

Open

Overview & Scrutiny Committee

Agenda

6pm
Thursday, 5th March 2020
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Overview & Scrutiny Committee

Members of Committee:

Chairman: Councillor M J Hart
Vice-Chairman: Councillor S J Chambers

Councillor N J Desmond
Councillor S Griffiths
Councillor T L Onslow
Councillor S E N Rook

Councillor C Edginton-White
Councillor S Miah
Councillor M Rayner
Councillor D R Sheppard

Would Members please note that, to ensure continuity in scrutiny, substitutes should only be appointed for the Scrutiny Committee in exceptional circumstances.

Information for Members of the Public:

Part I of the Agenda includes items for discussion in public. You have the right to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

Part II of the Agenda (if applicable) deals with items of “Exempt Information” for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

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.

Co-opted Members

Scrutiny Committees may wish to appoint Co-Opted Members to sit on their committee in order to add value to the scrutiny process. To appoint a Co-Opted Member, a Committee must first agree to appoint either a specific person or to approach a relevant organisation to request that they put forward a suitable representative (e.g. the local Police Authority). Co-Optees are non voting by default but Committees can decide to appoint voting rights to a Co-Optee. The Co-Option of the Member will last no longer than the remainder of the municipal year.

Scrutiny Committees can at any meeting agree to terminate the Co-Option of a Co-Opted Member with immediate effect. Where an organisation is appointed to put forward a Co-Opted Member, they are able to send a substitute in exceptional circumstances, provided that they notify Democratic Services in advance. Co-Opted Members must sign up to the Members Code of Conduct before attending their first meeting, failure to sign will mean that they are unable to participate. This also applies to substitute Co-Opted Members, who will need to allow sufficient time before a meeting in order to sign the Code of Conduct.

The following will apply:

- i) The total number of voting co-opted members on any Scrutiny Committee will not exceed 25% at any one time.
- ii) The total number of voting Co-opted Members on any Review Panel will not be limited.
- iii) Those Co-opted Members with voting rights will exercise their rights in accordance with the principles of decision making set out in the constitution.

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 Sian Burford, Assistant Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732766 or email sian.burford@wyreforestdc.gov.uk..

Wyre Forest District Council
Overview & Scrutiny Committee

Thursday, 5th March 2020

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.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, together with the name of the Councillor for whom he/she is acting.	
3.	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.	
4.	Minutes To confirm as a correct record the Minutes of the meeting held on the 6th February 2020.	6
5.	Annual Review of the North Worcestershire Community Safety Partnership 2019/20 To consider a report from the Community Safety & Partnerships Officer which provides an update on the priorities, performance, successes and challenges in relation to the North Worcestershire Community Safety Partnership (NWCSP) during 2019/20.	13
6.	Housing Assistance Policy To consider a report from the Principal Environmental Health Officer (Housing and Water Management) to agree the policy that will be used to determine how the Disabled Facilities Grant (DFG) funding from central government will be spent.	28
7.	Feedback from Cabinet To note the content of the Cabinet action list, following consideration of the recommendations from its meeting on 11 th February 2020.	54

8.	Work Programme To review the work programme for the current municipal year with regard to the Corporate Plan Priority, Annual Priorities and the Forward Plan.	56
9.	Press Involvement To consider any future items for scrutiny that might require publicity.	
10.	Kidderminster Town Centre Acquisition Strategy To consider a report from the Corporate Director: Economic Prosperity & Place which sets out a proposed strategy for the acquisition of properties in Kidderminster town centre in support of the Council's bid for funding under the Future High Streets Fund (FHSF) and an approach to masterplanning the future of the remainder of the town centre not otherwise covered by the FHSF.	58
11.	To consider any other business, details of which have been communicated to the Solicitor of 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.	
12.	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

13.	Agenda Item 10 - Kidderminster Town Centre Acquisition Strategy Appendix 1 – Kidderminster Town Centre Acquisition Strategy	
14.	To consider any other business, details of which have been communicated to the Solicitor of 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

OVERVIEW & SCRUTINY COMMITTEE

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

THURSDAY, 6TH FEBRUARY 2020 (6PM)

Present:

Councillors: M J Hart (Chairman), S J Chambers (Vice-Chairman), N J Desmond, S Griffiths, S Miah, T L Onslow, M Rayner, S E N Rook, D R Sheppard and P W M Young.

Observers

Councillors: B S Dawes, H E Dyke, I Hardiman, P Harrison, F M Oborski MBE and C Rogers.

OS.60 Apologies for Absence

Apologies for absence were received from Councillor C Edginton-White.

OS.61 Appointment of Substitutes

Councillor P W M Young was a substitute for Councillor C Edginton-White.

OS.62 Declarations of Interests by Members

Councillor T L Onslow declared an Other Disclosable Interest (ODI) in agenda item 7 – Annual Review of the North Worcestershire Community Safety Partnership 2019/20, as she is the Deputy Police and Crime Commissioner for West Mercia, and the Police and Crime Commissioner provide Grant Funding to the Community Safety Partnership.

Having previously welcomed everyone to the meeting, the Chairman advised that in terms of the public participation in agenda item 6 - Wyre Forest District Local Plan (2016-2036), the meeting would take the following format:

- Having dealt with agenda items 4 and 5, the Spatial Planning Manager will present the report.
- The five public speakers that had registered to speak would be invited in turn to address the committee.
- As part of their three minute presentation, each public speaker would be entitled to ask one question and one supplementary question.

The Chairman reminded all speakers, public or otherwise to make their comments relevant to the agenda item. He added that agenda item 7 - Annual Review of the North Worcestershire Community Safety Partnership 2019/20 had been deferred to the March meeting of the Committee.

OS.63 Minutes

Decision: The minutes of the meeting held on 5th December 2019 be confirmed as a correct record and signed by the Chairman.

OS.64 How Are We Doing? Performance Update

The Committee considered a report from the Business Improvement Officer which updated Members on the performance of the Council for quarter 3 from 1st October to 31st December 2019.

The Business Improvement Officer presented the report and appendices which included a detailed report of performance against the Council's purpose of 'Place', an overview of activity at Bewdley Museum and a report on the Capital Projects. Members were advised that as there were no overdue actions or significant issues to highlight, an exception report had not been included on this occasion.

The Committee considered each page of the report and appendices in turn. In response to a Member query regarding the Wyre Forest Leisure Centre (LE032) measure, the Business Improvement Officer explained there were no details included as the Leisure Centre measure is a cross cutting measure for the Place purpose. The full information for the Leisure Centre measure would sit within the report for the purpose that the measure primarily sits within which is the purpose of 'People'.

Agreed: The progress in performance for quarter 3 be noted.

OS.65 Wyre Forest District Local Plan (2016-2036)

The Committee received a report from the Spatial Planning Manager which summarised the progress of the preparation of a local plan for the period 2016-2036.

The Spatial Planning Manager presented the report and advised Members that Since 2015, Wyre Forest District Council (WFDC) has been working towards the preparation of a Local Plan for the period 2016 – 2036. She explained that the Local Plan set out the policies and plans to guide future development within Wyre Forest District up to 2036. It would be the statutory document against which individual planning applications were determined. The Local Plan therefore has a key role in shaping the future of the district.

She further explained that it was a legal requirement for every local authority in England to produce a Local Plan for its area. WFDCs existing adopted plan was out of date in certain aspects and the Council now needed to ensure that it achieved a 'sound' Local Plan to replace it in accordance with the Government's planning policy, the National Planning Policy Framework (NPPF), (as set out in paragraph 12.4 of the report).

The Spatial Planning Manager outlined the main risks in failing to progress a Local Plan for the Wyre Forest District in compliance with laws, regulations and guidance which included; Direct interventions by Government into the District Council's Local Plan making; Inability to steer, promote or restrict development across its

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administrative area and; Potential damage to the Council's image and reputation if a development plan was not adopted in an appropriate timeframe.

In conclusion, she said that Officers had carefully considered the consultation responses received, and having done so, they were satisfied that there were no obstacles to the submission of the Local Plan as approved by Cabinet on 16th July 2019. She said that the relevant requirements had been complied with and that the Plan was ready for independent examination by an Inspector appointed by the Secretary of State.

The Chairman invited the five registered speakers to address the Committee.

Paul Mellor – Churchill and Blakedown Parish Council Representative

Paul Mellor spoke in relation to Policies AM 36.10 and 36.11 regarding car parking in Blakedown. He said detailed objections were reproduced in Appendix D, but in summary the Parish Council had obtained legal advice from Counsel at Landmark Chambers, professional planning advice, and transport advice which was that the Submission Plan should not pass scrutiny, and outlined the reason why. He said there was no need for any further train station car parking within Blakedown that could not already be met by the car park allocation at Station Yard. "Exceptional Circumstances" required by NPPF have not been demonstrated to remove the Station Drive site from the Green Belt

Claire Wood – Resident of Lynwood Drive, Blakedown

Claire Wood advised that her family would be directly impacted by both elements of the amendment to the local plan proposed at Blakedown station. She said that in her opinion she did not think any resident of Blakedown would dispute that current traffic levels and parking around the station, particularly at peak times required addressing, however residents did not recognise the need for Blakedown to be responsible for fixing Kidderminster traffic problems. She spoke about the safety aspects of the proposals including, but not restricted to road safety at the level crossing and surrounding area, and the inadequacy of the local road network to cope with the additional traffic.

Mike Pitt – Resident of Mill Close, Blakedown

Mike Pitt advised that the development would be on green belt land and the reason for this seemed to be entirely unjustified as per the NPPF and government guidelines. This would also jeopardise the area for local wildlife. He said the plan to build 50 houses in the area was far in excess of the needs of Blakedown and Wyre Forest Planners had instigated this simply to fund the extra car park development in Station Yard.

Roger Shade – Resident of Blakedown

Roger Shade spoke as a concerned resident of Blakedown. He advised that he was also a Parish Councillor involved in developing the Neighbourhood plan for Churchill and Blakedown. He said that an essential part of the Neighbourhood Plan was preserving the rural nature of the village 'recognising the intrinsic character and beauty of the countryside'. The plan makes a change to the village boundary and he

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questioned the validity of this proposed change. There was absolutely no evidence of exceptional and urgent need for 50 houses in Blakedown. The allocation had purely been made to finance the car park; which in itself would not constitute sufficient exceptional circumstances that would need to justify removing the green belt designation.

Sue Fowler – Resident of Blakedown

Sue Fowler echoed the comments from the Parish Council representative that the current proposals in the Submission Plan affecting Blakedown are not justified and in breach of the NPPF and Green Belt Provisions. She advised that you could see from the contents of the large number of consultation responses from Blakedown residents and from their presence here today, the level of concern in the village. She said that there was no response from the Council to all the submissions; no discussion; no answers; no changes, which leaves Blakedown residents seriously questioning the point of the consultation exercise.

The Chairman thanked the members of the public for their participation.

The Chairman of the Local Plans Review Panel, Councillor P Harrison, advised that the Local Plans Review Panel had met several times and had ploughed through large numbers of maps and documents. This was nowhere near the quantity that the Spatial Planning Manager and her team had gone through; all the submissions to the consultations have been considered in great detail and would be presented to the Planning Inspector in due course. He added that whilst none of the Panel was entirely happy with the areas incorporated in the Plan, the Panel had done the best it could and hoped that ultimately the matter would be resolved to the satisfaction of most people. The recommendation from the Panel was that the Plan be noted.

A robust discussion ensued. Having fully considered the report and the public participation, Members agreed that whilst as individuals, there were parts of the plan that were liked or not liked; the importance of the Council having an up to date Local Plan to resist hostile planning applications within the District was acknowledged.

Councillor N Desmond expressed concern over the standard methodology used for calculating housing need. He said that as a long standing Member of the authority he understood the need to have a coherent and updated Local Plan and understood that there was a need to have some strategic release of the Green Belt. However, he and his Conservative colleagues had always said that there should not be any more houses on the green belt than is absolutely necessary. In that context, he said that Wyre Forest had decided to use the 2016 based household projections which gave a housing need figure of 276 dwellings per annum; the 2014 based figures gave a housing need figure of 248 dwellings.

Councillor Desmond moved an amendment to the proposed recommendations as set out in the report.

We don't believe the methodology of the housing numbers is sound because the updated NPPF and PPG now requires housing needs assessments to use the 2014-based household projections to set the baseline for the standard method calculation and not the 2016-based household projections and therefore the

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additional 644 this would yield in the green belt is not justified and we recommend to Cabinet that they go out to consultation in respect of this part of the plan.

The proposal was seconded and upon a show of hands, the amendment was defeated.

A vote on the substantive recommendations was taken and agreed.

Agreed: Upon a show of hands the majority of the Committee agreed the recommendation and to note the progress in the preparation of:

- a) The proposed Wyre Forest District Local Plan (2016-2036) and Policies Map (together with the associated evidence base, including the Sustainability Appraisal) for the purpose of its submission to the Secretary of State for independent examination under section 20 of the Planning and Compulsory Purchase Act 2004 (the PCPA 2004) (as shown in Appendix 1); and**
- b) The Table of Minor Modifications to the Wyre Forest District Local Plan (2016-2036) and Policies Map (as shown in Appendix 2);**
- c) The submission documents prepared pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Local Planning Regulations) (see Appendix 3);**
- d) The ‘Statements of Common Ground’ with third parties such as agencies and adjoining Councils (as shown in Appendix 5); and**
- e) The technical study ‘Traffic Demand in the Hagley Area (A456 Corridor)’ (in Appendix 4) as a background paper.**

Overview and Scrutiny Committee recommend the documentation set out in 8.1 a – d, of the report to Cabinet for their approval and that the paper 8.1e is noted.

OS.66 Treasury Management Strategy 2020-21

The Committee considered a report from the Corporate Director: Resources which provided Members with background information on the Chartered Institute of Public Finance (CIPFA) Prudential Code for Capital Finance in Local Authorities (Prudential Code).

The Corporate Director: Resources presented the report and gave a summary of the main points. She advised Members that this was the last of the three statutory reports which would be presented to the Committee during the municipal year. She stressed the importance of the report as it set the Prudential Indicators and Limits for the financial years 2020-21 to 2029-30, and was part of the overall suite of reports that would be presented to Council on 26th February 2020.

She added that the Council’s Treasury Management Advisors, Link Asset Services, had provided a comprehensive Member training session on 3rd February, which was followed by a detailed scrutiny of the report by the Treasury Management Review Panel. The Corporate Director: Resources said that the training was very well

attended and thanked Members for their input.

The Corporate Director: Resources reminded Members that Treasury Management was all about the management of risk in relation to cash flows and capital expenditure, and the authority had statutory guidance that it had to comply with. She was very pleased to advise that there were no breaches to report to the Committee.

The Chairman thanked the Corporate Director: Resources and her team for their hard work.

Agreed: Recommend to Council to:

1.1 Approve the restated Prudential Indicators and Limits for the financial years 2020-21 to 2029-30 included in Appendix 3. These will be revised for the February 2020 Council meeting, as per paragraph 7.2 of the report, following any changes to the Capital Programme brought about as part of the budget process.

1.2 Approve the updated Treasury Management and Investment Policy and Strategy Statements for the period 1st April 2020 to 31st March 2021 (the associated Prudential Indicators are included in Appendix 3 and the detailed criteria is included in Section 10 and Appendix 5).

1.3 Approve the Minimum Revenue Provision (MRP) Statement that sets out the Council's policy on MRP included in Appendix 1.

1.4 Approve the Authorised Limit Prudential Indicator included in Appendix 3.

1.5 Notes that the separate, but intrinsically linked, Capital Strategy 2020-30 to be approved separately by Council, sets out the policy statement covering non-treasury investments including the related suite of prudential indicators.

OS.67 Feedback from Cabinet

Agreed: The content of the Cabinet decision list, following consideration of the recommendations from its meeting on 17th December 2019, be noted.

OS.68 Work Programme

The Committee reviewed the work programme for the current municipal year. The Chairman advised that the work programme would be amended to reflect the deferral of agenda item 7 to the March meeting.

Agreed: The work programme be noted.

OS.69 Press Involvement

There were no future items for scrutiny that might require publicity.

OS.70 Procurement Strategy and Business Plan for Brinton Park, National Lottery Heritage Fund (NLHF) Project

Agenda Item No. 4

The Committee considered a report from the Community Development Manager which updated Members on the Procurement Strategy and Business Plan for the Brinton Park NLHF project.

The Community Development Manager led Members through the report in detail. She explained that Brinton Park was a key open space in Kidderminster which supported leisure, health and wellbeing, and tourism across the district. Members were advised that the area was formerly part of Sutton Common prior to 1882 and was now a public park which was laid out in 1886 and given to the people of Kidderminster in 1887. She further explained that the NLHF project would bring an unparalleled level of investment into the park in addition to reconnecting local people to its heritage.

The Community Development Manager further explained that the project had passed the Round 1 assessment in December 2018 which enabled it to progress with the final Round 2 application.

She added that if a successful Parks for People application was awarded in July 2020, the procurement of services would need to commence without delay in order to meet the project timelines.

Councillor N Desmond left the meeting at 7.26pm.

The Committee reviewed the Procurement Strategy and Business Plan and acknowledged the huge amount of partnership working and hard work undertaken by Officers on the project so far. Members were excited by the proposals for the regeneration of the park and there was unanimous support by the Committee for the recommendation to Cabinet.

Agreed: Recommend to Cabinet that:

The Procurement Strategy and Business Plan are adopted to meet the timeline for the project subject to a successful R2 application. The council will be prepared to procure services without delay in summer 2020.

There being no further business, the meeting ended at 7.47pm.



Overview & Scrutiny Committee

Briefing Paper

Report of: Kathryn Underhill, Community Safety & Partnerships Officer
Date: Thursday, 5th March 2020
Open

Annual Review of the North Worcestershire Community Safety Partnership 2019/20

1. Summary

- 1.1 This report provides an update on the priorities, performance, successes and challenges in relation to the North Worcestershire Community Safety Partnership (NWCSP) during 2019/20. It is a statutory duty for local authorities to scrutinise the work of its local Community Safety Partnership, under Section 19 of the Police and Justice Act 2006.

2. Background

- 2.1 NWCSP has been in existence since May 2013, following the merger of the three district CSPs in Bromsgrove, Redditch and Wyre Forest. The community safety teams that support and administer the Partnership continue to sit within the respective local authorities.
- 2.2 The Crime and Disorder Act 1998 (CDA98) provides the framework for the establishment of Community Safety Partnerships (CSPs). Membership must include the 'Responsible Authorities' as defined by Section 5 of the CDA98.

The Responsible Authorities on the NWCSP are Bromsgrove District Council, Redditch Borough Council, Wyre Forest District Council, Worcestershire County Council, West Mercia Police, Hereford and Worcester Fire and Rescue Service, National Probation Service, Warwickshire and West Mercia Community Rehabilitation Service, NHS Redditch and Bromsgrove Clinical Commissioning Group and NHS Wyre Forest Clinical Commissioning Group.

These organisations are charged with working together, along with relevant partners, to formulate strategies to reduce crime and disorder in their local area.

- 2.3 Local representation on the NWCSP is fulfilled through a number of positions. Wyre Forest District Council's Elected Member representative is the Cabinet Member for Culture, Leisure and Community Protection, Councillor Helen Dyke. Linda Draycott, Corporate Director - Community, Well Being and Environment is the Council's Responsible Authority representative and is also

the Vice Chair of the NWCSP. The Council's Community Safety and Partnerships Officer, Kathryn Underhill, provides support to the NWCSP and is also chair of the Safer Wyre Forest Operational Group.

- 2.4 The strategic arm of the CSP brings together chief and senior officers of the Responsible Authorities, along with relevant partners, to provide strategic level leadership and co-ordination. The Safer Wyre Forest Operational Group, locally known as Tasking, meets locally on a monthly basis with relevant stakeholders to develop and implement responses to district based community safety issues.
- 2.5 Alongside the relationship the Council has with the CSP, there is also a direct role in holding the West Mercia Police and Crime Commissioner (PCC), John Campion, to account through the West Mercia Police and Crime Panel (PCP), which meets four times a year. Wyre Forest District Council's representative on the PCP is the Cabinet Member for Culture, Leisure and Community Protection, Councillor Helen Dyke.

3. Key Issues

3.1 Partnership Structure

District Operational Groups are identified as Safer District Groups and are known as Safer Bromsgrove Group, Safer Redditch Group and Safer Wyre Forest Group. There are also a number of other sub groups as illustrated in Appendix One.

3.2 The Partnership Plan

NWCSP has a statutory duty to produce a three year rolling plan outlining how the Partnership intends to address key crime and community safety priorities, as identified through its annual Strategic Assessment.

The partnership agreed its priorities for 2017-20 in December 2016 and they are:

- Reducing violence and abuse: including sexual offending, domestic abuse and Child Sexual Exploitation (CSE)
- Reducing Theft and Acquisitive crime: including shoplifting, thefts and burglaries
- Reducing Anti Social Behaviour, Damage and Nuisance: including criminal damage, environmental issues and deliberate fires/arson
- Protecting vulnerable communities: including reducing harassment and threatening behaviour motivated by hate
- Reducing offending and reducing the harm caused by drug and alcohol misuse are cross cutting themes which impact on all priorities

The 2019 Strategic Assessment is currently being produced by the CSP Analyst team based at West Mercia Police HQ. This statutory document was

presented in draft to the Partnership in September 2019 and a summary of its initial findings are as follows:

Crime Type	Data
All Crime	From April 2018 to March 2019 North Worcestershire recorded a total of 21,066 offences, equating to an average of 1750 offences a month. Offences rose significantly in July 2018 (n = 1932) but this increase was not observed during August to September. 24% of all crime across West Mercia (n = 21,081, 24%) took place in North Worcestershire, comparable volume with South Worcestershire (n = 21,338, 25%).
Domestic Abuse	During 2018 to 2019 there were 5,575 Domestic Abuse Incidents in North Worcestershire, an increase of 4% compared to the previous year. The most Domestic Abuse Incidents were recorded in July 2018, with the likely contributing factors of the Football World Cup, increased alcohol consumption and warmer weather leading to increased reporting. The majority of incidents occurred in residential properties whilst 20 incidents occurred in bars, pubs or nightclubs.
Hate Crime & Targeted Harassment	In 2018/19 there were a total of 158 Hate Incidents and 41 Race or Religiously Aggravated Fear Offences recorded in North Worcestershire. Racial Hatred accounted for the most Hate Incidents (n = 80), followed by Homophobic incidents (n = 38). As hate crime often targets those who traditionally are more reluctant to report being the victim of an offence for a variety of reasons increases in reports are viewed as a positive, reflecting greater confidence by victims to come forward. Additionally, mobile communication devices are allowing offences to be reported sooner after offences occur. There were a total of 92 Harassment Offences and 51 Racially or Religiously Aggravated Offences recorded. The majority of Harassment Offences were considered intentional (n = 51) and were reported to involve verbal abuse and the use of racist terms and offensive language. Offences often occurred in the street or in shops and supermarkets (n = 11, 12%)
Night Time Economy Violence	For the purpose of the Strategic Assessment, offences associated with the night time economy or NTE are categorised as having occurred between 18:00hrs and 06:00hrs and at premises such as bars, clubs, pubs and on the street. All residential properties are excluded from the analysis. NHS Assault data from October 2018 to March 2019 showed that the majority of assaults occurred at night and were located in Bars or Pubs (n = 50). The most frequent method used was "punch with fist" (n = 92). Often the victim

Crime Type	Data
	<p>refused to give suspect relationship details to the NHS (n = 61), this may be due to domestic abuse, loyalty or fear of reprisal. Where a relationship was described, most offenders were recorded as 'strangers' (n = 53). The majority of the offences occurred in the Street (n = 63), closely followed by Licensed Premises (n = 58).</p>
Residential Burglary	<p>Between 1 April 2018 and 31 March 2019 there were a total of 1,443 residential burglary offences recorded. October 2018 recorded the highest volume of residential burglary (n = 164). The majority of victims of residential burglaries were older people, likely perceived to pose less of a risk of confrontation to the offender. The most frequent methods of entry were: forced doors (28%), damaged locks (23%), property unsecure (16%) or smashed windows (12%). Garden tools and farm equipment were the most frequently stolen items (13%) alongside cash, cards, wallets and purses (13%) car keys (10%) electrical items (8%) and jewellery (8%) It is highly likely that items are quickly resold and converted to cash and it is widely believed that these items are stolen to fund drug use. There were 136 car key burglaries in the period, most of which involved high value vehicles valued at over £15,000. Improved technology means that cars may now be stolen without the need for keys, referred to as Electronic Compromise Offences or ECOs. Vehicles are entered using an electronic device, often mimicking the electronic key code. Many car key burglaries are believed to be linked to Organised Crime Group (OCG) activity in the West Midlands Police area.</p>
Theft From Store	<p>There were a total of 2,341 offences of Theft from Store recorded across North Worcestershire in 2018/19, which was an increase of 12% in comparison with 2017/18. The volume of offences fluctuated throughout the year with activity between April and August 2018, peaking in May. Overall there were fewer offences during the Autumn and Winter. Most offences occurred at Supermarkets and Shops (n = 1,487, 64%). Commercial garages recorded the next highest volume of offences (n = 41). Items most frequently taken were Alcohol (14%) and Meat (13%).</p>
ASB	<p>There were 9,876 incidents of anti-social behaviour (ASB) in 2018 to 2019 which showed a 5% decrease compared to the previous year. Incidents were highest in July 2018 (n = 1,070, 11%).and then slowly declined until a slight increase in October 2018. This indicates a seasonal trend in activity during the summer months and school holidays, as well as October Half Term and Halloween. Qualifiers are recorded against incidents when the key factors that relate to each</p>

Crime Type	Data
	incident are described. Over half of the reports (54%) had no qualifier recorded. Of the remaining reports (n = 4,501), the following qualifiers were the most frequently recorded; Youth (n = 804), Drugs (n = 572) and Alcohol (n = 516). A key word search of these reports showed the most common themes were Neighbour issues, Noise, and Drugs.
Youth ASB	Youth related incidents accounted for 8% of all ASB (n = 804). Incidents were often reported in town centres in part due to increased visitor population. Youth related ASB decreased by 24% in comparison to the previous year. However, this is likely due to differences in the application of qualifiers or markers. Most youth related ASB occurred in May 2018 and was likely attributable to the warmer weather but not the two bank holidays. Most youth related ASB incidents involved noise complains (n = 65), followed by incidents involving deliberate fires (n = 39).

Further analysis into key areas is currently being undertaken and the results will be used to develop NWCSP's new three-year Partnership Plan for 2020/23. The NWCSP will then undertake a period of consultation, which will be open to all. The NWCSP will use the feedback to shape the final plan, which will be published in April 2020. A lot has changed over the last three years and the new Plan must meet the challenges of a changing delivery landscape and risk profile for community safety.

Drawing on a robust evidence base, the Plan will identify the community safety issues that most impact on the safety, health and wellbeing of North Worcestershire's residents and visitors and sets out what the Partnership intends to do to tackle these issues effectively and achieve safer, healthier and more resilient communities.

3.3 **John Campion, West Mercia Police and Crime Commissioner**

The PCC has a duty to co-operate with CSPs to reduce crime and disorder and there is a reciprocal duty on CSPs to collaborate with the PCC. The PCC and CSP must have regard to each other's priorities within their respective plans. The NWCSP contributes to delivering the PCC's priorities at a local level. The PCC's vision is focused on four key areas:

- Building a more secure West Mercia: CSE, domestic abuse, vulnerable people, sexual offences, ASB, drugs and alcohol, reducing reoffending, road safety
- Reassuring West Mercia's communities: feeling safe as well as being safe, engaging with the public, protecting from cyber-crime, making voices heard around rural crime
- Putting victims and witnesses first

- Reforming West Mercia Police

Tracey Onslow, the Deputy PCC, represents the PCC in communities across West Mercia. Her portfolio includes cyber crime, business and rural crime, victims' services and commissioning. CSPs have worked closely with the Deputy PCC as the PCCs new commissioning model continues to develop. The first commissioning areas to be considered by the Deputy PCC were CCTV upgrades and CSP funding for Data Analysis support. Both reviews have been completed and substantial funding has been provided to deliver in both of these key community safety areas.

Data Analyst Support - The PCC has taken CSP analytical support directly into the Office of the PCC using a proportion of the ring-fenced funding from each of the West Mercia CSPs plus some additional PCC funding. There is now a team of three CSP analyst posts that deliver data and information such as regular CSP Crime and Data Overviews, Serious and Organised Crime Profiles and the annual statutory Strategic Assessments.

CCTV Infrastructure Upgrade - In 2017/18 the NWCSF was allocated £195,000 of PCC funding over a three year period for improvements to the area's CCTV scheme. On behalf of the three Local Authorities, the CSP developed a proposal to use this capital contribution to modernise the CCTV infrastructure that serves the three district areas. The plans will see an upgrade of the current scheme to support Internet Protocol Recording and will therefore upgrade the technological capabilities of the current scheme to digital processing. This will greatly increase the current CCTV scheme, including enhanced digital capability, improved image quality and greater capacity to expand the scheme and/or link to other digital systems across the region, in the future, subject to further funding.

In March 2018, NWCSF agreed to allocate a proportion of its ring fenced revenue grant from the PCC to the project, as the CCTV grant is separate to NWCSF's core funding allocation. January 2019, the PCC then provided an additional £50,000 of capital CCTV funding to each CSP in West Mercia.

Given the amounts of funding involved, this project is the most ambitious undertaken by the Partnership and the project is also being match funded by the North Worcestershire Local Authorities with additional revenue, capital and in-kind contributions being provided to support the project. Wyre Forest District Council's match funding in-kind contribution is £71,840, which is the total revenue expenditure to operate the CCTV scheme, plus officer time from the Community Safety and Partnerships Officer for project management. The total amount of NWCSF funding allocated to the project is £339,000 and work has begun to implement the scheme upgrade. A technical consultant has been commissioned to design the specification for the upgraded scheme and the tender for the installation and maintenance contract was awarded in October 2019 via a national procurement framework. The project has challenging timescales as the NWCSF funding has to be spent by 31st March 2020; however the Project Management Team is confident that all milestones will be achieved and the project successfully completed on time.

3.4 Grant Funding from the PCC 2019/20

Throughout 2019, the NWCSP allocated its core- funding received from the PCC to various projects and activities across the three district areas. The amount of funding provided to the CSP is based on previous year's allocations and the table below shows the projects agreed by the NWCSP.

Project	Funding Amount
North Worcs CSP contribution to the West Mercia Analyst Team	£20,000
Wyre Forest Keeping Safe Project	£48,125
Bromsgrove and Redditch Schools Respect Programme	£28,125
North Worcs Young Citizens Challenge 2019	£1,000
North Worcs CCTV Scheme Upgrade (CSP Revenue)	£94,000
North Worcs CCTV Scheme Upgrade (PCC Capital)	£245,000

The progress of the grant funded projects is reported quarterly to the PCC and at the end of the financial year there is a requirement for the CSP to provide a comprehensive evaluation of all funded projects. This includes a breakdown of project expenditure and the outputs and outcomes achieved against the PCC's Plan.

3.5 Local Delivery, Key Projects and Progress

The report will now provide an update on some of the key community safety project activity that took place in 2019/20.

The Council's Community Safety Team continues to monitor and respond to district community safety issues, co-ordinating local operational delivery with partners via the Safer Wyre Forest Group. The team is the first point of contact for residents and partners with concerns about local crime and community safety issues and officers are able to call upon other community safety partners when local concerns require a multi-agency response. The Safer Wyre Forest Group meets on an 8 weekly basis to monitor district activity and performance and to review local operational delivery of projects and initiatives.

Wyre Forest Community Safety Project Officers (CSPOs)

The PCC funding for the Wyre Forest Keeping Safe initiative is used to employ two part-time Community Safety Project Officers (CSPOs); Hilary Hollis and Jeannette Lane. Hilary and Jeannette deliver a number of community safety projects and initiatives and liaise with local communities and groups on crime prevention and personal safety issues. Hilary and

Jeannette work with many local community groups (and individual residents) to offer guidance and information about a variety of community safety concerns.

The CSPOs have also responded to a number of ad-hoc calls and emails from residents expressing concern about aspects of crime, Anti Social Behaviour and community safety in there neighbourhood. Hilary and Jeannette have offered appropriate advice, contacted other agencies on their behalf and provided additional support as necessary.

While the PCC has funded the Wyre Forest Keeping Safe, which includes the CSPOs and Community Ambassadors initiative, Wyre Forest District Council has also contributed £12,900 towards project delivery.

Wyre Forest Community Ambassadors

This is the sixth year of the Community Ambassadors (CAs) initiative with 55 young people directly involved. A CSPO is the lead and undertakes all of the project management and liaison with the schools, young people and Safer Schools PCSOs.

The breakdown of High Schools and numbers:

- Baxter College: 12 Community Ambassadors / potential reach 880 students
- Bewdley High School: 9 Community Ambassadors / potential reach 926 students
- Holy Trinity: 6 Community Ambassadors / potential reach 607 students
- King Charles High School: 6 Community Ambassadors / potential reach 1358 students
- Stourport High School: 12 Community Ambassadors / potential reach 1105 students
- Wolverley High School: 9 Community Ambassadors / potential reach 926 students
- Engaging with Wyre Forest School: 272 students

Training for the newly recruited Year 10 Community Ambassadors was held in June. The training went well and the feedback received afterwards was positive. The new Community Ambassadors were formally invested by Deputy PCC Tracey Onslow, at the Young Citizenship Celebration Evening, on 10th July 2019. The CSPO has organised a further training session on 12th February 2020.

Campaigns delivered this year:

- Anti-social behaviour: raising awareness of consequences using presentations and the Community Ambassador ASB film on their
- Water Safety: working in partnership with our local Severn Area Rescue Association (SARA), the CSPO organised interactive activities for the CAs to deliver to help get the message across on the risks of cold water swimming etc.
- Personal Safety: a stand offering personal safety tips and items to keep students safe when out and about. Advice shared during tutor time and assemblies to 600+ students.
- Halloween and Firework safety: a poster competition was held and safety information shared during tutor time to over a 1000 students.

- Healthy minds: covering stress and how young people can improve their own mental health.
- Internet safety: an exhibition was created for the KAFF (Kidderminster Arts and Food Festival) and was on display at Kidderminster Town Hall with over 3000 people seeing it.
- Knife crime: quiz on the consequences of carrying a knife and an information stand.
- Road safety: local survey carried out then advice shared during assemblies to 300+ students.
- Anti-bullying week: raising awareness amongst young people about bullying and the support available whilst embracing the national theme "Change starts with us" through assemblies, tutor time, posters and activities reaching 600+.
- White Ribbon: raising awareness amongst young people about domestic abuse and be able to signpost them to the appropriate services for young people if help or advice is sought. A number of activities were held in each high school creating displays made from pledges and white ribbons distributed and worn by staff and students reaching around 5000 students/teachers.
- Food Bank collection: linking the school with a local organisation and co-ordinating the collection and delivery of items.

All the Community Ambassadors share their work via Instagram which has over 1300 followers.

Young Citizenship Celebration Evening 10th July 2019

This was the 8th annual event organised by the CSPO and took place on 10th July at Kidderminster Town Hall. This year the event was compered by the Community Safety and Partnerships Officer and attended by approximately 250 parents, carers, teachers and partners. The event celebrated the wide range of citizenship work carried out by young people from Wyre Forest schools and other local youth providers.

Deputy PCC Tracey Onslow attended and invested the new Community Ambassadors, helped to present the Be Change Awards and provided the closing words. The Young Citizens Challenge award was presented to the winning school, St Bartholomew's Primary School. A special award was presented to a young person for her exceptional work caring for the local environment. The induction of new cohort of Community Ambassadors took place and West Mercia Police's Young Good Citizen Award was presented to the 2018/19 Community Ambassadors. The ContinU Trust 'Be the Change' awards were presented to the winners.

Detached Youth Team Pilot

Using external funding the Community Safety Team has commissioned KDYT to provide a district wide detached youth scheme on a pilot basis until June 2020. The team commenced in June and work Thursday, Friday and Saturday evenings. They visit all parks and open spaces to engage with young people. The locations visited are determined by community safety and detached youth team input, partners and local knowledge. KDYT's Manager and a CSPO work closely together. Since June 2019, the team has engaged with

1026 young people. Quarterly reports are provided and an evaluation will be undertaken prior to the end of the pilot period.

White Ribbon Campaign and 16 Days of Action 2019

The White Ribbon campaign and the 16 Days of Action, 25 November to 10 December, is an international campaign demonstrating the commitment to never commit, condone or remain silent about domestic abuse and sexual violence.

From a national perspective one in four women and one in six men will in their lifetime experience domestic abuse. On average, two women a week in England and Wales are killed by a violent partner or ex-partner. Domestic abuse is estimated to cost the economy and society £23 billion a year.

Specific Wyre Forest activities were co-ordinated by a CSPO:

- White Ribbons and information flyers were made available to staff and parents at 10:32 Children's Centres.
- White Ribbons and information flyers were made available to staff and parents at Wyre Forest Primary Schools via the Wyre Forest & Hagley Project.
- The Community Ambassadors in Wyre Forest High Schools made pledges, distributed Ribbons, held awareness raising activities and stands. Information about their activities is available on their website www.communityambassadors.org.uk.
- A #makethepromise interactive performance workshop was held at Baxter College for approx 80 Year 9 pupils.
- Safer Wyre Forest partners had information stands and made Ribbons available to staff and public. Information was included in newsletters and partners were encouraged to wear the Ribbon and post photos on social media.
- WFDC Councillors and staff had information and Ribbons available at Wyre Forest House and Green Street offices.
- A Domestic Abuse Awareness Workshop was held for all WFDC Members on 9th December.
- Ribbons and information were made available to staff and customers at the Customer Service Centre in Kidderminster.
- At WFDC, information was included on plasma screens, in bulletins, on Wyred Weekly, Wyred In, WFDC and NWCSF websites.
- A press release was included in the Kidderminster Shuttle at the start of the campaign.
- A comprehensive social media campaign was undertaken on Facebook and Twitter with over 2000 reach on Facebook and 11400 plus on Twitter over the course of the campaign.
- A CSPO attended the conference 'Shining the Spotlight on Coercive and Controlling Behaviour' held on 28th November at Bank House hotel, Worcester.
- 3800 White Ribbons and 1000 flyers were distributed.

North Worcestershire Hate Incident Partnership and Hate Crime

In support of national Hate Crime Awareness Week 12th-18th October 2019, Safer Wyre Forest undertook a programme of activities to raise awareness

of how to recognise a hate crime and to encourage members of the public to report incidents whether they are a victim, a witness or third party.

The focus was using all available social media, electronic screens and setting up information stands in prominent places. Facebook, Twitter and Instagram and the NWCSF website were used to raise awareness reaching 9000+ residents. The Community Safety Team funded, co-ordinated and worked with a theatre company to deliver Hate Crime Awareness workshops to Year 8 students at King Charles 1 School, Kidderminster helping them to recognise what a hate crime is and how to report it.

A new simplified NWHIP leaflet has been designed and distributed to all partners. Safer Wyre Forest will continue to promote the work of the North Worcestershire Hate Incident Partnership through events and social media.

Home Security Scheme

During this period, Safer Wyre Forest's Home Security Scheme has supported five victims of domestic abuse and three victims of domestic burglary. A CSPO co-ordinates the scheme and is also trained in providing crime risk surveys of properties.

Loan Sharks Awareness Bite Back Week Campaign 8th July – 12th July

A CSPO worked with the England Illegal Money Lending Team and other partners to hold a week-long 'bite back' campaign across Wyre Forest to warn residents of the dangers of loan sharks. A series of activities took place, including an awareness raising stand in Kidderminster Town centre encouraging residents to receive help and support if they are in debt, while finding out more about why loan sharks should always be avoided and to report the crime if they have been a victim. Awareness raising was undertaken via social media. 'Sid the Shark' toured local primary schools in targeted areas to highlight the perils of loan sharks. Partners delivered leaflets to key areas. A survey was produced with the incentive of a prize draw if completed.

Seasonal Crime Prevention

On behalf of the NWCSF, at a district level the CSPOs have been raising awareness of the following through social media, reaching hundreds of residents. Topics include:

- Running a crime prevention and personal safety stand at the Showcase of Services for Older People event held at Kidderminster Town Hall.
- Vehicle crime during the winter months.
- Scams both on-line and via the telephone.
- Halloween and Firework safety.
- Crime Free at Christmas – covering on-line shopping safety, purse dipping, loan sharks, not leaving Christmas shopping on show in the car or empty present boxes outside until bin collection etc.
- Staying safe over the festive period including drinking, getting home safely etc.
- White Ribbon Day and 16 Days of Action (domestic abuse) including stalking.
- The Safer Wyre Forest Community Safety Bulletin was sent out across Wyre Forest to our 680 subscribers.

Communications and Community Engagement

This year, Community Safety Project Officers attended a number of events in order to speak to local residents, provide crime prevention advice and raise awareness of community safety campaigns. For example, officers attended the Showcase of Services for Older People, Big Local DY10 'Big Picnics' the Fire Station Open Day and spoke to 950 residents across the three events.

Over the course of the year, the Community Safety Team has assisted 52 residents with issues relating to anti social behaviour. This often involves liaising with partners to resolve issues and helping residents to feel that they are being listened to.

The Community Safety Team is proactive with social media and makes effective use of its Twitter, Facebook, Instagram and YouTube accounts. These are all co-ordinated by a CSPO along with the NWCSF website, Community Ambassador Website and a Safer Wyre Forest bulletin.

4. Risks and Challenges

Community Safety Project Officers

Funding for the two part-time CSPOs currently ends on 31 March 2021. Negotiations have taken place with Kidderminster Town Council in the anticipation that the staff could be transferred to the employment of the Town Council. However, at its Full Council Meeting, on 29 January 2020, the Town Council decided not to take on any new services including the employment of the CSPOs. If alternative arrangements are not able to be made, the CSPOs will be made redundant on 31 March 2021.

Capacity

In addition to changes to the Community Safety Project Officer posts, there have been other deletions to posts at Wyre Forest District Council, which has an impact on capacity for the Council's Community Safety Team. As a result the Community Safety and Partnerships Officer will have an expanded role that will not just focus on community safety. The Council and the NWCSF need to be mindful of these changes in capacity and expectations must be managed.

Potential review of CSP arrangements

Currently there are two CSPs; one in North Worcestershire and one in South Worcestershire. The possibility of merging to create one CSP to cover the whole of Worcestershire has been raised by the Worcestershire Leaders. Further information is waited upon but there could be a review of Community Safety Partnership arrangements later this year.

Serious Violence duty

In July 2019, the then Home Secretary, Sajid Javid, announced a new legal duty on public bodies to prevent and tackle serious violence. The new 'public health duty' covers the police, local councils, local health bodies such as NHS Trusts, education representatives and youth offending services and it aims to

ensure that relevant services work together to share data, intelligence and knowledge to understand and address the root causes of serious violence including knife crime. It will also allow them to target their interventions to prevent and stop violence altogether.

As part of the new duty, the government will amend the Crime and Disorder Act to ensure that serious violence is an explicit priority for Community Safety Partnerships by making sure they have a strategy in place to tackle violent crime. More details can be found here: [House of Commons Library Research Report](#)

PCC Elections and Funding

PCC elections are due to be held on 7 May 2020 and this could result in changes. The NWCSP was advised at the end of January 2020 of its PCC core funding for 2020-21. NWCSP has been allocated £119,250 and the NWCSP will discuss and agree how to allocate the funding at its forthcoming partnership meeting.

5. Options

- 5.1 That progress by the North Worcestershire Community Safety Partnership and the Safer Wyre Forest Operational Group be noted.
- 5.3 Members note the partnership activity engaged in tackling the North Worcestershire Community Safety Partnership priorities in Wyre Forest.

6. Consultation

- 6.1 Cabinet Member for Culture, Leisure and Community Protection, Councillor Helen Dyke
- 6.2 Corporate Director - Community Wellbeing and Environment

7. Related Decisions

- 7.1 None

8. Relevant Council Policies/Strategies

- 8.1 Wyre Forest District Council Corporate Plan 2014-19

9. Implications

- 9.1 Resources: Staff time and funding from internal and external budgets.
- 9.2 Equalities: There are no negative impacts on equality, which arise as a result of the NWCSP and its associated activities.

9.3 Partnership working: The NWCSP Strategic Group and its delivery groups involve a number of partners at a strategic and operational level.

9.4 Human Rights: No direct implications from this report.

9.5 E-Government: No direct implications from this report.

9.6 Transformation: No direct implications from this report.

10. Equality Impact Needs Assessment

10.1 As this is an update report, no equality impact needs assessment is required.

11. Wards affected

11.1 All wards and across the administrative boundaries of Bromsgrove, Redditch and Wyre Forest.

12. Appendices

12.1 Appendix One: Structure of the North Worcestershire Community Safety Partnership

13. Background Papers

West Mercia PCC's Safer West Mercia Plan 2017-21

Officer Contact Details:

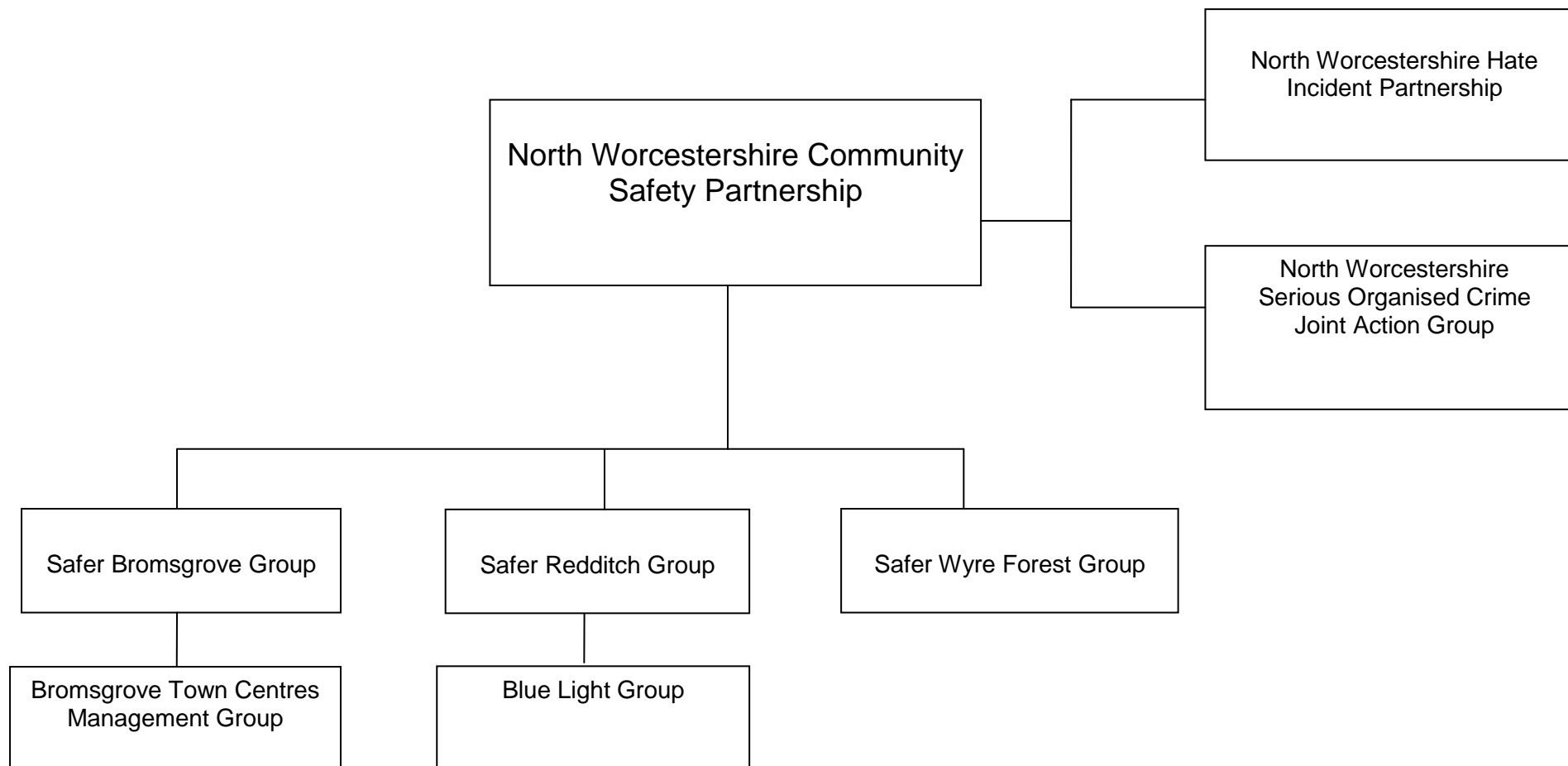
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Appendix One: Structure of the North Worcestershire Community Safety Partnership





Overview & Scrutiny Committee

Briefing Paper

Report of: Kate Bailey
Date: 5th March 2020
Open

Housing Assistance Policy

1. Summary

- 1.1 To agree the policy that will be used to determine how the Disabled Facilities Grant (DFG) funding from central government will be spent. In 2019/20 the Council received £1.286m of capital funding via the Better Care Fund (BCF) to deliver its DFG programme and related services.

2. Background

- 2.1 Local Housing Authorities have a duty to provide Disabled Facilities Grants (DFGs) under the Housing Grants (Construction and Regeneration) Act 1996. DFGs are a mechanism to provide financial assistance to applicants who require an aid or adaptation to be able to remain living independently at home where they fall below an income threshold (unless the DFG is for a child).
- 2.2 Wyre Forest District Council discharges this duty through the use of a Home Improvement Agency (HIA) who are commissioned jointly by all the Local Authorities in the County. The current providers, Fortis Living have the contract to provide the service until March 2020. The Council currently pay HIA an annual sum for this service of approximately £130k for revenue services and approximately £830,000 for capital works
- 2.3 All Local Housing Authorities are required, by the Regulatory Reform Order 2002, to have a Housing Assistance Policy (HAP) where they wish to provide discretionary grants and services in addition to the mandatory DFGs. Accordingly the Council has had its HAP in place since that date and has amended it on a number of occasions to account for changing circumstances. The latest proposed HAP is shown at Appendix One. Discretionary grants and services are provided for a number of reasons but primarily where they would support the Better Care Fund (BCF) metrics or support applicants requiring DFGs in other more cost effective ways. It is also possible to use the capital funding to contribute towards revenue costs e.g. staffing incurred in the provision of the service. To provide consistency to Worcestershire residents the HAP is replicated across the county where possible. The DFG element within the BCF is ringfenced so that the County Council must passport it through to Local Housing Authorities for the purpose of DFGs but within that spending there is some ability to use the funding for capital grants and related

services providing that the overall need for mandatory DFGs is met, the spending is in line with the BCF and the Council has a HAP in place.

2.4 The Council's allocation has increased from £557k in 2015/16 to £1.286m in 2019/20 as a result of the government's support of DFG as a way of improving wider health objectives and is likely to remain at this level. Please note that only a percentage of the BCF award is passported through to the HIA and this is spent on a variety of services and grants including DFGs. The increase in funding has enabled the Council to better meet increasing demand and enable more creativity and flexibility to identify new, more cost effective ways of delivering grants and services.

2.5 Numbers of grants delivered has steadily increased over the lifetime of the contract as funding has increased, but in order to respond to those applicants who wish to apply directly to the council for grants, or where work links to other grants the Council offers directly, the Council funds a DFG officer directly in addition to the HIA service provision. The award and number of DFGs undertaken by both the HIA and directly by the council is shown in the table below;

YEAR	BCF AWARD TO WFDC	No DFG BY CRW	NO OF DFG BY COUNCIL
2015/16	556,000	74	N/A
2016/17	1,002,000	102	N/A
2017/18	1.097,000	127	34
2018/19	1.192,000	126	37
2019/20	1,286,646	135 (q1-3)	44 (q1-3)

2.6 In addition the DFG officer has also awarded the following grants;

WFDC Grants	Number in 2017/18	£	Number in 2018/19	£	Number in 2019/20 up to q4	£
Home Repairs Assistance Direct Applications	4	6,509.00	4	19,710	8	25,941.00
Landlords	52	66,797.00	28	32,372.96	12	14,815.00

Assistance Grants						
Total	56	155,327	32	52,082.96	20	40,756.00

- 2.7 Throughout the last four years there has been some concern regarding the number of referrals through to the HIA from the Occupational Therapists who are employed by Health and Care Trust and the consequent waiting times for customers. To support the resolution of these issues the HIA has been given resources by the six Housing Authorities to employ two part time County Occupational Therapist (OT) posts. In addition the council DFG Project Officer has been trained as a Trusted Assessor to be able to assess lower need cases.
- 2.8 The new funding has enabled the Council to offer a wider range of grants that support households to remain living independently in their home. Included in the new grants is the Dementia Dwelling Grant (DDG). For those people living with a diagnosis of dementia small items of equipment or works can support them to remain living safely and independently at home. In 2018/19 78 DDG were completed in Wyre Forest and over £15,000 in grants awarded.
- 2.9 The new HIA contract has been awarded to Millbrook Healthcare. Millbrook have experience of delivering HIAs around the country, along with community equipment services and are establishing an office in Martley, Worcestershire. The service is currently in a transition phase with Millbrook Healthcare working to a detailed implementation plan including TUPE of existing staff and the Local Housing Authorities following an exit and handover action plan with the current service providers Platform (formerly known as Fortis Living).

3. Key Issues

- 3.1 The primary purpose of the amendments to the HAP have been to seek greater parity with the other five Local Housing Authorities to reduce the “postcode lottery” affect and make it easier for the service provider to administer the system. Whilst some differences remain within the County these arise because of local needs and budgets available. The grants specific to the Council are shown in Appendix One of the HAP.
- 3.2 In order to bring shared financial assistance policies and procedures into line the following amendments have been made to the Council’s HAP 2018
- 3.2.1 The policy for provision of discretionary Disabled Facilities Grant (that is not means tested) has been amended following the trial of a number of different approaches across different councils. The new policy allows for works of up to £10k to forego a means-test and to have the cost of works to be held as a charge on the property to be repaid upon sale of the property. This raises the existing WFDC limit from £5k. WFDC had not been applying any future claw back of the funding in our pilot. This is felt to strike the right balance to encourage take up by persons who may have through the means-test a minor contribution that they may struggle to meet and enabling re-cycling of funds.

- 3.2.2 The Hospital Discharge Scheme maximum grant has been raised from £3k to £5k. Although most cases have only required a few hundred pounds (for example a key safe to enable carers visits and deep clean of the property), there have been cases where the amount needed has been just over £3k. This will enable more cases to be dealt with and delayed discharge from hospital.
- 3.2.3 Funding for ceiling tracking and hoists has been included to provide clarity that the council will allow for funding of these items where part of a DFG scheme. Previously the Council would have provided the structure of an extension or major refurbishment and expected the County Council to fund these elements. However these fall between the definitions of equipment and adaptation of property and given the different means-testing arrangements by the County Council we would otherwise be facing a situation where individuals had the bathroom facilities installed under DFG but no means to use those facilities i.e. the tracking for the hoist.

4. Options

- 4.1 To recommend to Cabinet that:
 - 4.1.1 The Housing Assistance Policy 2020 be approved; or
 - 4.1.2 Any other alternative recommendation that the Committee may agree.

5. Consultation

- 5.1 Care and Repair Worcestershire (the current HIA)
- 5.2 Corporate Leadership Team
- 5.3 Local Housing Authorities in Worcestershire

6. Related Decisions

- 6.1 Not applicable

7. Relevant Council Policies/Strategies

- 7.1 Not applicable

8. Implications

- 8.1 Resources: All spending proposals are within the existing budget / funding.
- 8.2 Equalities: Not applicable
- 8.3 Partnership working: The Home Improvement Agency is jointly commissioned by the six Local Housing Authorities and the County Council in Worcestershire.
- 8.4 Human Rights: Not applicable
- 8.5 E-Government: Not applicable
- 8.6 Transformation: Not applicable

9. Equality Needs Impact Assessment

- 9.1 An Equalities Impact Screening Assessment has been undertaken. The policy gives consideration to and has a positive impact for those with health needs including those with disabilities and to children and young people. There are no other implications identified for other groups with a protected characteristic.

10. Wards affected

- 10.1 All wards within the district are affected.

11. Appendices

- 11.1 Appendix One: Housing Assistance Policy

12. Background papers

- 12.1 Not applicable

Officer Contact Details:

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**WYRE FOREST DISTRICT COUNCIL PRIVATE
SECTOR HOUSING ASSISTANCE POLICY 2020**

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1 INTRODUCTION

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 requires all councils to adopt and publish a policy outlining how they intend to exercise powers set out within the legislation, to include use of government funding received through the Better Care Fund, to meet both national aims, outcome measures, metrics and local needs in addition to locally funded forms of assistance.

The policy is designed to contribute towards the council's strategic aims and objectives by assisting with:

- a) The improvement of housing quality in all tenures
- b) Enabling people to stay in their home as they get older and provide disabled persons with maximum manoeuvrability around their homes
- c) Improving energy efficiency and eliminating fuel poverty
- d) Improvement of social care, health and social wellbeing

2 OUR POLICY AIMS

The key aims are to address the issue of vulnerable persons or persons on low incomes who either cannot afford to maintain their properties in good repair or who cannot fund essential adaptations required in order that they might fully utilise their home, benefit from safe and decent housing and retain their independence. This will include;

- Increasing the number of people who are able to remain at home and prevent inappropriate admission to hospital, residential and care homes
- Preventing delayed release from hospital or other types of care
- Reducing the number of persons and particularly vulnerable persons living in homes that have category 1 and serious category 2 hazards (as set out within the Housing Act 2004)
- Improving the health of customers by reducing the number of households in fuel poverty
- Facilitating a range of housing options to help people move at an earlier stage to avoid unnecessary DFG spend and care/support costs.

The council will consider in all cases a person's ability to repay or contribute towards the assistance given whether under a mandatory requirement or as a criteria set within any discretionary form of assistance. The council or its appointed agent will provide in writing the conditions and any obligations to which any form of assistance provided is subject.

The council or its appointed agent will consider all applications for assistance on their merits however all cases will be assessed against the following criteria;

- All available options, including but not restricted to financial, have been fully explored
- Assistance through other means is not reasonably available or practicable
- The proposal fits the strategic aims of the council and/or national aims and metrics of the Better Care Fund Plan

- The proposal is economically viable considering the council resources available

The council will review this policy on a regular basis to reflect evidence concerning the conditions of housing within the area and respond to changing policies at a national or local level.

3 SUMMARY OF FINANCIAL ASSISTANCE AVAILABLE

Financial assistance is discretionary, with the exception of mandatory Disabled Facilities Grant, and are subject to the council having sufficient resources.

The Policy gives discretion to extend or amend eligibility criteria, level of grant or assistance and scope of works where the situation is exceptional and, in the opinion of the Head of Strategic Growth that assistance would help the council meet its strategic housing objectives and/or Better Care Fund metrics.

Appendix 1 of this document provides details of additional local discretionary assistance available to residents in Wyre Forest. The general terms and conditions of this policy are applicable to these additional discretionary grants.

3.1 Mandatory Disabled Facilities Grants:

These are mandatory grants to support the provision of adaptations to promote independent living within the home, subject to the provisions of the Housing Grants, Construction and Regeneration Act 1996.

3.2 Discretionary Disabilities Assistance:

The following are discretionary forms of assistance enabled through the central government Better Care Fund allocation, subject to the primary requirements of mandatory Disabled Facilities Grant being firstly met:

- **Discretionary Disabled Facilities Grant** - To enable top-up funding to a Disabled Facilities Grant scheme that exceeds the mandatory Disabled Facilities Grant maximum where the additional costing is considered justifiable.
- **Minor aids and adaptations** – Funding to support assistance available through the Minor Adaptations/Handyman Service to reduce necessity for a full Disabled Facility Grant.
- **Dementia Dwellings Grant** - To assist persons with dementia with specialised living aids to enable independent and safe living.
- **Ceiling Tracking & Hoists** - Top-up funding to support the provision of ceiling tracking and hoist equipment required to meet the needs of a disabled person, administered through the Integrated Equipment Service.
- **Hospital Discharge Scheme** – For fast-tracked and non-means tested works to the home to enable earlier hospital discharge where problems in the home are identified as a possible reason for delayed discharge.

3.3 Other Discretionary Assistance:

- **Home Repair Assistance:** To ensure that vulnerable persons remain in their homes in safe, warm and healthy conditions.

4 HOW TO APPLY AND MAKING A FORMAL APPLICATION FOR A MANDATORY DISABLED FACILITIES GRANT OR DISCRETIONARY DISABILITIES ASSISTANCE

All applications must be on a form provided by the council or its appointed Agent and must include the following documentation:-

- (i) Particulars of the work to be carried out including, where appropriate, plans, specifications, schedule of work and specialist reports. This should include the complete scheme in cases where the whole scheme exceeds that which is eligible for Assistance.
- (ii) Details of any professional fees or charges relating to the work and for which assistance is being sought.
- (iii) Proof of ownership of all land and buildings pertaining to the application from a solicitor or mortgagee, or copies of the title deeds/land certificate, or a copy of the tenancy agreement or licence to occupy in the case of a tenanted property.
- (iv) Proof of occupation and/or tenancy where applicable.
- (v) Proof of a qualifying pass-porting benefit is being claimed.
- (vi) Where no pass-porting benefit is received, full financial documentation including but not limited to income received, benefits received, savings, pensions and where applicable rental income from tenants and boarders.
- (vii) Where applicable, permission of co-owners and landlords
- (viii) A VAT exemption form where the applicant or relevant person is registered disabled or capable of being registered.
- (ix) A signed conditions form accepting the obligation to repay the assistance in the event of any breach of the relevant conditions concerning future occupation, letting or ownership.
- (x) If required, permission under any statute including but not limited to, planning permission, Building Regulation approval, Party Wall Act, etc.

Applicants are not obliged to use the services of the council's appointed agent. However, where the application is being coordinated through the council's appointed agent then where there is a procurement frameworks approved by the council, this will be used. For a direct application to the council the applicant will need to provide quotes in line with the council's financial framework.

Applications relating to the disabled or infirm will require an assessment report from the Occupational Therapy Service or Trusted Assessor.

An application will only be considered complete or valid when the council or appointed Agent has all the information necessary in order to make a decision on the application.

Where an applicant uses the councils appointed agent to undertake the application the relevant agency fee will be included in the eligible costs.

The council reserves the right not to assist the applicant in the same manner as its appointed agent would provide where the applicant chooses not to utilise the appointed agency and to submit an application directly to the council.

Once approval has been given the applicant has 12 months from the date of the approval in which to complete the works, unless otherwise stated.

5 DETAILS OF FINANCIAL ASSISTANCE

5.1 Mandatory Disabled Facilities Grants (DFG)

These grants are mandatory under the Housing Grants, Construction and Regeneration Act 1996 and are subject to a statutory test of resources (means test) required to establish whether the applicant is financially able to contribute towards the costs of the eligible scheme.

Disabled Facilities Grants are awarded to enable applicants to have access to and around their homes, or to use essential facilities within the home to enable them to live safely and independently. Mandatory Disabled Facilities Grants can only be given for the purposes set out in the Act.

Ongoing maintenance and repair of adaptations and equipment provided under the grant will become the responsibility of the applicant or landlord as relevant.

Whilst it is recognised that a Disabled Facilities Grant is a mandatory grant, it is the Council's intention where possible to investigate all housing options that might meet the needs of the applicant in the most cost effective and suitable way before awarding a Disabled Facilities Grant. This could include moving to a more suitable and/or adapted accommodation that may be available to the applicant.

The maximum amount of Mandatory Disabled Facilities Grant is currently £30,000 set by statute. Discretionary Disabled Facilities Grant for costs above £30,000 will not be made available except upon the agreement of the council, in accordance with this policy under the Discretionary top up for Mandatory Disabled Facilities Grant, and where justified to be the most satisfactory course of action in the circumstances or to have arisen through reasonable and unforeseeable additional works or costs.

The council/appointed agent will endeavour to determine all valid applications within 2 weeks of receipt unless further information is required to enable that decision. Where additional information or other factors necessitate further investigation of options the council will determine the application at the earliest opportunity within the statutory timescale of 6 months.

Eligible Applicants

- Any applicant registered or capable of being registered under the Chronically Sick & Disabled Persons Act 1970 and requires adaptations to be provided.
- Any disabled person, as described by Housing Grants, Construction and Regeneration Act 1996, s.100. Applicants can be property owners or tenants or some landlords may apply on behalf of tenants.

Qualifying Criteria

- A referral from the Community Occupational Therapist (COT) via Social Services or a Trusted Assessor confirming that the works are 'necessary and appropriate' is required. This referral will recommend works.
- Entitlement to a Disabled Facilities Grant is mandatory but before approval the council has to be satisfied that the relevant works are both necessary and appropriate for the disabled person, and additionally that it is 'reasonable and practicable' to carry out the works.
- A permanent and legal residence, or long-term in the case of fostering, including dwellings, mobile homes, caravans and houseboats.

Second or holiday homes will not be considered for assistance.

Conditions

- Works must qualify as described in s23 of the Housing Grants, Construction and Regeneration Act 1996 (as amended).
- Works must be recommended by a Community Occupational Therapist or Trusted Assessor and be necessary and appropriate to meet the needs of the disabled applicant.
- The works must be reasonable and practicable to carry out having regard to the age and condition of the dwelling or building.
- Applicant will be subject to a financial assessment of resources except where
 - i) the applicant (relevant person(s)) is in receipt of one or more of the following means tested benefits; -Housing Benefit, Income Support, Guaranteed Pension Credit, Income-based Employment Support Allowance (ESA), Income-based Job Seekers Allowance (JSA), Working/Child Tax Credit where income is less than set threshold, Universal Credit
 - ii) The application is in respect of a disabled child.
- Proof of title is required
- Landlord consent to the works is required where applicable.
- Conditions relating to the recovery of equipment in specified circumstances are applied.
- The council will use its powers to place a local land charge against the property where the mandatory Disabled Facilities Grant exceeds £5000. The charge may be up to a maximum of £10,000 and repayment of the sum on charge is required where the adapted property is sold, transferred or otherwise disposed of within a 10 year period from completion of the work.
- In the case of a Disabled Facilities Grant where a 10 year conditional repayment obligation exists and the recipient intends to dispose of the property by sale,

assignment, transfer or otherwise within the 10 year period, the charge must be repaid, unless the council, having considered :

- i) the extent to which the recipient of the assistance would suffer financial hardship were he/she to be required to repay all or some of the grant or charge;
- ii) whether the disposal of the property is to enable the recipient to take up employment, or to change the location of his/her employment;
- iii) whether the disposal is made for reasons connected with the physical or mental health or well-being of the recipient of the assistance or of the disabled occupant of the property; and
- iv) whether the disposal is made to enable the recipient of the assistance to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the assistance is intending to provide, or who is intending to provide care of which the recipient of the assistance is in need of by reason of disability or infirmity,

is satisfied that it is reasonable in the circumstances to waiver or reduce the repayable sum.

Maximum Assistance

- £ 30,000

5.2 Discretionary Assistance

5.2.1 Discretionary Disabled Facilities Grant (Top Up)

Where works requested are in excess of £30,000 or considered to be unreasonable given the age, construction and/or condition of the property, alternatives to discretionary DFG funding including the following will normally be considered;

- a) Referral to Social Services and other relevant organisations (including charities) for their consideration of providing additional resources
- b) Alternative schemes of work.
- c) Assistance to enable a move to alternative accommodation, with funding for adaptations to the new accommodation.

Subject to availability of funding the council may consider Discretionary Top up for Disabled Facilities Grant. Where Discretionary Top up for Disabled Facilities Grant is considered appropriate the discretionary assistance will not exceed £10,000, will be repayable to the Council in full on the sale transfer or disposal of the property and will be registered as a Local Land Charge.

Maximum Assistance

£10,000 (once only)

5.2.2 Dementia Dwelling Grant

Subject to availability of funding the council will consider providing non means-tested assistance to provide aids and adaptations in the home designed to enable people with

memory loss or a diagnosis of dementia to manage their surroundings, retain their independence and reduce feelings of confusion.

This service provides a range of measures which can include such items as night lamps, touch lamps, dementia clocks, illuminated switches and key safes.

Eligible Applicants

- A referral from the Early Intervention Dementia Team Service (EDTS) or other relevant referring agency.
- The grant offer will be a combination of standard and bespoke products based around an assessment of individual need.

Qualifying Criteria

- Dementia diagnosis or suffering from recognised memory loss affecting day-to-day independence.
- Aid the person to remain in the home independently for a longer period.

Initial contact will be with appointed agent who will arrange for a visit by a Dementia Advice Service. A Dementia Advisor will survey the home and assess individual need. Products will be provided and those requiring installation will be installed.

Conditions

- Works must relate to the applicants dementia/memory loss needs.
- Assistance only available where it will aid the applicant to remain at home independently for a longer period.
- Only one application for assistance will be considered up to a maximum of £750 within any 2 year period. Exemption to this condition is at the discretion of the Head of Strategic Growth subject to justifying circumstances.
- The works must be completed within 12 months of the date of approval.

Maximum Assistance

- £ 750.00

5.2.3 Hospital Discharge Scheme

Subject to availability of funding this assistance is intended to aid timely discharge from hospital and help avoid re-admission.

Eligible Applicants

- Recognised disabled persons as described by Housing Grants, Construction and Regeneration Act 1996, (as amended) and

Qualifying Criteria

- The property is the applicant's permanent and legal residence
- Urgent minor adaptations that qualify under the Housing Grants, Construction and Regeneration Act 1996 (as amended)

Conditions

- All works must relate to the applicants needs.
- One off payment
- Must be referred by a relevant discharge practitioner
- Assistance will only be considered where a delay in provision of the necessary adaptations will cause and unreasonably delay release of the patient from primary care, or where an unreasonable delay in provision of the necessary works will cause a relevant person to be admitted to primary care.

Maximum Assistance

- £5,000 (one off)

5.2.4 Home Repair Assistance

This discretionary assistance is intended to ensure that vulnerable persons remain in their homes in safe, warm and healthy conditions. It is available to home owners that do not have sufficient financial resources to maintain their homes in a safe, health enabling condition free of serious defects or hazards. The assistance is repayable on sale, transfer or disposal of the property and does not accrue interest charges.

Eligible Applicants

- Owner occupiers or private tenants with a repairing responsibility, having savings of less than £16,000 and in receipt of one or more of the following means-tested benefits:- Income Support, Guaranteed Pension Credit, Income-based Employment Support Allowance (ESA), Income-based Job Seekers Allowance (JSA), Working Tax Credit, Universal Credit, Housing/Council Tax Support (not including single person or disabled person discount).

Qualifying Criteria

- The property is the applicant's permanent and legal residence.
- The property is in need of essential repairs as determined by the Housing Act 2004 to address Category 1 or significant Category 2 hazards as determined under the Housing Health & Safety Rating System, in order to make the property safe, warm, weatherproof and healthy for the occupants
- No assistance will be granted in respect of properties built or converted less than 10 years prior to the application date.

Conditions

- Only one application for assistance will be considered up to a maximum of £10,000 within any 5 year period. Where exceptional circumstances exist this condition may be relaxed at the discretion of the Head of Strategic Growth.
- Assistance is repayable in full to the council on sale, transfer or other disposal of the property. A Local Land Charge will be placed on the property for this purpose.
- The applicant must have lived at the property for a minimum of 12 months immediately prior to the application date as his/her sole permanent residence.
- The approved works must be completed within 12 months of the date of approval.

- Where the works are in respect of common parts or group repair assistance will only be considered to a reasonable sum or proportion of costs reflecting the applicant's liability.

Maximum Assistance

- £ 10,000 (within 5 year period)

5.2.5 Ceiling Tracking and Hoists

Subject to availability of funding this assistance is intended to meet the costs of providing fixed ceiling tracking and track mounted hoists where these do not form part of a mandatory Disabled Facilities Grant new-build scheme. Where costs are below £1000 this equipment is provided by Worcestershire County Council Adult Social Care. This assistance will therefore only apply where the equipment and installation cost exceeds £1000.

Ownership of equipment installed through this assistance is transferred to Worcestershire County Council Adult Social Care including future maintenance and servicing costs, and equipment can be removed and recycled when no longer required, including making good to ceilings and décor where equipment is removed .

5.2.6 Minor Aids and Adaptations

The provision of minor adaptations to assist people with disabilities is governed by legislation. The provision is to cover the adaptations required as recommend by Social Care (or their agent) in order to provide a uniform service in line with local policies and procedures.

The individual must have a recognised permanent and substantial disability to be eligible for this service with the customer living in their own home or privately rented accommodation.

All adaptations should be assessed and requested by suitably trained and competent staff e.g. Occupational Therapists and OT Technicians, Trusted Assessors, Technicians in generic roles, employed by Social Care (or their agent). Any recommendations made will be based on an assessment of need addressing essential requirements only in accordance with eligibility criteria.

Minor adaptations will only be provided at the customers' main residence only.

Funding for minor adaptations is passported through to the County Council (Adult Social Care) where resources allow and will follow the County Councils eligibility criteria and procedure.

6 GENERAL TERMS AND CONDITIONS

Any person who makes an application for Assistance must;

- (i) Be over 18 years of age at the date of the application
- (ii) Live in the dwelling as his/her only main residence and
- (iii) Have an owners interest in the dwelling (other than by virtue of being a Registered Social Landlord under Part 1 of the Housing Act 1996 or being eligible for such registration) or be a tenant or licensee of the dwelling, alone or jointly with others but not being a member of the landlords family, with a tenancy or licence permitting occupation of the dwelling for a minimum period of 12 months after approval of the Assistance, and
- (iv) Have the power or duty to carry out the works and where appropriate have the owner's consent in writing to carrying out the works, and
- (v) Satisfy such test(s) of resources as the council, or statute, may from time to time have in place
- (vi) Not be ineligible, by virtue of the Housing Grants, construction and Regeneration Act 1996, regulations made under the Act or any other enactment
- (vii) Homeowners have the primary responsibility for ensuring their homes are properly maintained and in the first instance should pursue private finance. We may assist eligible, vulnerable homeowners to make sure they have the opportunity for achieving the correct property standards.

Where an owner occupier has given a signed undertaking to occupy a property as his/her principle residence after completion of the assisted works for a period of time, and if they cease to do so during that time, they will repay on demand to the council the total amount of Assistance paid out.

Where a landlord (or owner) has given a signed undertaking that the property will be available for letting for a period specified after completion of the assisted works, and if the landlord ceases to make the relevant property available for letting during the specified period then the landlord will repay on demand to the council the total amount of Assistance paid out.

Where the council has the right to demand repayment but extenuating circumstances exist, the council may determine to waive the right to repayment or to demand a sum less than the full amount of Assistance paid out.

7 SUPERVISION OF WORKS

In the absence of any agency agreement with the council or its appointed Agent, the responsibility for supervision of the works rests with the applicant or with any suitably qualified and indemnified building professional or agent acting on the applicant's behalf and not with the council.

All work must be undertaken;

- a) In accordance with manufacturers recommendations and best practice.

- b) In accordance with and to the satisfaction of the council.
- c) In accordance with building, planning and installation regulations where applicable and Health and Safety regulations.

Payment of grant/assistance will be made, in whole or by part payments, on receipt of contractors invoice following satisfactory completion of the eligible work as determined by the council's Officer or its appointed Agent.

8 PAYMENT OF ASSISTANCE

The Assistance will only be paid if;

- (i) The assisted works are completed within 12 months from the date of the approval unless the delay was caused by the council or its appointed Agent.
- (ii) The assisted works are carried out in accordance with the specifications set out in the formal approval or as varied with the prior agreement of the council or its appointed Agent.
- (iii) The assisted works are carried out to the satisfaction of the council or its appointed Agency and the applicant.
- (iv) The council or its appointed Agent are provided with an invoice, demand or receipt for payment in an acceptable format.

Invoices must be addressed to the applicant c/o the council or its appointed agent and must contain sufficient detail for the council to identify in full, the works carried out, the price charges and any variations previously agreed with the council or its appointed Agent, and must not be provided by the applicant or a member of his/her family.

The payment of the Assistance to the contractor may be made via the applicant, or, where requested within the original application, paid directly to the contractor engaged by the applicant.

The Assistance may be paid in one lump-sum on satisfactory completion of the works or by staged payments as the work proceeds. Stage payments (Interim payments) will only be made where the council or its appointed Agent, is satisfied that the value of work completed exceeds the value claimed. A maximum of three stage payments and final payment will be considered.

The council or its appointed Agent will not enter into any form of contract with a builder or contractor, and, in the absence of any Agency agreement with the applicant, it is a matter for the applicant to agree any contract with the builder or contractor. Whilst the council's Standing Orders on procurement do not directly apply as no contract exists with the council, the principles of the Standing Orders will be referred to for determining the administration of procedures regarding the obtaining of quotes, etc.

The provision of assistance other than mandatory Disabled Facilities Grants is subject to the availability of funding. All applications will be considered based on the identified needs and circumstances of the applicant or household.

Assistance may be offered in a variety of forms including, but not restricted to, financial assistance, advice, provision of materials, carrying out of works, and loans. Advice offered

may include Housing Options advice to ensure the most appropriate option for the applicant or household is considered and may include advice on housing rights, benefits entitlement, repairs or improvements, energy efficiency, re-housing or signposting to other agencies or services.

The council may enter into partnership or contractual arrangements with other organisations or agencies in order to deliver assistance in an effective and timely manner, such as a Home Improvement Agency or Energy Advice Service. The Home Improvement Agency is engaged to provide support to applicants throughout the process of seeking assistance and this may include identification of options, specifications, documentation, engagement of contractors, works supervision and monitoring through to completion.

Where assistance is provided the eligible costs will include necessary associated costs such as Building and Planning Fees, Architect and other professional fees and Home Improvement Agency/Energy Advice Service fees.

The provision of mandatory grants and discretionary financial assistance will be subject to internal and external auditing to ensure adequate procedures are in place and followed and that there is appropriate use of public funds.

9 WHERE ASSISTANCE WILL BE RESTRICTED

The following will not be eligible for assistance:

1. Where ownership of the property is disputed.
2. Where the owner(s) has a statutory duty to carry out the necessary works and it is reasonable in the circumstances for them to do so.
3. The Council will not consider an application for assistance in respect of premises built or converted less than 10 years prior to the date of the application, except where the application is for a Disabled Facilities Grant.
4. No assistance will be given in respect of properties owned by Statutory Authorities or trusts. This includes properties owned by Registered Social Landlord, NHS Trusts and West Mercia Police, except in the case of a Disabled Facilities Grant (Mandatory or Discretionary), Dementia Dwellings Grant, Minor Adaptations Top-Up or Hospital Discharge Scheme.
5. Where the residence is not regarded as permanent.
6. No assistance will normally be given for work started before formal approval of an application, except that:
 - (i) The council may in exceptional circumstances exempt an application from this condition for example where a defect may present a serious risk to health and safety.
 - (ii) The council may, with consent of the applicant, treat the application as varied so exclude any works that have been started before approval.
7. Grant assistance will not normally be provided for works covered by insurance. Where, before a grant for assistance is approved it is found that an applicant can make an insurance claim, the insurance company will be requested to confirm in writing the level of their liability, if any. The level of assistance will be reduced by an amount equivalent to the insurance company's liability. Where assistance is

approved, a condition will be imposed requiring the applicant to pursue any relevant claim against an insurance company or third party for;

- a) Claims for personal injuries where the works are required under a mandatory Disabled Facilities Grant.
 - b) Claims on the applicant's property insurance or on a third party where the application is in respect of works for which financial assistance has been given and to repay the financial assistance provided out of the proceeds of such a claim.
8. The council will assess whether the scope of the works are reasonable and eligible, in particular having regard to the age, condition and structural layout of the property.
 9. The council will determine whether prices provided by contractors meet value for money. In determining this, the Officer will give consideration to similar jobs priced within the last year. The Officer may liaise with the relevant body or contractor to check the specification and any estimates, as part of the procurement procedure.
 10. In the event that the Officer believes the price for contracts are too high and identifies an appropriate price for this work (which is lower) they will advise the client that the total eligible assistance will be the lower amount. The client is under no obligation to use the lower priced contractor but must be aware the council will only make a grant or assistance payment up to the value of the lower price.
 11. In the case of an application for Disabled Facilities Grant where the client chooses to pursue a different scheme of work's or an enhanced scheme of works the client will be advised the Council will only provide assistance to the value of the scheme of works the Officer has determined would otherwise satisfy the basic primary requirement(s) identified by the report of the Occupational Therapy Service / Trusted Assessor, subject to the Officer being satisfied the clients preferred scheme will also satisfy the primary requirements.
 12. The council may refuse any application for assistance lacking the required information or documentation.
 13. Where the client deviates from the scheme of work(s) submitted and subsequently approved by the council without prior consultation with, or agreement of, the Officer the council may rescind the approval or refuse to make any further payment of assistance. The council may also seek to recover any interim assistance payments previously made against the approved scheme.
 14. If the applicant is an owner of the dwelling in respect of which financial assistance has been approved and ceases to be the owner before the works are completed the applicant must repay to the council on demand the total amount of assistance that has been paid.
 15. Where a grant condition imposes a liability to repay the assistance, or a part thereof, the condition will be registered by the council as a Local Land Charge.
 16. Where assistance has been approved the works must be completed within 12 months of the approval date, except where an extension of time, not exceeding 6 months has been agreed by the council. Where no extension is agreed the council may rescind the approval or refuse to make any further payment of assistance. The council may also seek to recover any interim assistance payments previously made against the approved scheme.
 17. In the case of common parts of a dwelling the council will only consider assistance for the reasonable sum or proportion of the applicant's liability. The applicant must prove a repairing liability for the common parts.

18. The council may, where financial or operational demands dictate, defer payment of a Disabled Facilities Grant for a period not exceeding 12 months. Any deferment will be detailed in the approval notice.
19. The provision of Assistance is allowed for caravans and houseboats used as a main residence, subject to meeting other eligibility requirements. Holiday residencies, caravans on holiday sites or sites with restricted occupancy, second homes (as defined by council Revenues criteria) and sheds, outbuildings or appurtenances will not qualify for Assistance.
20. The council recognises that this policy cannot cover every likely situation and there may be persons who genuinely are in need of some form of urgent support that are precluded from accessing financial assistance due to a specific aspect. In these situations the council may consider offering assistance in exceptional circumstances, in particular where support would help the council meet its strategic objectives, as determined by the relevant officer.

10 SECURITY AND REPAYMENT OF ASSISTANCE

Where a grant condition imposes a liability to repay the Assistance, or a part thereof, the condition will be registered by the council as a Local Land Charge.

The council will recover grant/assistance monies in full if the relevant conditions of the assistance are not met. Where not already a requirement of the specific terms of the assistance granted, a local/legal land charge may be entered against the property for the purpose of debt recovery.

If an application is approved but it subsequently appears to the council that the applicant (or one of two or more joint applicants) was not, at the time the application was approved, entitled to receive the assistance approved, then no payment, or further payments, of assistance will be made and the council may seek to recover immediately any payments made together with interest accruing from the date of payment.

The council may, at its discretion determine to require repayment of a lesser sum than the full amount of financial assistance.

11 DEATH OF THE APPLICANT

If the applicant should die before the financial assistance is approved, the application will be treated as withdrawn.

If the applicant should die after approval of the assistance or whilst the approved works are in progress, the council may, at its discretion agree to completion or making good of the works and pay the assistance in full, or an appropriate proportion of the approved sum relative to the works completed.

Where an applicant receiving Disabled Facilities Grant assistance dies following completion of the works but prior to the expiry of the ten year local land charge the council will seek repayment of the sum on charge from the applicant's estate if a disposal by sale, transfer or other change in ownership or tenure takes place.

12 ADDITIONAL CONDITIONS

The council or its appointed agent reserves the right to impose additional conditions when making a grant/assistance approval. These may include but are not restricted to:

- (i) A contribution to the cost of the assisted works by the applicant.
- (ii) The right to nominate tenants to housing accommodation available for rent.
- (iii) Housing accommodation being maintained in repair after completion of the assisted works.
- (iv) The right of the council or its appointed agent to recover specialised equipment when no longer needed.

13 DECISIONS, NOTIFICATIONS AND REDETERMINATIONS

The council or its appointed Agency will notify the applicant in writing when their application has been approved or refused. The decision will be notified as soon as reasonably practical and in any event no later than six months after receipt of a full and valid application.

If the application is approved, the notification will specify the eligible works, the value of the assistance and the builder/contractor who will execute the works. In the case of a Disabled Facilities Grant the council may, where financial or operational demands dictate, defer payment of the assistance for a period not exceeding 12 months. Any deferment will be detailed within the grant approval notice.

If the application for Assistance is refused, the council or its Appointed Agent will give the reasons for the refusal and confirm the procedure for appealing the decision.

Where Assistance has been approved and the council or following consultation with its appointed Agent are satisfied that through circumstances beyond the control of the applicant which could not have reasonably been foreseen, the cost of the assisted works has either increased or decreased, the council may, at their discretion re-determine the assistance given and notify the applicant accordingly by issue of a re-approval notice.

Additional works or deviations from the approved works carried out without prior approval of the council or its appointed Agent will not be considered for any increased financial assistance and would remain the responsibility of the applicant to fund.

14 REVIEW OF THE COUNCIL'S DECISION

Any person having made a valid application for mandatory Disabled Facilities Grant or Discretionary Assistance may request a review of the decision not to consider or to refuse an application.

A request for review of the decision must be submitted to the council/or appointed agent (where delegated decision) with 21 days of the date of the decision letter. The request must be in writing. A review of the decision will be undertaken and the decision will be notified to the applicant in writing. If the person remains dissatisfied with the review decision they have

the right to go through the council's Complaints procedure or approach the Local Government Ombudsman.

Any departure from Policy will only be considered where the applicant can demonstrate both wholly exceptional circumstances to justify such a departure but also that the applicant does not have the means by which they could reasonably be expected to otherwise fund and undertake the work.

Complaints about service delivery rather than Policy must be made in writing to the council appointed agent who will investigate the complaint in accordance with their Complaints Procedure which is available on request.

DRAFT

APPENDIX 1

Discretionary Disabled Adaptations Assistance

Subject to availability of funding the council may consider works undertaken as Discretionary Disabled Adaptations Assistance, under the value of £10,000, which will be repayable to the council in full on the sale transfer or disposal of the property and will be registered as a Local Land Charge. The aim of this grant is to enable applicants to have access to and around their homes, or to use essential facilities in the home to enable them to live independently.

It will be used to support timely intervention and reduce the requirement for more costly interventions e.g. to prevent unnecessary admission to hospital or care home, to aid timely discharge, and reduce the level of home/medical care packages.

There is no means test associated with this assistance so it can be delivered through a shorter process, to help the customer.

Eligible Applicants

- Any applicant registered or capable of being registered under the Chronically Sick and Disabled Persons Act 1970 and requires adaptations to be provided.
- Any disabled person, as described by Housing Grants, Construction and Regeneration Act 1996, s100. applicants can be property owners or tenants, some landlords may apply on behalf of tenants.

Qualifying Criteria

- A referral from the Community Occupational Therapist (COT) via Social Services or a Trusted Assessor confirming that the works are 'necessary and appropriate' is required. This referral will recommend works.
- Before grant approval the Agent has to be satisfied that the relevant works are both necessary and appropriate for the disabled person, and also that it is reasonable and practicable to carry out the works.
- A permanent and legal residence including dwellings, mobile homes, caravans and houseboats.

Conditions

- The conditions will mirror the mandatory grant conditions with the exception of the following:
 - (i) It will not be subject to a financial assessment
 - (ii) The council will put a land charge on the dwelling in respect of all discretionary grants, with no maximum limit.
 - (iii) The charge will remain indefinitely for standard grants
 - (iv) The repayment mechanism applies to both owner-occupiers and landlords.
- If the dwelling is sold or transferred (ie a relevant disposal) before the grant process is completed and interim payments have been made, these will be repayable to the council in full.

- Where a dwelling is sold or transferred for any reason, including where the owner has died, the grant will be repayable to the council in full.

The council will seek to recover grant funding in all circumstances where a breach of conditions has occurred. This is the full grant funding which will be placed as a land charge on the dwelling.

Maximum Assistance

- £10,000

Home Move Grant Assistance

The aim of providing this discretionary financial assistance is to enable people to move to more suitable accommodation where this is considered more beneficial than providing a Disabled Facilities Grant for adaptations to their existing home.

Eligible Applicants

- Any disabled person, as described by the Housing Grants, Construction and Regeneration Act 1996, s100.
- Applicants can be property owners or tenants.

Qualifying Criteria

- A permanent and legal residence
- Eligible costs - legal and ancillary fees, estate agent fees, removal costs, carpet and curtains

Conditions

- Assistance repayable in full if the property is disposed of. The assistance amount is secured as a local land charge against the property.
- The assistance will only be approved on a strict case by case basis and the move must be facilitated by Care & Repair Worcestershire.

Maximum Assistance

- £3,000 (once only)

Accessible Homes Grant

Consideration by the Head of Strategic Housing will be given for provision of new technology equipment as part of a DFG, in circumstances which will provide better value for money than the usual structural works and will better meet the customer/family needs e.g. the provision of a rising wheelchair instead of lowering the kitchen units and a bio-bedet.

Qualifying Criteria

- On a case by case basis

Independent Living Centre

Consideration by the relevant officer will be given for the funding to facilitate the development of an innovation centre, with multi-agency / disciplinary staff co-located that enable applicants for a DFG and self-funders to test out potential aids and adaptations and make effective choices.

Capital Schemes

Consideration by the relevant officer to develop projects (where required) that are required as part of wider capital schemes. For example financial assistance for building, adapting and improving properties: to offer financial assistance for costs associated with moving to a more suitable home and/or purchasing / building / improving properties (including in conjunction with a Registered Provider or County Council).

Housing options

Funding to facilitate the delivery of a housing options service where DFGs and care / support costs can be avoided through the move to more appropriate housing at an earlier stage.

Private Sector Measures

Projects are agreed on an annual basis and typically include measures to improve conditions in the private rented sector where the works are above what can be reasonably expected of a landlord and are of benefit to the tenants, for example improved insulation, efficient heating systems and ventilation.

In particular, funding will be prioritised to improving properties where landlords are accepting tenants in receipt of benefits and where landlords are assisting the council to find accommodation for persons identified as being in need.

Other examples of schemes include the provision of gating to entries to improve security, sanctuary schemes for vulnerable individuals, fire safety improvements, flood defence property protection, heating and insulation measures.

Any money received in repayment of financial assistance is recycled into this funding stream for the same overarching purposes.

WYRE FOREST DISTRICT COUNCIL

**FEEDBACK FROM CABINET
TUESDAY 11TH FEBRUARY 2020**

Agenda Item No.	Decision
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7.1	Wyre Forest District Local Plan (2016-2036)
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In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 6th February 2020, Cabinet recommends to Council to:

- 1) Approve the proposed Wyre Forest District Local Plan (2016-2036) and Policies Map (together with the associated evidence base, including the Sustainability Appraisal) for the purpose of its submission to the Secretary of State for independent examination under section 20 of the Planning and Compulsory Purchase Act 2004 (the PCPA 2004) (as shown in Appendix 1) of the report;
- 2) Approve the Table of Additional (Minor) Modifications to the Wyre Forest District Local Plan (2016-36) and Policies Map (as shown in Appendix 2);
- 3) Approve the submission documents prepared pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Local Planning Regulations) (see Appendix 3);
- 4) Note the technical study 'Traffic Demand in the Hagley Area (A456 Corridor)' (in Appendix 4) as a background paper (which has yet to be published by the County Council);
- 5) Approve the 'Statements of Common Ground' with third parties such as statutory agencies and adjoining Councils (as shown in Appendix 5); and
- 6) Delegate authority to the Corporate Director: Economic Prosperity & Place in consultation with the Cabinet Member for Economic Regeneration, Planning and Capital Investments for the following matters relating to the Local Plan:
 - a. To take or authorise such steps as may be necessary for the independent examination of the Local Plan to be completed, including:
 - i. Proposing, requesting from and agreeing with the Inspector, at submission and through the examination, 'main modifications' to the wording of the Local Plan to ensure its soundness and legal compliance, in accordance with section

- 20(7C) of the PCPA 2004 (noting that 'main modifications' will subsequently be subject to public consultation prior to the completion of the examination and approved by Council);
- ii. Agreeing 'additional (minor) modifications' to the wording of the Local Plan (noting that these will relate to minor changes which do not materially affect the policies in or soundness of the Plan and will subsequently be approved by Council at adoption);
 - iii. Entering into 'Statements of Common Ground' with third parties such as statutory agencies and adjoining Councils;
 - iv. Undertaking other tasks pursuant to informing and ensuring the effective running of the examination, including making submissions of hearing statements to the Inspector and providing to the Inspector such further or revised documents or information as may be necessary;
 - v. Agreeing Topic Papers including but not limited to housing growth, viability and Green Belt release (noting that these are for explanatory purposes only); and
 - vi. Publishing the recommendations of the Inspector in accordance with section 20(8) of the PCPA 2004 and Regulation 25 of the Local Planning Regulations.

9.1 Brinton Park National Lottery Heritage Fund (NLHF) Project

In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 6th February 2020, Cabinet **DECIDED** that:

- 1.1 The Procurement Strategy and the current Business Plan are approved in order to submit them in Round 2 National Lottery Heritage Fund (NLHF) in February 2020.
- 1.2 Subject to a successful award of funding to Brinton Park National Lottery Heritage Fund (NLHF) project in July 2020, delegate authority to the Chief Executive - in consultation with the Corporate Director Resources, Solicitor to the Council and the Cabinet Member for Culture, Leisure and Community Protection - to award the contract for professional and building services in accordance with the procurement strategy.
- 1.3 To delegate authority to the Chief Executive – in consultation with the Corporate Director Resources, Solicitor to the Council and the Cabinet Member for Culture, Leisure and Community Protection - to make any amendments as may be necessary to the procurement strategy and decide the detailed evaluation criteria as a result of the final business case.

**Overview & Scrutiny Committee
Work Programme 2019-2020**

June 2019

“How are we doing?” Q4 update

Wyre Forest District Local Plan: Revised Local Development Scheme (Project Plan 2019-21)

Tracking Recommendations 2018-2019

July 2019

Treasury Management Review Panel – request for nominations

Wyre Forest District Local Plan: Pre-Submission Publication

Asset Management Strategy

EXEMPT Disposal of Land in Stourport

July 2019 – Sub-Committee

EXEMPT Capital Portfolio Fund – Development Funding Proposal

September 2019

“How are we doing?” Q1 update (Enabling)

Annual Report on Treasury Management Service and Actual Prudential Indicators 2018-19

Worcestershire’s Homelessness and Rough Sleeping Strategy 2019 – 2022

Kidderminster Business Improvement District (BID) – Forward Funding

North Worcestershire Economic Growth Strategy 2019-2024

October 2019 – Meeting cancelled

November 2019

“How are we doing?” Q2 update (Business and People)

To consider whether to progress with establishing a local lottery for Wyre Forest

Capital Portfolio Fund – Quarterly Fund Report

Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 2019-20

Conversion of a property in Stourport on Severn

Social Housing Delivery

December 2019

Car Parking Charges

Crown House Capital Works

Effectiveness of PACT Action Plan

Wyre Forest Health and Wellbeing Plan Update

Climate Change Update

January 2020 – Meeting cancelled

February 2020

“How are we doing?” Q3 update (Place)

Wyre Forest District Local Plan (2016-2036)

Treasury Management Strategy 2020-21

Procurement Strategy and Business Plan for Brinton Park, National Lottery Heritage Fund (NLHF) Project

March 2020

Annual Review of the North Worcestershire Community Safety Partnership 2019/20

Housing Assistance Policy

Kidderminster Town Centre Acquisition Strategy – EXEMPT Appendix 1

2020-2021 Municipal Year

May 2020

Review of Public Space Protection Orders

June 2020

“How are we doing?” Q4 update (Housing and Planning)



Overview & Scrutiny Committee

Briefing Paper

Report of: Mike Parker – Corporate Director Economic Prosperity
& Place
Date: 5th March 2020
Open

Kidderminster Town Centre Acquisition Strategy

1. Summary

- 1.1 This report sets out a proposed strategy for the acquisition of properties in Kidderminster town centre in support of the Council's bid for funding under the Future High Streets Fund (FHSF) and an approach to masterplanning the future of the remainder of the town centre not otherwise covered by the FHSF.

2. Background

- 2.1 The Government published their call for proposals to be made under the newly created Future High Streets Fund (FHSF) in December 2018. Bids from district councils the size of Wyre Forest were limited to just one per authority (larger councils were able to submit more according to size) and the Council submitted its Expression of Interest (Eol) by the March 2019 deadline. The submission process was a two stage process, beginning with the Eol which if successful would be followed by a formal business case submission.
- 2.2 In July 2019 the Council was advised that it was one of only 50 councils to have their Eol accepted and to be invited to submit their full business case by the end of April 2020. The Council was subsequently awarded £150,000 to support the development of the detailed HMRC 'Green Book' compliant full business case.
- 2.3 In order to develop the business case the Council has appointed Gerald Eve and Volterra. Work is currently mid stream to ensure that a compliant business case is submitted by the end of April 2020 deadline. Final decisions are expected to be made by The Ministry of Housing, Communities and Local Government (MHCLG) in summer 2020. Successful bids will receive funding to deliver projects which have to be completed by the end of March 2024. An early submission had to be made to MHCLG to set out roughly what the Council's projects comprised and how much funding they might be applying for (this was called the Rough Order of Magnitude – RoM).
- 2.4 In its submitted RoM the Council set out an ambitious £22.5m plan to transform the former Crown House site, former Magistrates' Court site and parts of Bromsgrove Street car park for a variety of commercial, leisure, residential and public space uses. An integral part of the submission is the strategic reconnection of the east and west sides of the town to rebalance the

dynamic shift towards Weavers Wharf, to increase permeability through the town and to diversify the retail floorspace concentration. A key element underpinning this approach is the strategic acquisition of properties or groups of properties across the town which would transform the connectivity of the town on an east to west axis, from the former Glades leisure centre site to Crown House and to Exchange Square outside the Town Hall.

- 2.5 The Council has appointed Jones Valerio (its retained acquisition and portfolio asset managers) to advise on the approach that the Council might take in acquiring the properties it has identified. As these details contain commercially confidential information, as does the proposed Strategy, these are exempt documents appended to this covering report.

3. Key Issues

- 3.1 The properties the Council has identified as key to acquire to create a dynamic change in the connectivity of the town centre are set out in the Strategy appended to this report. Initial information was gathered by Cushman & Wakefield and submitted as part of the RoM and this has now been refreshed by Jones Valerio who have conducted an investigation into each property setting out a detailed position on the availability and status of each property and a commentary on their updated advice. It is intended that the appended Strategy, once agreed, will be used as part of the Council's FHSF business case to MHCLG in order to demonstrate that the Council has a plan to proceed if the funding is awarded.
- 3.2 The acquisition of the properties identified will only proceed if the Council is successful with its FHSF bid, or failing that with other future funding bids from appropriate programmes, it is not intended at this stage that the Council purchases any of the properties set out in the FHSF bid through its Capital Portfolio Fund for instance, but if circumstances change then a separate business case will be presented for any such acquisitions proposed that are not funded from external programmes.
- 3.3 Whilst it will be the Council's intention to make acquisitions through private treaty, there may be instances where there cannot be agreement reached with the vendor and in those instances the Council will need to be prepared to consider using the powers available to it through compulsory purchase. If such instances occur separate reports will be brought forward for agreement setting out the business case for such purposes which Cabinet will need to agree. It is anticipated that the full costs of any such proposals would be underwritten by external funding sources and this will be set out as part of each business case.
- 3.4 If the Council is successful with the FHSF bid it will deal with specific sites and their connectivity, but the main 'heart' of the town (bounded by Vicar Street, High Street, Blackwell Street and Worcester Street) will also need careful thought going forward. This 'heart' of the town is predominantly the Swan Centre and Rowland Hill Centre and the Council really needs to begin developing a longer term vision, or a masterplan, setting out how these parts

of the town will function in the next ten plus years. This is also dealt with in the appended Strategy.

- 3.5 The Council has received £150,000 as part of its successful FHSF EoI, the purpose of which is to assist the development and submission of the full business case. No further funding will be available through the FHSF unless the Council is successful with its business case bid, the outcome of which is expected to be known this summer. The acquisition proposals set out in the appended Strategy are premised on the successful award of funding through the FHSF or other appropriate programme which the Council may bid to for funding. If any proposals for acquisition are not funded from external sources or they are proposed using compulsory purchase powers then separate reports will be brought forward for approval.
- 3.6 To enable officers to proceed with suitable property purchases as set out in the Acquisition Strategy in Appendix 1, a Capital Programme amendment is required so approval for the requisite expenditure is in place to be made conditional on award of FHSs funding. A Future High Street Fund Property Acquisition generic pot will need to be established. This conditional generic funding would enable officers to act without delay using appropriate delegation to facilitate town centre purchases to aid town centre regeneration. Paragraph 28 of Appendix 1 to this report summarises the properties identified and their potential acquisition costs.
- 3.7 It will be necessary for the Council to request options to tax for any properties acquired before acquisition and demolition, to protect the overall VAT Partial Exemption position; this should be done contemporaneously with development partners. Advice on specific proposals for acquired properties should be considered where appropriate to protect the Council's position and in particular to ensure that any options to tax initially are not subsequently disappplied.
- 3.8 The Council has the power under Section 226(1) of the Town and Country Planning Act 1990 to acquire land compulsorily for planning purposes. The relevant tests are set out in Section 226(1) (a). First, the local authority must think that the acquisition will facilitate the development, redevelopment or improvement of the land. Further, Section 226(1A) requires local authorities utilising the powers under Section 226(1) (a) to show that they think that the development, redevelopment or improvement is likely to contribute to the promotion or improvement of the economic, social or environmental well-being of the area. The Council should also have regard to the CPO Guidance published by the Government-currently the "Guidance on Compulsory purchase process and The Crichel Down Rules 2019" ("the Guidance") and a separate report will be required to address all relevant issues if it is considered necessary to use compulsory purchase powers
- 3.9 The Council's general powers to acquire land and property stem from the Local Government Act 1972. (Section 120); these enable local authorities to acquire property for any of their functions, or for the benefit, improvement or development of their area.

4. Equality Impact Needs Assessment

- 4.1 An Equalities Impact Screening Assessment is not required.

5. Risk Management

- 5.1 The Council has to give consideration to the longer term vision for the town centre otherwise it runs the risk of continued decline as it becomes less and less fit for modern town centre purposes.
- 5.2 The Council runs the risk that if it fails to engage positively with strategic acquisition opportunities and that if such acquisitions ended up in the ownership of speculators, those assets may be left to decline and have a wider negative impact on the town centre as a viable and vibrant town centre.
- 5.3 Property acquisition and development can carry significant risk due to factors outside the direct control of the Council such as property prices, ground conditions and economic factors. To mitigate this risk, specialist external advice will be taken and a specific risk analysis including ground surveys will be prepared for each proposed acquisition as part of the due diligence process under the proposed officer delegation.
- 5.4 The Council will mitigate the risk of costs associated with any of the acquisitions identified by ensuring that they are fully funded from either the FHSF or an appropriate alternative.

6. Conclusion

- 6.1 The Council has successfully submitted a bid to the Government's Future High Streets Fund programme which was launched in 2018. The Council is currently preparing to submit its full business case for the funding and expects to hear whether it has been successful in summer 2020. The essence of the bid is focussed on re-balancing the activity of the town on the east to west axis to counter the success of Weavers Wharf which has changed the dynamics of the town (along with changing shopping habits and the advance of online shopping). Part of the re-balancing strategy involves physically reconnecting parts of the town from Crown House to Bromsgrove Street and down to Exchange Square. In order to achieve this the Council has set out in its bid plans to acquire and demolish/redevelop some key properties in the town. All of the detail is set out in the exempt appendices which contain commercially confidential information.

7. Options

- 7.1 The Overview and Scrutiny Committee is requested make recommendations to Cabinet in respect of the proposals outlined in this paper, which could be:
- 7.1.1 That the Acquisition Strategy should be adopted and provision made in the Capital Programme for potential acquisitions to be made; or

- 7.1.2 That an alternative recommendation be made to Cabinet as the Committee might agree.

8. Exempt Appendices

- 8.1 Appendix 1 – Kidderminster Town Centre Acquisition Strategy

9. Background Papers

- 9.1 Future High Street Fund prospectus

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