below.
- 4.2.2 Several factors have contributed to this good news. Firstly, growth has been very positive this year; there are a number of new businesses that have now been included in the list: Bewdley Medical Centre, Coventry Street Medical Centre & Pharmacy, Aldi, IGS & Lens Online (Specsavers) and we also have the benefit of one-off backdated income totalling £70k for these new properties. This Council's share of this growth is circa £200k. Secondly, whilst appeals remain a risk, and the new Rating list issued by the Valuation Office Agency (VOA) effective from April 2017 has caused some concern, it has been possible to reduce our bad debt provision by £500k in line with policy agreed across the Worcestershire Pool. This will be kept under review as it is subject to fluctuations and the new VOA Check, Challenge, Appeal process adds uncertainty and therefore risk, around future appeals. Prior year changes to our rating list by the VOA have also been favourable this year resulting in £500k higher collectible business rates; these changes are impossible to predict and vary year on year. These factors, together with no significant business failings in 2017/18, have contributed to the Council's results. Based on the membership agreement of the Worcestershire Business Rates Pool, we will pay circa £307k into the risk reserve this year, and the risk pot for the whole Pool will be circa £1.837m to take forward to 2018/19. We should receive a Pool payment for our share of the retained levy of £184k based on our growth. However, the increased risk around appeals in relation to Supermarkets, in particular, remains and although we have made provision within the accounts for such payments it is unknown if this will be sufficient.
- 4.2.3 The Business Rates Equalisation/Regeneration Risk Earmarked Reserve reduced during 2017/18 from £716k to £107k after commitments due to the further Council funding approvals for the completion of the Bewdley Load Street car park capital scheme. This reserve now needs replenishing to militate against the impact of

## Agenda Item No. 7.1

unforeseen increases in appeals, rating list reductions, Business Rates reform and potential decline in growth. To preserve and further increase this essential risk reserve as planned in the MTFs, it is therefore necessary to allocate Business Rates surplus of £900k to take this reserve to just over £1m. This is proportionate to potential risks and is in line with risk reserves held by neighbouring Worcestershire districts. The reserve will be kept under review and released into General Reserves in due course if it is not required.

- 4.3 Included within Appendix 1 is the identification of the significant variances against the Revised Budget for 2017/18. These variances include:
- i) Pay, General Administration and Miscellaneous Corporate savings of £307k  
*These relate to various accounts across the whole of the Council rather than any single front line service. It is clear that reductions have been made in expenditure across the Authority as austerity continues. This includes savings in pay budgets of £148k most of which is for vacant posts where recruitment has taken longer than anticipated, reductions in overtime, £52k of General Administration savings as a result of tight housekeeping on these generic budgets and £25k saving in pension costs.*
  - ii) ICT and Payroll Shared Services, positive variance of £22k.  
*Additional income from shared services provided by ICT and also a negotiated reduction in the costs of our Payroll Services.*
  - iii) Community Well-being and Environment –Cultural Services - overall favourable variance to revised budget of £12k. The variance to the original budget is £64K favourable as additional income together with release of earmarked reserves was agreed as part of the revised budget process. Major variances include:  
*Town Hall stretch income target not wholly achieved due to facility upgrading and investment works (£18k)*  
*Museum /TIC – pay establishment incorrect (£25k)*  
*Bewdley TIC - additional income (£14k)*
  - iv) Community Well-being and Environment –Depot - overall favourable variance to revised budget of £80k. Major variances include:  
*Trade waste tipping costs – increased tonnage and underestimated tipping cost in budget (£57k)*  
*Car Parking – reduced income from pay and display (£38k)*  
*Cemetery – continued decline in income and ongoing maintenance costs and assisted burial costs (£36k)*  
*Operational pressures offset by additional income and savings of (£100k)*
  - iv) Economic, Prosperity and Place – overall favourable variance of £116k  
*The overall favourable variance is made up of savings in property costs/extra income including additional income over and above the budget estimate received in the final quarter from Development Control for 2017/18 of £30k.*
  - v) Property Debts – Bad Debt Provision – adverse £39k and Property Business Rates – favourable £53K  
*An increase in the bad debt provision for property debts is more than offset by business rate savings.*

## Agenda Item No. 7.1

- vi) Housing Benefit Overpayments – increase in provision for bad debts - £45k adverse. *As part of the budget alignment exercise additional targets for increased identification of overpayments were included in the approved budget of £150k. Unfortunately, whilst overpayments have been identified there has been a slowdown in recovery as fewer debts are recovered from on-going benefit so it is necessary to increase the bad debt provision.*
- vii) Additional External Interest income/lower interest paid on loans of £36k *This additional interest on investments has resulted from slightly longer durations and robust treasury management of funds together with lower interest rates paid on external borrowing compared to budget assumptions.*
- viii) Business Rates and New Homes Bonus Surplus – favourable variance of £61k *This is after applying the most significant surplus to date to replenish the Business Rates Equalisation/Regeneration Risk earmarked reserve for this year by £900k and also create a new EMR of £100k for the Commercial Activity Programme Board.*
- ix) Other additional earmarked reserves new for this year of £350k *The variance analysis includes expenditure of £350k to replenish the Innovation Fund to assist the Wyre Forest Programme of Innovation.*

- 4.4 It is clear that the future financial position for the Council will continue to be challenging with austerity measures set to continue to balance the macro budget in the run up to and beyond the exit from the European Union. The reduced level of funding currently programmed for the Council in the future is being mitigated by a raft of innovative reviews being developed and implemented as part of the Wyre Forest Forward programme.
- 4.5 The draft position for 2017/18 demonstrates that through prudent financial management and the review and release where relevant of existing earmarked reserves resources were made available to fund additional earmarked reserves (net of release of reserves) as set out in 3.7.
- 4.6 The Innovation Fund set up in 2011/12 for one-off implementation costs to support the Wyre Forest Forward programme has been extremely successful in delivering the change programme. This report proposes an additional £350k to supplement this reserve from final accounts savings. Taking this into account £503k remains uncommitted from this fund at the beginning of 2018/19 to fund spend to save/generate income initiatives to help close the significant funding gap from 2020/21.
- 4.7 Cabinet is asked to note additional funding for the following significant earmarked reserves from the surplus in 2017/18. The first was for the top-up of the Innovation Fund £350k. Two additional reserves were also created out of the Business Rates surplus for this year, the first was a planned £900k top-up of Business Rates Equalisation/Regeneration Risk Reserve, the second is revenue funding for the Commercial Activity Programme Board of £100k.
- 4.8 It should also be noted that, the Working Balance remains at £1m to reflect the significant financial risks faced by this Council as a result of the planned fundamental changes to the Government Funding Regime in 2018/19 and beyond, inevitable further austerity measures expected and also the continuing Welfare Reform changes.

**5. FINANCIAL IMPLICATIONS**

- 5.1 The positive variance of £443,950 on net Service expenditure compared to the Revised Budget, reducing to £86,950 following the creation of a number of additional significant earmarked reserves, results in a contribution to General Reserves of £237,160. This compares to the net planned contribution to reserves of £150,210 (comprising the one-off release of Earmarked Reserves £240,000 and the planned use of reserves £89,790 assumed in the Medium Term Financial Strategy report 17<sup>th</sup> December 2017, paragraph 8.4). The resultant reserves will be reconsidered in accordance with the Council's Finance Strategy, as part of the budget process for 2018/19 onwards. The saving is greater than reported at Quarter 3 budget monitoring due to a number of events and decisions in the last quarter coupled with year-end transactions. Two additional reserves were also created out of the very healthy Business Rates surplus for this year, the first was a planned £900k top-up of Business Rates Equalisation/Regeneration Risk Reserve, the second is revenue funding for the Commercial Activity Programme Board of £100k. The draft Statement is subject to external audit.
- 5.2 These remain extremely challenging times for the Council given the impending changes to the landscape of the Government's funding regime that will continue to emerge as consultation papers are published. The saving on outturn is welcomed and has been utilised to earmark funds to meet potential liabilities, create resilience and also to increase General Balances compared to forecast, to mitigate the potential future impact of funding volatility.
- 5.3 Total general reserves available for the 2018/21 Financial Strategy should now stand at circa £4.151m compared to the previous forecast of £4.064m.

**6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 None.

**7. RISK MANAGEMENT**

- 7.1 The principal risk to the Council is non-achievement of the Accounts and Audit Regulations 2015 deadline, in respect of production, approval, external audit sign and publication of the Statement of Accounts before 31<sup>st</sup> July 2018.

**8. EQUALITY IMPACT ASSESSMENT**

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

**9. CONCLUSION**

- 9.1 This report details the provisional outturn position as at 31<sup>st</sup> March 2018 and provides information on the creation of further significant earmarked reserves.

**10. CONSULTEES**

- 10.1 CLT/Cabinet

10.2 Grant Thornton – External Auditors

**11. BACKGROUND PAPERS**

11.1 Accounts and Audit Regulations 2015  
Financial Strategy 2018/21  
Audit Committee Statement of Accounts 2017/18 report 30<sup>th</sup> May 2018

**PROVISIONAL OUTTURN**  
**MAJOR VARIATIONS BETWEEN REVISED BUDGET**  
**AND ACTUAL NET EXPENDITURE FOR 2017/18**

<b>Total Revised Budget 2017/18</b>	£ <b>12,286,580</b>
Budgeted release of Earmarked reserves	<b>(240,000)</b>
	<b>12,046,580</b>
<b>LESS:</b>	
<b>Actual Net Expenditure - not finalised - still subject to validation</b>	<b>12,020,532</b>
<b>SAVINGS COMPARED TO 2017/18 REVISED BUDGET</b>	<b>(26,048)</b>
<b>Increase in Funding from Business Rates/other Govt funding* see note below</b>	<b>(60,902)</b>
<b>OVERALL SAVING COMPARED TO REVISED BUDGET</b>	<b>(86,950)</b>

Description of Estimated Major Variances	Extra Costs/ Reduced Income £	Savings/ Additional Income £
<b>CHIEF EXECUTIVE AND SOLICITOR TO THE COUNCIL</b>		
No significant variances		
<b>RESOURCES</b>		
1. Housing Benefit - increase in provision due to additional identification of overpayments	45,000	
3. Unfunded Pension Fund Deficit Payments - Saving due to upfront payment of Pension Liabilities		(25,100)
4. Shared Services - Increase in income from additional ICT support		(10,500)
5. Payroll Services - Negotiated settlement for payroll provision		(11,000)
<b>Community Well Being and Environment</b>		
<b>Cultural Services</b>		
1. Town Hall - Reduction in income	18,300	
2. Museum & TIC - Additional income		(13,600)
3. Museum & TIC - Additional payroll costs	25,600	
<b>Depot</b>		
1. Tipping Charges - Increase in Trade Waste disposal charges to new Incinerator	57,300	
2. Garden Waste - Additional Income		(11,600)
3. Parking Fees - Reduced car parking income	38,700	
4. Civil Enforcement - Additional fines		(33,000)
5. Car Parking - Reduced maintenance costs		(41,400)
6. Cemeteries - Increased costs for Assisted Burials, grounds maintenance and reduction in fee income	36,600	
10. Sports Pitches & Facilities - Reduced costs of grounds maintenance		(14,500)
<b>Economic Prosperity and Place</b>		
1. Asset Disposal Cost - Saving on the decommissioning of the previous Leisure Centre		(34,800)
2. Development Control - Reduced Specialist Fees & Additional Income from Planning Applications and advice		(30,400)
3. Licensing Activities - Additional income		(10,500)
4. Private Sector Housing - Additional income from fines and renegotiated fees		(25,800)
5. Commercial Property - Reduce costs of repairs and maintenance		(14,000)
<b>Capital Account</b>		
1. Interest - reduced interest on external borrowing due to Capital Programme rescheduling to later years/improved rates achieved and additional income from investments		(35,600)
<b>Corporate Variations</b>		
1. Payroll related savings		(148,100)
2. Admin Expenses - savings		(52,400)
3. Creation of EMR for Innovation Fund	350,000	
4. Bad Debt Provision - Increase in Property debts	39,400	
5. NNDR - Property taken out of billing list and Business rate transitional protection awarded to smooth the increase in rateable values in the 2017 valuation list		(53,000)
6. Additional Business Rates and New Home Bonus after transfer to Equalisation Risk Reserve and Commercial Activity Programme Board * see below		(60,900)
7. Miscellaneous Savings		(71,650)
	610,900	(697,850)
<b>REDUCED NET EXPENDITURE ON YEAR 2017/18- PROVISIONAL</b>		<b>(86,950)</b>
<b>* Note re creation of Additional EMRs from Business Rates Surplus</b>		
Planned replenishment of Business Rates Equalisation/Risk Reserve	900,000	
Revenue reserve for Commercial Activity Programme Board	100,000	

**WYRE FOREST DISTRICT COUNCIL**

**CABINET**  
**12<sup>th</sup> JUNE 2018**

**Wyre Forest District Local Plan Review:  
Revised Local Development Scheme (Project Plan 2018 – 20)**

<b>OPEN</b>	
<b>CABINET MEMBER:</b>	Ian Hardiman – Cabinet Member for Planning & Economic Regeneration
<b>RESPONSIBLE OFFICER:</b>	Kate Bailey – Head of Strategic Growth
<b>CONTACT OFFICER:</b>	Helen Smith – Spatial Planning Manager
<b>APPENDICES:</b>	Appendix 1 - The Revised Local Development Scheme 2018 - 2020 Appendix 2 – Pre-application Advice

**1. PURPOSE OF REPORT**

- 1.1 The purpose of the report is to update Cabinet on the progress made in undertaking the Local Plan Review, to agree a revised the Local Development Scheme (Project Plan 2018 – 2020) and to revise the process of pre-application advice in light of the amended timetable.

**2. RECOMMENDATION**

**The Cabinet is asked to DECIDE that:**

- 2.1. The proposed revised Local Development Scheme Project Plan 2018 – 2020 as set out in Appendix 1 is adopted.
- 2.2. The proposed pre-application standing advice for housing as set out in Appendix Two is adopted.

**3. BACKGROUND**

- 3.1 Councils are required to publish up-to-date information on their progress in preparing their Local Plans against the Local Development Scheme (LDS). Wyre Forest District Council publishes its LDS on the Planning Policy web pages of the Council’s website.
- 3.2 The LDS was last reviewed in November 2017; key drivers of change since then have been:
- i) The publication of the National Planning Policy Framework (NPPF), Planning Practise Guidance (PPG) and Developer Contributions, following consultation (that ended May 10th), sometime before the summer recess.
  - ii) The publication of the standardised methodology figure has been delayed from the Government’s originally stated [Housing White Paper] date of April 2018. It is now anticipated before the summer recess (when population projections are available) and revised in the autumn, when the affordability ratios are released.

iii) A number of technical evidence base documents are in the course of being produced or updated for the emerging Local Plan and many of these have been recommissioned and are ongoing. These technical studies will need to take account of the revised NPPF and will need to inform the emerging Local Plan. A number of these studies are interdependent, such as the transport modelling, the viability modelling and the Infrastructure Delivery Plan and need coordinating to ensure consistency.

iv) The finalisation of sites to be included in the Pre Submission consultation can only be completed when the technical evidence base studies are completed and are consistent with other evidence base documents. They are all important but the key studies will be:-

- Transport Modelling – due to be completed in Summer 2018
- Objectively Assessed Housing Need (OAHN) revision – due to be completed over summer months when Government's standardised methodology figure is available
- Employment Land Review – due to be completed in parallel with OAHN study.

3.3 It is important to keep the LDS up-to-date to help provide certainty to local stakeholders, developers and communities to assist in District wide regeneration.

#### **4. KEY ISSUES**

4.1 It is extremely disappointing that the Government has failed to adhere to the April 2018 timescale for confirming the standardised methodology for agreeing housing provision in the district; although their published response to the 2017 consultation confirms that there will be a standardised methodology and indeed the draft NPPF provisions refer to it, at the time of writing there is still no final published methodology that the Council can reliably use as the basis for making provision for new housing in the Local Plan. The Council is reluctant to enter into a further round of public consultation on the Local Plan Pre Submission document without having unequivocal knowledge of the numbers of new houses that it has to plan for as this will simply create further uncertainty amongst its residents, businesses and statutory consultees.

4.2 The timetable that is now proposed in Appendix 1 is revised to account for the delay that the Government's new consultation has now created and is predicated on the understanding the Council has that the Government will now confirm the standardised methodology to be used before parliament rises for its summer recess, however any further delay to that timescale could have further consequences for the publication of the Council's planned Pre Submission consultation.

4.3 The changes proposed to the NPPF and PPG require the current draft policies within the emerging Local Plan to be reviewed and revised as appropriate. Revising the Local Plan timetable would allow time for Planning Officers to ensure the emerging Local Plan is in conformity with the revised NPPF. This is important for the Examination in Public to ensure the plan is found sound and not subjected to an early plan review.

4.4 The NPPF and PPG include new guidance around the process for identifying housing needs within the standardised methodology figure. This will cover the calculation of

affordable housing needs as well as the methodology for identifying the needs of specific groups within the population e.g. older people. This is similar to the previous work commissioned by the Council prior to 2012 when Strategic Housing Market Assessments were undertaken. This has required the Council to seek a revision to the work previously agreed with Amion (who prepared the OAHN on behalf of the Council) to ensure compliance with the emerging national guidance. However this work cannot be commenced until the new standardised methodology figure is published.

- 4.5 Officers have taken advice from Counsel and have established that although an 'interim policy statement' would be unlawful because Regulation 5 of The Town and Country Planning (Local Planning) (England) Regulations 2012 any 'interim policy statement' that Council wishes to adopt would need to be prepared as a Development Plan Document, following the same consultation requirements and process as any new Development Plan. Failure to follow this process would render any interim policy document 'unlawful'. Given the time constraints it is advised that the Council could issue an appropriately worded 'standing pre-application advice' for developers that would signal the intentions of the District during this period of time. Whilst this advice will not carry substantial weight in decision making it will set a clear understanding of the order in which the Council expects sites to be released and the information needed to support any unallocated or non conforming site. Such advice has been prepared and is included within Appendix Two.
- 4.6 The Revised Local Development Scheme 2018-20 is attached at Appendix One to this report. The early part of the plan would see public consultation on the pre-submission document taking place in November / December 2018. The pre-submission document would then be submitted to the Secretary of State with a view to having an Examination in Public with the Planning Inspector in autumn 2019 and plan adopted early in 2020, although the latter elements of the plan are subject to the Planning Inspectorates timetable.
- 4.7 The key proposed changes in this Revised LDS are in summary:
- Publication of the pre-submission document for a 6-8 week consultation in November and December 2018.
  - Full Council approval for the submission of the plan to the Secretary of State in July 2019.
  - Examination in Public throughout the autumn of 2019 and adoption of the Local Plan by February 2020.
- 4.8 The revised timetable defers the adoption of the emerging Local Plan until the Spring of 2020. Whilst this timescale will allow the Council to provide a robust document that should meet the tests of soundness in the meantime it does leave the Council vulnerable to the attentions of developers who may wish to bring forward sites in advance of the adoption or even the publication of the pre-submission draft. It is likely that the majority of developments in this context will be unwelcome and contentious, with developers exploiting the opportunity of the revised timetable to submit hostile applications.

- 4.9 In this interim period, Officers are aware that there are limited new sites for housing development to come forward which may result in the inability of the Council to demonstrate a 5 year supply of housing sites. It is considered that in order to mitigate this situation the Council could produce pre-application advice that demonstrates to Developers that the District should not be regarded as a 'free for all' and that sites should only come forward in accordance with the development hierarchy as set out in the Adopted Core Strategy.

**5. FINANCIAL IMPLICATIONS**

- 5.1 There will be further expenditure in relation to the Local Plan evidence base as the various studies are updated to support the Pre-Submission document and these will be met by existing budgets.

**6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 The Council is required to have an up to date Local Plan (reviewed every five years) and based on a robust and up to date evidence base.
- 6.2 To support the review there is a requirement for Councils to publish an up to date Project Plan that outlines the progress being made in updating the Local Plan

**7. EQUALITY IMPACT NEEDS ASSESSMENT**

- 7.1 There is no requirement to undertake an Equality Impact Needs Assessment.

**8. RISK MANAGEMENT**

- 8.1 The revised Project Plan will enable officers and Members to fully consider the legislative changes and updated studies to develop a sound Pre-Submission document. Any further failure by the Government to publish the standardised methodology for calculating new housing provision within the timescale expected increases the risk that the Council may need to further delay its Pre Submission consultation.

**9. CONCLUSION**

- 9.1 It is important that the production of any Local Plan accords with the NPPF and other current guidance. Given the Government's publication of proposed changes to the NPPF as well as the delay in publishing the standardised methodology for calculating housing needs for the district it is necessary for the Council to revisit the Local Development Scheme Project Plan to ensure that the developing Local Plan fully considers the new guidance proposed in the consultation on the NPPF and PPG as well as, the new standardised methodology figure.
- 9.2 The proposed revised Project Plan is attached at Appendix 1 and provides a realistic programme for reviewing the Local Plan. There will be some significant challenges ahead, particularly with regard to the identifying sufficient sites and delivering the housing numbers to support the Council's housing and economic growth aspirations.

**10. CONSULTEES**

10.1 CLT

**11. BACKGROUND PAPERS**

11.1 The Local Development Scheme Project plan (2017 – 2019) November 2017.

**Wyre Forest District**

**DEVELOPMENT PLAN**

**REVISED PROJECT PLAN**

**(LOCAL DEVELOPMENT SCHEME)**

2018-2020

**June 2018**

For more information contact: Wyre Forest District Council  
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**Wyre Forest District Council**

## **JARGON GUIDE**

**AMR**            **Authority Monitoring Report**

An annually produced document which sets out the progress made in achieving the timetable set out in the Local Development Scheme as well as measuring the effectiveness of the development plan policies.

**CIL**            **Community Infrastructure Levy (CIL)**

The Planning Act 2008 enables local planning authorities to charge a Community Infrastructure Levy (CIL) in its area. The CIL must be set at an appropriate level to help fund strategic infrastructure for the Council and the local community to support planned growth, but not too high to render growth commercially unviable.

**CS**            **Community Strategy**

Local Authorities are required by the Local Government Act 2000 to prepare this, with the aim of improving the social, environmental and economic wellbeing of their areas.

**LP**            **Local Plan**

Collective term given to all statutory documents that form the Development Plan for the District. These currently comprise of the Core Strategy, Site Allocations and Policies Local Plan, Kidderminster Central Area Action Plan and a Policies Map. This portfolio of documents will be replaced by a single (integrated) Local Plan document when the Review is completed.

**SA**            **Sustainability Appraisal (SA)**

A tool for appraising policies to ensure that they balance social, economic and environmental development objectives which incorporates the requirements of the 2001 Strategic Environmental Assessment (SEA) Directive. The 2004 Planning and Compulsory Purchase Act requires SA to be undertaken for all Local Development Documents.

**SCI            Statement of Community Involvement**

This sets out the planning authority's proposals for involving the local community in plan-making. It is not a DPD but it is, however, subject to independent examination.

**SPD            Supplementary Planning Document**

These will cover a range of issues and expand on the policies contained within Local Plans. They are, however, not part of the development plan and will not be subject to independent examination.

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## APPENDICES

- A) Local Plan Timetable
- B) Neighbourhood Plans
- C) Profiles and Milestones

## 1. PURPOSE OF THE PROJECT PLAN

1.1 This project plan (the Local Development Scheme) provides up to date information for stakeholders and the general public about the status and coverage of Development Plan Documents and the Council's intention for their future preparation. It sets out:

- a) Which Planning Policies are currently in force in the District
- b) What the Council's intentions are for the plan making framework over the next two years to 2020

1.2 Since the previous version of this document was published in November 2017 the bulk of the document remains unaffected. There are however updates to this document in respect of :

- Paragraphs 3.2 - 3.3 – Progressing the Local Development Framework
- Paragraph 5.1 – District wide Local Plan
- Appendix A – REVISED Programme for the preparation of the Local Plan

1.3 The project plan includes information relating to timescales and resources, the content of new plans and their scope and coverage.

### **Background**

1.3 Councils should continue to prepare and maintain a "Local Development Scheme" (project plan), specifying the documents that will make up their

Development Plan; their subject matter and area and the timetable for their preparation and revision.

- 1.4 Under changes brought about through the Localism Act 2011, aimed at simplifying the planning system, Councils are no longer required to submit the Local Development Scheme to the Secretary of State, but they must publish up- to-date information on their progress in preparing Local Plans against the project plan.

### **Key changes introduced to the LDS in this review**

- 1.5 The District Council's first LDS was formally submitted to the Secretary of State in February 2005 and came into effect on 27th March 2005. Since then the Project Plan has progressively been refined through a process of monitoring and review. This document provides a review of timescales to focus on the production of a single Local Plan for the District.
- 1.6 The key changes introduced as part of this review are the reprogramming of the timetable to take account of the emerging National Planning Policy Framework (NPPF) and associated guidance, updating of the evidence base and the production of the District's new Local Plan.
- 1.7 Since the last LDS Review, the Government have published a number of consultation papers regarding the NPPF, Planning Policy Guidance (PPG) and Developer Contributions. The consultation ended on 10<sup>th</sup> May and it is anticipated that the updated NPPF will be published before the summer recess.

## **2. CURRENT DISTRICT LOCAL PLANNING POLICY**

2.1 At present the main Planning Policies for the District are contained in the following documents:

- Wyre Forest Adopted Core Strategy (December 2010)
- Wyre Forest Adopted Site Allocations and Policies Local Plan (July 2013)
- Kidderminster Central Area Action Plan (July 2013)

- Worcestershire Adopted Waste Core Strategy (2012)
- Worcestershire Minerals Local Plan Saved Policies
- Chaddesley Corbett Neighbourhood Plan (September 2014)
- Churchill and Blakedown Neighbourhood Plan (July 2017)

**Wyre Forest Adopted Core Strategy (December 2010)**

2.2 The Core Strategy was formally adopted by the Council in December 2010 following an Independent Examination by a Planning Inspector. This is the key strategic level document for the District and sets out the broad strategy and vision for development within the District up until 2026. The Core Strategy was adopted prior to the publication of the National Planning Policy Framework and carried forward the housing, employment and retail targets allocated to the District in the West Midlands Regional Spatial Strategy (WMRSS). The WMRSS was revoked in 2013 and Local Authorities are now required to set their own development plan targets.

**Wyre Forest Adopted Site Allocations and Policies Local Plan (July 2013)**

2.3 The Site Allocations and Policies Local Plan was formally adopted by the Council in July 2013 following Independent Examination which included a consistency assessment against the National Planning Policy Framework policies. This contains the detailed site allocations and their associated policies in order to meet the overarching Development Strategy. It also contains a number of generic Development Management policies.

**Kidderminster Central Area Action Plan (July 2013)**

2.4 The Kidderminster Central Area Action Plan was formally adopted by the Council in July 2013 following Independent Examination which included a consistency assessment against the National Planning Policy Framework policies. This contains detailed policies for sites within the central area of Kidderminster and has a strong focus on regeneration.

**Supplementary Planning Documents/Supplementary Guidance**

2.5 The District Council has found it helpful to prepare additional guidance to further clarify some of the Local Plan policies. These documents have been formally adopted by the Council as Supplementary Planning Documents (SPD) and as

such can be afforded material consideration.

2.6 Worcestershire County Council has also produced Supplementary Guidance in relation to Education Contributions, Landscape Character Assessment and a Green Infrastructure Strategy. These have been endorsed by the District Council and are therefore a material consideration against which planning applications should be assessed.

2.7 The table below relates to existing Supplementary Planning Guidance/Documents for the Wyre Forest District. They are capable of being a material consideration in determining planning applications.

**Table 1: Existing Supplementary Planning Guidance/Documents**

<b>Document Title</b>	<b>Current Status</b>	<b>Brief Description</b>	<b>Relevant DPD</b>
Wyre Forest Cycling Strategy	Adopted SPG (2002)	Proposed cycle route network & promotion of cycling	- Core Strategy - Site Allocations - KCAAP
Shop Front Design Guide within Historic Areas	Adopted SPG (2004)	Design Guidance for new, replacements or alterations to existing shop fronts in historic settings.	- Site Allocations
Severn Road Development Brief	Adopted SPG (2001)	Redevelopment Proposals for three sites on the eastside of Stourport on Severn town centre.	- Site Allocations
Bridge Street Basins Link Development Brief	Adopted SPD (2005)	Redevelopment proposals for a site on the east side of Stourport-on-Severn town centre linking Bridge Street and the Canal Basins.	- Site Allocations
Planning Obligations	Adopted SPD (September 2016)	Sets out the District Council's requirements for developer contributions.	- Core Strategy - Site Allocations - KCAAP
Churchfields Masterplan	Adopted SPD (2011)	Development brief for Churchfields area of Kidderminster as a key regeneration opportunity.	- Core Strategy - KCAAP
Landscape Character Assessment	Adopted SG (Dec 2011)	Detailed guidance on landscape character assessment for Worcestershire produced by WCC.	- Core Strategy - Site Allocations
Affordable Housing	Adopted SPD (July 2014)	Detailed guidance on applying the District's Affordable Housing policies.	- Core Strategy - Site Allocations - KCAAP
Design Guidance	Adopted SPD (June 2015)	Guidance for applicants and developers on design and local distinctiveness.	- Core Strategy - Site Allocations - KCAAP

### **3. REVIEW OF THE ADOPTED CORE STRATEGY AND PREPARATION OF A DISTRICT LOCAL PLAN**

- 3.1 The remainder of this Project Plan will consider the preparation of new Local Plans which will form the Development Plan and these are set out in more detail in Appendix A (Programme Management Timetable),
- 3.2 Since the last review of the Local Development Scheme in November 2017, the Council has made the following progress in meeting its milestones:
- Consideration of all the consultation responses following the publication of the Local Plan “Preferred Options” document
  - Recommissioning and revision of the evidence base including a review of the Green Belt, preparation of a Infrastructure Delivery Plan, and an updated Objectively Assessed Housing Needs;
  - Facilitating progress on Neighbourhood Plan for Bewdley
- 3.3 During 2018-20 we anticipate that our resources will be concentrated on:
- Consideration of the Preferred Option consultation responses and preparation of the pre-submission document;
  - Undertake further evidence based work as the pre-submission document develops;
  - Updating the Infrastructure Delivery Plan in line with the emerging Local Plan.
  - Continue to amend the Local Plan in light of emerging Government policy

### **4. STATEMENT OF COMMUNITY INVOLVEMENT (SCI)**

- 4.1 The District Council’s first Statement of Community Involvement was formally adopted by the Council in April 2006. In February 2013 the District Council adopted a Revised Statement of Community Involvement in order to reflect changes to the regulations governing the preparation of Local Plans, the introduction of neighbourhood planning and changes to consultation on planning applications. The Revised Statement of Community Involvement provides a set of clear guidelines and minimum standards that the community and interest groups can expect when Local Plans are being prepared. It provides guidance on how bodies carrying out neighbourhood planning should undertake consultation and

sets out the methods of consultation the District Council will use when undertaking its statutory duties in relation to neighbourhood planning. The document also clarifies the community participation and public consultation arrangements for the determination of planning applications.

4.2 The SCI can be viewed on the Councils website here:

<http://www.wyreforestdc.gov.uk/planning-and-buildings/planning-policy/statement-of-community-involvement.aspx>

## **5. LOCAL PLANS**

**2018 to 2020**

### **District wide Local Plan**

- 5.1 During 2015 we commenced a review of the Adopted Core Strategy. This started with an Issues and Options consultation in September 2015. This work stream will take the opportunity to produce a single District-wide Local Plan rather than continuing with three separate Development Plan Documents. This work, along with the fresh evidence generated within this process, will directly influence the development of a Local Plan “Pre-submission document”. The original intention had been to consult upon this document in mid-2018; however, due to the emerging legislative changes around the NPPF and PPG, the delay to publication of the standardised methodology figure and complexity of the evidence base, it has been necessary to further delay the Local Plan.
- 5.2 The Council will need to ensure the soundness of the Local Plan by ensuring compliance with the new NPPF and PPG when they become available. The key amendment to this document (Appendix 1) reflects this.

## **6. SUPPLEMENTARY PLANNING DOCUMENTS (SPDs)**

- 6.1 SPDs provide further detail, guidance and clarification on specific areas of planning policy and development management within the Wyre Forest District.
- 6.2 The need for further SPDs will be monitored and kept under review during the 2018-20 time period and up to date information will be included in the Project Plan as and when necessary. Some of the Supplementary Planning Guidance relates to sites which are currently being developed out and will therefore be subject to review in the next LDS as developments are completed and they are no longer required.

## **7. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 7.1 The District Council is currently still considering the potential to bring forward a Community Infrastructure Levy (CIL) Charging Schedule for the area. CIL would allow the authority to raise funds from new developments and rates should be set in consultation with local communities and developers and will provide certainty up front about how much money developers will be expected to contribute.
- 7.2 Charging Authorities must produce a charging schedule setting out the levy's rate in their area, which must strike an appropriate balance between the desirability of funding infrastructure and the potential effects of the levy upon the economic viability of development across their area.
- 7.3 To progress a tariff we will require up to date evidence about the effect of the levy on economic viability to demonstrate that any proposed rate strikes an appropriate balance. The level of CIL charge must only be set on the basis of viability. A decision was made by Cabinet in 2013 to postpone progression on CIL and to consider it in line with the Local Plan Review. This position will be reviewed alongside the on-going development of the pre-submission document.

## **8. NEIGHBOURHOOD DEVELOPMENT PLANS**

- 8.1 Neighbourhood Planning is central to the Government's Localism Agenda. The right to produce Neighbourhood Development Plans is introduced through the Localism Act 2011.
- 8.2 As the Local Planning Authority we must provide advice and assistance to Parish and Town Councils or Neighbourhood Forums in unparished areas, should they wish to bring forward a Neighbourhood Development Plan/Order for their area. We will take an active role in advising and supporting community groups, sharing evidence and information. This is proving to be a considerable draw on the

resources of the Planning Policy Section going forward and will need to be kept under review with regard to allocating additional staff resources to this function.

8.3 Under the Neighbourhood Planning Regulations it is the District Council's role to:

1. Determine applications for neighbourhood areas
2. Publish Neighbourhood Plans which are submitted to the District Council and notify relevant bodies of their receipt.
3. Organise an independent examination for a Neighbourhood Development Plan/Order
4. Organise a Local Referendum
5. Make the Neighbourhood Development Plan as part of our Development Plan for the District if a majority "yes" vote is secured at the referendum.

8.4 The District Council has four designated Neighbourhood Areas within the District:

- Chaddesley Corbett Parish
- Churchill and Blakedown Parish
- Bewdley Parish
- Upper Arley Parish

8.5 To date, there are two 'made' Neighbourhood Plans within the District. These are Chaddesley Corbett Parish Neighbourhood Plan, which was formally 'made' on 25th September 2014 and Churchill and Blakedown Parish Neighbourhood Plan which was formally 'made' on 26th July 2017. In addition to these made neighbourhood plans there are other communities in the early stages of preparing a Neighbourhood Plan.

8.6 The application for the designation of the Parish of Bewdley as a Neighbourhood Plan Area for the purpose of neighbourhood planning was approved on 10th June 2015, following a consultation held during April – May 2015. The Qualifying Body is Bewdley Town Council, who have

prepared a draft Neighbourhood Plan which went out to consultation during April and May 2018.

- 8.7 The application for the designation of the Parish of Upper Arley, as a Neighbourhood Area for the purpose of neighbourhood planning was approved on 24th July 2015, following a consultation held during May – June 2015. Upper Arley Parish Council and the Qualifying Body and are in the early stages of preparing their Neighbourhood Plan.
-

**APPENDIX A – Programme for the preparation and review of Local Plan – June 2018**

	2018												2019												2020											
	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D		
<b>Local Plan Review</b>	1	1	1	1	1	1	1	2	3	3	4	4	4	4	5	5	6	7	8	8	8	8	9	10												

Review point required after end of consultation, i.e. to assess number of responses received and resources required to deal with them.

**Key**

No/Colour	Stage
1	Development of Pre-Submission Plan
2	Cabinet approval of Pre-Submission Plan consultation
3	Pre-submission Plan Public Consultation
4	Consideration of consultation responses
5	Finalisation of submission plan
6	Full Council approval for submission to Secretary of State
7	Submission to Secretary of State
8	Independent Examination and Proposed Modifications consultation
9	Receipt of Inspector’s Report
10	Council adoption of Local Plan

## **APPENDIX B – NEIGHBOURHOOD PLANS**

### **Neighbourhood Plans in Wyre Forest District**

The following table sets out the progress made to date by communities in preparing Neighbourhood Plans within the District. The Council’s webpages at <http://www.wyreforestdc.gov.uk/planning-and-buildings/planning-policy/neighbourhood-planning.aspx> will be updated as progress is made.

Communities with a Designated Neighbourhood Area	- Chaddesley Corbett Parish - Churchill and Blakedown Parish - Bewdley Parish - Upper Arley Parish
Communities with a Published Draft Neighbourhood Plan	- Bewdley Parish (Pre-Submission draft version published April 2018)
Communities with a Draft Neighbourhood Plan Submitted for Examination	None
Communities with a Draft Neighbourhood Plan ready for, or at, Referendum	None
Communities with a ‘Made’ Neighbourhood Plan	- Chaddesley Corbett Parish - Churchill and Blakedown Parish

## APPENDIX C – Profiles and Milestones

### 1. STATEMENT OF COMMUNITY INVOLVEMENT

#### Overview:

- **Role & Coverage:** Sets out how the District Council will involve stakeholders and the local community in the preparation of all Local Development Documents and the consideration of planning applications.
- **Coverage:** District-wide
- **Status:** Non Development Plan LDD
- **Conformity:** Regulations and requirements set out by Government and the District Council's Consultation Strategy 2004  
Planning and Compulsory Purchase Act 2004 as amended

#### Key Milestones:

- REVIEWED: FEBRUARY 2013
- MONITOR THROUGH ANNUAL MONITORING REPORT AND REVIEW IF SIGNIFICANT LEGISLATIVE CHANGES OCCUR.

## 2. CORE STRATEGY

### Overview:

- **Role & Coverage:** Strategic document setting out the vision and spatial planning framework for the District up to 2026. Includes generic strategy and core policies on subjects including housing; climate change and the environment; economy, town centres, local distinctiveness and transport infrastructure.
- **Coverage:** District-wide
- **Status:** Local Plan
- **Conformity:** Regulations and requirements set out by Government  
National Planning Policy

### Key Milestones:

- ADOPTED: DECEMBER 2010
- MONITOR AND REVIEW THROUGH ANNUAL MONITORING PROCESS.
- LOCAL PLAN REVIEW COMMENCED IN 2015 FOLLOWING EVIDENCE BASE COLLATION AND RENEWAL IN 2014.
- ISSUES AND OPTIONS CONSULTATION COMPLETED OCTOBER 2015.
- ADDITIONAL EVIDENCE BASE COMMISSIONS REQUIRED TO SUPPORT PREPARATION OF PREFERRED OPTION.
- COMPLETION OF PREFERRED OPTION DEVELOPMENT JUNE 2017
- PUBLIC CONSULTATION OF PREFERRED OPTIONS DOCUMENT UNDERTAKEN IN JUNE – AUGUST 2017.
- CONSIDERATION OF PREFERRED OPTIONS CONSULTATION RESPONSES COMMENCED IN SEPTEMBER 2017. THIS IS BEING FOLLOWED BY THE PREPARATION OF THE PRE-SUBMISSION DOCUMENT.

### 3. SITE ALLOCATIONS AND POLICIES LOCAL PLAN

#### Overview:

- **Role & Coverage:** Identifies the specific sites that will provide for the District's development needs in the period up to 2026, in conformity with the Adopted Core Strategy. It will also designate specific areas for protection/safeguarding during the plan period and include some generic development control policies.
- **Coverage:** District-wide
- **Status:** Local Plan
- **Conformity:** Regulations and requirements set out by Government
  - National Planning Policy
  - Core Strategy

#### Key Milestones:

- ADOPTED: JULY 2013
- MONITOR AND REVIEW THROUGH ANNUAL MONITORING PROCESS. INCORPORATE INTO DISTRICT WIDE LOCAL PLAN IN PARALLEL WITH CORE STRATEGY REVIEW.
- REVIEWED AS INTEGRAL PART OF PREFERRED OPTION PREPARATION AND ON-GOING LOCAL PLAN REVIEW PREPARATION.

#### 4. KIDDERMINSTER CENTRAL AREA ACTION PLAN

##### Overview:

- **Role & Coverage:** To provide a detailed planning policy framework, which sets out the strategy and policies for the development of the town's central area, and helps to achieve this regeneration. The KCAAP will help to stimulate regeneration and investment in the town by providing certainty and confidence for potential investors, as well as providing the basis for co-ordinating the actions of a range of public and private sector partners.
- **Coverage:** Central Kidderminster including the Town Centre, Horsefair, Comberton Hill, Mill Street and Park Lane
- **Status:** Local Plan
- **Conformity:** Regulations and requirements set out by Government
  - National Planning Policy
  - Core Strategy

##### Key Milestones:

- ADOPTED: JULY 2013
- MONITOR AND REVIEW THROUGH ANNUAL MONITORING PROCESS. INCORPORATE INTO DISTRICT WIDE LOCAL PLAN IN PARALLEL WITH CORE STRATEGY REVIEW.
- REVIEWED AS INTEGRAL PART OF PREFERRED OPTION PREPARATION AND ON-GOING LOCAL PLAN REIVEW PREPARATION.



## WYRE FOREST DISTRICT COUNCIL

### STANDING PRE-APPLICATION ADVICE

#### RESIDENTIAL DEVELOPMENTS

##### Introduction

Wyre Forest District Council is currently undertaking a Local Plan Review, with adoption proposed by 2020. The revised Local Plan will include policies / allocate sufficient housing sites to meet the district's housing needs through until 2034. The District Council acknowledges that in the interim period the District will still need to meet the requirements of paragraph 47 of the National Planning Policy Framework to deliver the necessary supply of housing. This is particularly the case if, at any stage, the Council is unable to meet the NPPF requirement of being able to demonstrate a 5 year supply of land for housing.

In order to provide a rational approach until the new Local Plan is adopted and to provide a degree of consistency in the decision-making process, the following Standing Advice is provided. Any promoters of planning applications for residential development should take account of this advice.

The Council welcomes and encourages early pre-application engagement on the development proposals on any proposed site. Further details and the relevant fees can be found at the following link;

<http://www.wyreforestdc.gov.uk/planning-and-buildings/planning-practice-notes-and-advice-leaflets/charging-for-permitted-development-and-pre-application-advice-guidance-note-6.aspx>



## Standing Pre Planning Application Advice

The Council continues to encourage planning applications for residential development that are in accordance with the Development Plan.

Where it is clearly demonstrated that there is a shortage in the deliverable supply of sites to meet the District Council's housing needs, planning applications for housing development on sites that do not meet the locational policy requirements in the adopted Local Plan should be accompanied by the following evidence / analysis as appropriate:

- How the application accords with the spirit (if not the letter) of the spatial vision for housing development in the District set out in the Local Plan; this includes an assessment of the scale of the proposal in relation to any settlement.
- How the application is judged to be sustainable development in terms of its likely economic, social and environmental benefits and adverse impacts.
- For sites allocated or protected for alternative land uses, within the urban areas of Kidderminster, Stourport and Bewdley or within defined village inset limits, how the use of the land for housing will outweigh adverse impacts of the loss of the allocated / protected use.
- For land within defined settlement limits but which falls outside the definition of 'previously developed land' (for example garden land), how the development can be brought forward without undue harm to the character, appearance and amenity of the area.
- For land within settlements which do not have a defined settlement limit, how the development can be brought forward without undue harm to the character, appearance and amenity of the area.
- On sites outside but adjacent to settlement limits how the integrity of landscape character will be maintained, how any important features of the landscape setting of settlements has been taken into account, and how any visual impact is proposed to be mitigated.
- For sites allocated as an 'Area of Development Restraint' (ADR) within the adopted Local Plan, why the site should be released in advance of the completion of the Local Plan Review including consideration of the harm that might arise by its early release.
- For sites that are identified as potential allocated housing sites within a draft of the Local Plan Review, why the site should be released in advance of the completion of the Local Plan Review including consideration of the harm that might arise by its early release.
- For any site within the Green Belt and any ADR site, the 'very special circumstances' that justify its release for housing.



In addition to the matters set out above, applications for planning permission that do not comply with the locational policies in the adopted development plan should take into account and make reference to:

- Supporting material that includes assessments against relevant parts of the up-to-date evidence base of the emerging Local Plan (for example landscape character assessments, heritage assessments etc).
- Where harm is identified, details of mitigation / compensation that will be delivered alongside the development.
- Relevant development management policies of the adopted Local Plan (for example, those dealing with heritage, ecology, flood risk, design, highways, parking, climate change, renewable energy, drainage, green infrastructure, and open space, play, recreation and sports provision).