

Open

Cabinet

Agenda

6pm
Tuesday, 12 September 2023
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Cabinet

The Cabinet Members and their responsibilities:-

Councillor M Hart	Leader of the Council & Strategy
Councillor I Hardiman	Deputy Leader & Housing, Health and Well-being
Councillor B Brookes	Operational Services
Councillor D Morehead	Economic Regeneration, Planning & the Green Agenda
Councillor T Onslow	Culture, Leisure, Arts & Community Safety
Councillor D Ross	Finance & Capital Portfolio

Scrutiny of Decisions of the Cabinet

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

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

The deadline for "calling in" Cabinet decisions is 5pm on Friday 22 September 2023.

Councillors wishing to "call in" a decision on this agenda should contact Louisa Bright, Principal Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster. Telephone: 01562 732763 or email louisa.bright@wyreforestdc.gov.uk

Urgent Key Decisions

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

Disclosure of Interests

Members and co-opted Members of the Council are reminded that, in accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, they are required to consider in ADVANCE of each meeting whether they have a disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda. If advice is needed, Members should contact the Monitoring Officer or other legal officer in good time before the meeting.

If any Member or co-opted Member of the Council identifies a DPI or ORI which they have not already registered on the Council's register of interests or which requires updating, they should complete the disclosure form which can be obtained from Democratic Services at any time, copies of which will be available at the meeting for return to the Monitoring Officer.

Members and co-opted Members are required to disclose any DPIs and ORIs at the meeting.

Where the matter relates to a DPI they may not participate in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation.

Where the matter relates to an ORI they may not vote on the matter unless granted an advance dispensation.

Where a Member or co-opted Member has an NRI which directly relates to their financial interest or wellbeing, or that of a relative or close associate, they must disclose the interest at

the meeting, may not take part in any discussion or vote on the matter and must not stay in the meeting unless granted a dispensation.

Where a matter affects the NRI of a Member or co-opted Member, the Code of Conduct sets out the test which must be applied by the MEMBER to decide whether disclosure is required. Again please ensure you have spoken in ADVANCE to the relevant legal officer and determined whether it is appropriate to declare the NRI and leave.

For further information

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Louisa Bright, Principal Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email louisa.bright@wyreforestdc.gov.uk

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

WEBCASTING NOTICE

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

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

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

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

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

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

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

* Unless there are no reports in the open session.

Wyre Forest District Council

Cabinet

Tuesday, 12 September 2023

Council Chamber Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any disclosable pecuniary interest (DPI), an other registrable interest (ORI) or a non-registrable interest (NRI) in relation to any matter on the agenda. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
3.	Minutes To confirm as a correct record the Minutes of the meeting held on the 17 July 2023.	7
4.	CALL INS a verbal update will be given on any decisions which have been "called in" since the last meeting of the Cabinet.	
5.	Items Requiring Urgent Attention To consider any item which, in the opinion of the Chairman requires consideration at the meeting as a matter of urgency.	
6.	Public Participation In accordance with the Council's Scheme for Public Speaking at Meetings of Full Council/Cabinet, to allow members of the public to present petitions, ask questions, or make statements, details of which have been received by 12 noon on Monday 4 September 2023. (See front cover for contact details). No requests for public participation were received by the deadline.	

7.		
7.1	Councillor M Hart	
	Corporate plan, 2023 – 2027	
	To consider a report from the Chief Executive that invites the Cabinet to recommend the Corporate Plan to full Council for adoption.	15

8.		
8.1	Councillor D Ross	
	Budget and Performance Monitoring Q1 update	
	To consider a report from the Head of Resources and Section 151 Officer that summarises the Council's financial and service performance for Q1, 2023-24.	29
	Also to consider recommendations from the Overview & Scrutiny Committee from its meeting on 4 September 2023.	to follow

9.		
9.1	Councillor T Onslow	
	Review of Public Space Protection Orders and Results of the Consultation Process	
	To consider a report from the Head of Community and Environmental Services that asks the Cabinet to approve the making of Public Space Protection Orders in respect of control of dogs and alcohol consumption following the consultation.	48
9.2	Localism Strategy	
	To consider a report from the Chief Executive that invites the Cabinet to adopt a revised localism strategy.	54
	Also to consider recommendations from the Overview & Scrutiny Committee from its meeting on 4 September 2023.	to follow

10.		
10.1	Councillor B Brookes	
	Environmental Enforcement Policy	
	To consider a report from the Head of Community and Environmental Services that asks the Cabinet to adopt the Environmental Enforcement Policy and to approve increases to fixed penalty charges for littering and other environmental offences.	59
	Also to consider recommendations from the Overview & Scrutiny Committee from its meeting on 4 September 2023.	to follow

11.		
11.1	<p style="text-align: right;">Councillor D Morehead</p> <p>Procurement of Electric Vehicle Charge Points</p> <p>To consider a report from the Chief Executive that seeks approval to enter a procurement exercise via the CCS framework - Vehicle Charging Infrastructure Solutions - RM6213 to appoint an operator who will install, maintain and operate electric vehicle charge points at a number of public car parks and other locations in the ownership of the Council.</p>	64

12.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	
13.	<p>Exclusion of the Press and Public</p> <p>To consider passing the following resolution:</p> <p>“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”.</p>	

Part 2

Not open to the Press and Public

14.		
14.	<p>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</p>	

WYRE FOREST DISTRICT COUNCIL

CABINET

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

17 JULY 2023 (6PM)

Present:

Councillors: M J Hart (Chairman), I Hardiman (Vice-Chairman), B Brookes, D Morehead, T L Onslow and D Ross.

Observers:

Councillors: R Drew and A Sutton.

Observed remotely: Councillors: F M Oborski MBE, C Rogers and L Whitehouse.

CAB.10 Apologies for Absence

There were no apologies for absence.

CAB.11 Declarations of Interests by Members

No declarations of interest were made.

CAB.12 Minutes

Decision: The minutes of the Cabinet meeting held on 13 June 2023 be confirmed as a correct record and signed by the Chairman.

CAB.13 Call Ins

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

CAB.14 Items Requiring Urgent Attention

There were no items requiring urgent attention.

CAB.15 Public Participation

There was no public participation.

CAB.16 Internal Audit Service Review

A report was considered from the Head of Resources and Section 151 Officer that sought approval to secure a new delivery model for the internal audit service to secure long-term resilience in meeting the Council's regulatory obligations to undertake an internal audit.

The Cabinet Member for Finance and Capital Portfolio presented the report and formally moved the recommendations for approval.

The Cabinet Member gave a summary of the background and key issues detailed in the report. He explained that Internal Audit was an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. He added that it helped an organisation to accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes. He further explained that the Council was required under the Accounts and Audit Regulations 2015 to undertake an effective internal audit.

The Cabinet Member advised that the core structure of the Internal Audit Team remained fit for purpose, but both the position of Senior Auditor and Auditor became vacant during 2022-23 and the Internal Audit Manager has indicated her intention to retire later this year. He added that, despite looking at both direct recruitment and use of agency temporary appointments, both positions remained vacant.

He outlined the four options available to the authority and highlighted the associated risks as set out in section 8 of the report.

In conclusion, he said that seeking an external contract (option 2) was the only viable solution in the short term. He added that buying through CCS complied with procurement regulations but simplified the process, and the framework gave access to services at competitive rates without having to run a full tendering exercise. Therefore, he proposed that the authority implement Option 2 and seek to procure the service via the CCS framework.

The Leader of the Council seconded the proposals.

Decision: Cabinet

1.1 AGREED that the procurement of a service contract to secure delivery of the approved 2023-24 audit plan should commence and APPROVED the evaluation criteria in Appendix 2 of the report, in order to provide an internal audit opinion for 2023-24.

1.2 DELEGATED authority to award the services contract to the Head of Resources and s151 officer in consultation with the Solicitor to the Council and the Cabinet member for Finance and Capital Portfolio.

CAB.17 Wyre Forest District Council Health and Wellbeing Supplementary Planning Document (SPD)

A report was considered from the Head of Strategic Growth on the Wyre Forest District Council Health and Wellbeing Supplementary Planning Document, following the recent consultation exercise.

The Cabinet Member for Economic Regeneration, Planning and the Green

Agenda presented the report and formally moved the recommendations for approval.

The Cabinet Member gave a summary of the background and key issues detailed in the report. He explained that the Health and Wellbeing SPD was required to support the implementation of policies in the WFDC adopted Local Plan 2016-2036, specifically policies SP.16 Health and Wellbeing and DM.18 Hot food takeaways. He added that the SPD logically had to make provision about those matters because of the content of the adopted Local Plan. However, the SPD cannot vary the policies in SP.16 and DM.18 set out in that Plan.

The Cabinet Member further explained that the SPD went out for consultation from 13 February to the 20 March 2023. He said he was confident all the responses to the consultation had been addressed as set out in section 4.1 of the report. He explained that Cabinet did seek further clarification on hot food takeaways that were not open during school hours. He added that the policy was prepared in partnership with the Public Health team at Worcestershire County Council and went through unchallenged at examination. As of April 2022, it was adopted along with the rest of the local plan. Therefore, to approve any takeaway within 400m of a school, even it opens after school hours would be a departure from policy.

In conclusion, he said that the document had been prepared in partnership with the Strategic Growth Planning Team and the Public Health Team at Worcestershire County Council as well as with other colleagues in WFDC. It would provide further detail to policies contained within the adopted Local Plan, and would assist applicants completing a Health Impact Assessment, if required to do so. He added that, once adopted, the SPD would be a material consideration in the determination of planning applications.

The Leader of the Council seconded the proposals.

The Vice-chairman of the Overview and Scrutiny Committee, Councillor F Oborski MBE presented the recommendations from its meeting on 6 July 2023.

Decision: In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 6 July 2023, Cabinet:

1.1 CONSIDERED the amended Health and Wellbeing SPD and consultation statement following the public consultation responses AND;

1.2 AGREED that the Health and Wellbeing SPD be adopted.

CAB.18 Localism: Stourport Sports Club and Bewdley Museum

In light of the new administration's approach towards localism, a report was considered from the Chief Executive to take steps to revoke the previous decisions in respect of Stourport Sports Club and Bewdley Museum.

The Deputy Leader and Cabinet Member for Housing, Health and Well-being

presented the report and formally moved the recommendations for approval.

The Cabinet Member gave a summary of the background and key issues detailed in the report. He explained that the localism strategy adopted in 2019 was being reviewed by the Cabinet and a report would be brought forward in September to adopt a new strategy.

He said that the Cabinet expected the focus of the new strategy to be on the District Council working collaboratively and proactively with town and parish councils and other groups, to enhance and improve the offer, and also to encourage and empower volunteering to support local assets and services, building on existing arrangements. He added that asset transfers were not expected to have the same prominence as they have done over the last four years.

He further explained that the new administration elected in May 2023 did not support exiting involvement in the Stourport Sports Club. He said that outcome was agreed by full Council as part of the medium-term financial strategy in February 2022 and the detailed approach was put into effect by the then Cabinet in decisions taken in July 2022. He added that twelve months after the previous decision, the parties to the management agreement have not agreed the July 2022 proposals.

In relation to Bewdley Museum, the Cabinet Member explained that, whilst establishing an independent trust to take over ownership and operation of the Museum was actively pursued and a trust was established, in June 2022 the trustees decided that they did not wish to progress with the transfer. He said subsequent discussions had been held with Bewdley Town Council about the possibility of a transfer to the Town Council, but no conclusion had been reached. He further explained that the Cabinet had informed the Town Council that it would not be pursuing the discussions further.

In conclusion, for good governance and transparency, it was appropriate formally to revoke the extant Cabinet decisions so that there was clarity for members of the Council, staff and the public about the future.

The Leader seconded the proposals.

Decision: Cabinet:

- 1.1 REVOKED the decisions on Stourport Sports Club taken by the Cabinet on 13 July 2022 (minute CAB.13) and the decisions on Bewdley Museum taken by the Cabinet on 10 November 2020 (minute CAB.43).**
- 1.2 RECOMMENDED to Council that it should rescind its decision in the Medium Term Financial Strategy for 2022-25 which involved exiting the Council's involvement in the Stourport Sports Club Limited.**

CAB.19 Worcestershire Housing Strategy 2023 - 2040

A report was considered from the Head of Strategic Growth that outlined the

Worcestershire Housing Strategy that had been developed in partnership with councils and partners across the county.

The Deputy Leader and Cabinet Member for Housing, Health and Well-being presented the report and formally moved the recommendations for approval.

The Cabinet Member gave a summary of the background and key issues detailed in the report. He explained that whilst there was no longer a legal requirement to have a Housing Strategy, many of the elements contained within the housing strategy, such as housing needs assessments and stock conditions surveys were still requirements under the Housing Act 1985.

He said in 2016 the Council approved the development of the Worcestershire Housing Partnership Plan which commenced in 2017; the Worcestershire Housing Strategy 2023-2040 was the replacement document to the Partnership Plan.

The Cabinet Member further explained that the Strategy had been developed by the seven councils and a number of key stakeholders across the county to deliver on a vision and priorities until 2040. He added that the priorities were far reaching and sought to prepare Worcestershire for the future considering the important role housing can play in the economy, health and social care as well as climate change.

The Leader seconded the proposals.

The Vice-chairman of the Overview and Scrutiny Committee presented the recommendations from its meeting on 6 July 2023.

Decision: In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 6 July 2023, Cabinet:

1.1 NOTED the Worcestershire Housing Strategy AND;

1.2 AGREED that a local action plan should be developed for Wyre Forest and brought back through the committee process to a future Cabinet meeting for approval.

CAB.20 Local Authority Housing Fund (LAHF)

A report was received from the Head of Strategic Growth to consider how to proceed in order to deliver the commitments that the Council had made in respect of the Local Authority Housing Fund.

The Deputy Leader and Cabinet Member for Housing, Health and Well-being presented the report and formally moved the recommendations for approval.

The Cabinet Member gave a summary of the background, key issues and financial implications as detailed in the report.

He explained following the launch of Government schemes in 2021 to resettle Afghan refugees, including those who had worked to support British forces in

Afghanistan, Wyre Forest had accommodated two Afghan families for which it had given a commitment as part of the response from Worcestershire councils. He added that in February 2023 the Council approved participation in what has turned out to be round 1 of the Local Authority Housing Fund (LAHF) as part of the decisions on the Medium-term Financial Strategy for 2023-2026. He said that this committed the Council to providing 6 properties for Ukrainian households and one property for an Afghan household by November 2023. He further explained that once the properties were no longer required for rehousing refugees they could become general needs or temporary accommodation stock. He added that the properties for Ukrainian households could be any size to suit needs. However the property for an Afghan household had to be a minimum of 4 bedrooms.

The Leader seconded the proposals.

Decision: The Cabinet ALLOCATED £169,924 from the Evergreen Investment Fund to provide match funding to purchase a unit of accommodation for an Afghan household being transferred from bridging hotel accommodation.

CAB.21 Redevelopment of 8A Bridge Street, Stourport

A report was considered from the Head of Strategic Growth to support proposals to redevelop the locally listed building which had been vacant for a considerable period.

The Deputy Leader and Cabinet Member for Housing, Health and Well-being presented the report and formally moved the recommendations for approval.

The Cabinet Member gave a summary of the background, key issues and financial implications as detailed in the report. He explained that 8A Bridge Street had remained empty for a number of years since the last tenant of the building, a charity which used the ground floor for commercial purposes, left.

He said that the proposals would see the first floor refurbished into two, one bed self-contained properties for emergency accommodation, that would be managed by the Council's Strategic Growth team, and the repurposing of the ground floor space as an information point/heritage centre that would be leased to Stourport-on-Severn Town Council.

The Leader seconded the proposals.

Decision: Cabinet;

- 1.1 ALLOCATED funding from the Evergreen Investment Fund to fund refurbishment of the first floor and funding from the Capital Innovation Fund (estimated costs in Appendix One), supported by borrowing, to fund refurbishment and adaption of the ground floor; and NOTED that inclusion of public toilets in the ground floor works would occur only if Stourport on Severn Town Council provides the funding for them;**

- 1.2 **APPROVED** procurement of a construction contractor to undertake the works and **DELEGATED** to the Head of Strategic Growth, in consultation with the Deputy Leader and Cabinet Member for Housing, Health and Well-being, Head of Resources and Solicitor to the Council, approval of the evaluation criteria based on 70% quality/30% price and award of the contract;
- 1.3 **DELEGATED** to the Head of Strategic Growth, in consultation with the Deputy Leader and Cabinet Member for Housing, Health and Well-being, Head of Resources and Solicitor to the Council, to enter into a 125 year lease of the ground floor to Stourport on Severn Town Council.

CAB.22 Exclusion of Press and Public

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

CAB.23 Agenda item 9.4 - Redevelopment of 8A Bridge Street, Stourport - EXEMPT Appendix 1 – Business case

The Deputy Leader and Cabinet Member for Housing, Health and Well-being presented the confidential appendix to the report.

Having considered the appendix, the Cabinet re-affirmed their decision made in the open session of the meeting.

CAB.24 Future High Streets Fund (FHSF)

A report was considered from the Head of North Worcestershire Economic Development and Regeneration (NWEDR) that sought decisions in respect of an FHSF project.

The Cabinet Member for Economic Regeneration, Planning and the Green Agenda presented the confidential report and formally moved the recommendations for approval.

The Cabinet Member gave a detailed summary of the background and key issues that had necessitated the proposals. He outlined the financial implications and potential funding sources for the project as detailed in the confidential report.

He explained that the FHSF grant allocation must be spent by 31 March 2024 to avoid the risk of forfeiture, if the variation for the additional work was not approved, there was a significant risk that the grant would not be spent by the cut-off date and would therefore be reclaimed.

The Leader seconded the proposals.

Decision: The Cabinet:

- 1.1 a) **APPROVED** variation of the construction contract with the contractor named in the report to carry out the additional works required to address the dry and wet rot issues, as detailed in the specialist survey report;
- b) **DELEGATED** authority to implement the agreed variations to the Head of North Worcestershire Economic Development and Regeneration, in consultation with the Solicitor to the Council, the Head of Resources and the Cabinet Member for Economic Regeneration, Planning & the Green Agenda;
- c) **RECOMMENDED** to Council that the capital programme allocation for the Future High Streets Fund is amended to include an additional amount as set out in the confidential report, on the basis of the funding arrangements set out in section 5 of the confidential report;
- d) **AGREED TO CONSIDER** the revenue implication of any borrowing required to fund the project when preparing the 2024-27 Medium Term Financial Strategy, making appropriate revenue provision for external interest expense and Minimum Revenue Provision (MRP).

There being no further business, the meeting closed at 7.28pm.

The open meeting is available for viewing on the Council's website <https://wyreforestdc.public-i.tv/core/portal/webcasts>

WYRE FOREST DISTRICT COUNCIL

CABINET
12th SEPTEMBER 2023

Corporate Plan 2023 - 2027

OPEN	
CABINET MEMBER:	Councillor Marcus Hart, Leader and Cabinet Member for Strategy
RESPONSIBLE OFFICER:	Ian Miller, Chief Executive Ext 2700 ian.miller@wyreforestdc.gov.uk
CONTACT OFFICER:	Marta Starostina, Corporate Policy Officer
APPENDICES:	Appendix One – Corporate Plan 2023 -2027 Appendix Two – Survey results summary

1. PURPOSE OF REPORT

- 1.1 To recommend the Corporate Plan 2023 - 2027 to Council for adoption.

2. RECOMMENDATION

- 2.1 The Cabinet is asked to RECOMMEND to Council that:**

It adopts the Corporate Plan in appendix 1

3. BACKGROUND

- 3.1 The Council's Corporate Plan expires in 2023. A cross-party Cabinet Advisory Panel was set up to oversee consultation arrangements about priorities and to consider options for and producing recommendations on the Corporate Plan for 2023 – 2027, with a view to Council adopting the Corporate Plan at its meeting in September 2023. The panel has met in July and September to discharge this element of its role.
- 3.2 The Council published an online public consultation from 18 July to 18 August 2023. Paper copies were available in Council buildings. The corporate plan consultation was promoted in Bewdley Museum during the Cherry Fair in July 2023. Views of managers were sought at the Managers Network meeting in June and an online survey for staff and Members was published.
- 3.3 A stakeholder event was held on 9 August 2023 to obtain views of partners. 10 people attended this event including one town councillor. The event was repeated on the evening of 9 August specifically for town and parish councillors which was attended by 2 members.
- 3.4 Responses to the consultation were received by 1,008 members of the public, 85 members of staff and 3 Members. All responses were online. This compares to 1,618 public responses and 100 staff member responses to the corporate plan

consultation in 2018. The stakeholder events on 9 August were attended by 12 representatives and their feedback was given to the Cabinet Advisory Panel.

- 3.5 The Cabinet Advisory Panel had a rich and detailed set of feedback to consider in helping it discuss what should feature as priorities in the Corporate Plan.

4. KEY ISSUES

- 4.1 A summary of the results that were provided to the Cabinet Advisory Panel are set out in Appendix 2.
- 4.2 When asked what the council should focus on over the next four years the results show that there is clear support for growing the economy and regenerating the district and making the district cleaner, safer and greener.
- 4.3 The Cabinet Advisory Panel is meeting on 6 September to consider the results of consultation about the corporate plan and is expected to provide a recommendation to Cabinet about the content of the plan.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no direct implications arising from this report.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 Decisions will be taken in due course as necessary in accordance with legislative requirements and will identify any changes that might be required to the Council's policy framework.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An Equality Impact Assessment (EIA) is not required at this point as no decisions are sought that would have an impact on the protected characteristic groups.

8. RISK MANAGEMENT

- 8.1 There are no direct risks associated with the implementation of the Corporate Plan.

9. CONCLUSION

- 9.1 The Cabinet is invited to recommend the Corporate Plan 2023 - 2027 to the Council for adoption.

10. CONSULTEES

- 10.1 CLT
10.2 The public, Members and staff on priorities etc for the corporate plan
10.3 Cabinet
10.4 Cabinet Advisory Panel

11. BACKGROUND PAPERS

11.1 Reports to the Strategic Review Panel, June and September 2023.

Cabinet Advisory Panel

6 SEPTEMBER 2023

CORPORATE PLAN ANALYSIS – ONLINE SURVEY RESPONSES

Report from the Corporate Policy Officer

The public survey about the corporate plan went out on 18 July and closed on 18 August 2023. The survey was available online, and paper copies were available in the Hub and the Wyre Forest House. The leaflets about the corporate event questionnaire were distributed during the Cherry Fair and 1940s weekend on 22 July and 23 July. During this time 1,096 people gave us their views – 1,008 completed the public survey, 85 filled out the staff survey and 3 councillors gave their views on the members survey.

15 questions were asked including the ones related to demographics. This paper analyses the survey results. Special attention has been paid to the comments section to pick up priorities people consider to be of importance.

Demographics

We asked people about the home they live in. 84% own their own home or flat, and 12% rent their home. 4% selected 'other' such as mobile home or shared accommodation.

From the public survey 55% respondents were female. 42% were male and 3% did not want to specify.

95% of respondents classified themselves as White British. 2% selected White Other. 0.12% were Black British, 0.12% were Asian British and 2.50% selected Other.

The majority of public responses came from Wyre Forest residents. There were responses from a postcode in Gloucester and one in Shropshire.

Most people who filled out the public survey were individuals (99%) and 6 were organisations.

47% of respondents were retired. 47% were employed or self-employed. 1% were unemployed and the remaining 5% didn't specify. 50% were between 40 and 64 years old. 43% were over 65 years old. 7% were between 18 and 39 years old. One respondent was under 18.

Survey results summary

Question One – how satisfied are you with your local area as a place to live?

55% were satisfied or very satisfied compared with 27% who were dissatisfied or very dissatisfied. This compares with 65% of staff who were satisfied or very satisfied and 12% dissatisfied. 100% of councillors were satisfied.

People expressed the following feelings:

“I think you do a good job.”

“The town is not the most civilised place I’ve lived. Homeless need more attention. Subways in Kidderminster need more attention as too many people hang around those areas preying on vulnerable unfortunately.”

“I think the Council as a whole has not made the best use of its resources in its commercial approach.”

“A little more joined-up thinking, especially regarding the waste of the once thriving town centre.”

“Kidderminster town centre needs to be regenerated to bring people into the town as it used to be.”

“Please look at Altrincham in Cheshire and see how they have managed to transform their town centre. It started with the indoor market and has grown from there.”

Question Two – how satisfied are you with your local area as a place to do business?

22% of respondents were satisfied or very satisfied with the district as a place to do business and 29% were dissatisfied or very dissatisfied with the majority (49%) undecided. This compares with 34% of staff being satisfied or very satisfied and 22% dissatisfied and again most staff (44%) were undecided. 100% of councillors were satisfied.

People expressed the following opinions:

“Revitalisation of the town centre is needed, with all of the new housing being built in the area, the town centre facilities retail and leisure are an embarrassment.”

“We need more retail shops in the town centre. Big names such as Primark Debenhams. More local businesses. Less charity shops.”

“Stourport needs investment - 'shut' shops should not be left to deteriorate, but new businesses should be encouraged.”

“High street Stourport needs improvement. Too many empty premises in poor condition. Need to attract more bespoke interesting shops and businesses.”

“Also, consider cutting rates so businesses can afford to move into empty units, but make sure they're good businesses; we don't need any more casinos, vape shops, fast food or charity shops. Consider converting long-standing empty units into town centre apartments.”

“Please prioritise support for businesses to ensure tourists towns can thrive.”

“Stourport-On-Severn is a tourist destination, therefore why isn't there more focus on improving the town to welcome more visitors, which would create business jobs etc.”

“Do what you have to do but stop cutting services and stop cutting staff.”

“If you want a charity shop, come to Wyre Forest. Bring back small retailers back and people will come shopping and visit and stay. This will provide income to the area and finance improvements for all.”

Question Three – how satisfied are you with your local area as a place to visit?

There was greater satisfaction with the district as a place to visit, with 43% saying they were satisfied or very satisfied, compared with 37% dissatisfied or very dissatisfied. This compares with 58% of staff being satisfied or very satisfied and 23% dissatisfied. 100% of councillors were satisfied.

People expressed the following opinions:

“Regarding local things to see, do and visit- there used to be more activities in Brinton's park, Bewdley museum gardens and Stourport riverside meadows throughout the summer- I feel these activities foster good community relations and encourage local residents and visitors into the town.”

“Sure Wyre Forest attracts a large number of visitors, thanks to SVR, Safari Park, Forest Centre, Bewdley, Stourport, but the surrounding of the station and Comberton will benefit the town by being cleaner, and flowers so attract visitors to Kidderminster.”

“If we want more people to visit the amazing attractions, we have. We must sort out the two main hotels, The Gainsborough & The Heath.”

“I don't understand why there is not more focus on tourism that would boost the local economy.”

“Stourport is a visitor destination. We need to smarten up the look and feel of the town.”

“making the basin tourist hot spot but like Black Country Museum, make it more appealing for families to visit, Bowling alley in the old factory shop maybe.”

“Town Centre development is absolutely crucial. As a regular visitor to other town across the country, other town centres are thriving in response to the development and strategic direction. Having a night-time economy is key. Yes, there might be a clean-up operation for the following morning. However, making sure visitors and residents have places to go after 4-5 pm means that people stay and continue to spend their money in our area. The riverside area of Kidderminster (Wall2Wall, Tapetto etc.) is far and away "the place to be" in Kidderminster in the evening. This is because it looks nice and is well maintained, has venues that open late and offer something different.”

Question 4 – Thinking about the local area, what do you believe are the three most important things that make somewhere a good place to live?

General Public	Staff
Level of crime (67%)	Level of crime (63%)
An economy and town centres that support economic growth and jobs (51%)	An economy and town centres that support economic growth and jobs (58%)

Clean streets (35%)	Clean streets (40%)
---------------------	---------------------

Closely followed by 32% who voted for access to nature and 29% said parks and open spaces. All of the top 5 staff results matched those of the public.

Members results were evenly split between the same top 3 priorities as the public and staff but with 67% for each area. Access to nature, parks and open spaces and sports and leisure facilities received the remaining 33% of their votes each. The three lowest votes for the public were help for households to avoid homelessness (8%), sports and leisure facilities and waste collection arrangements (9.5% each). The lowest votes in the staff survey again matched those of the public with 6%, 2.5% and 5% respectively.

Some comments against each of the most popular options are shown below.

The level of crime and anti-social behaviour:

“Local parks are not safe to be in. Kidderminster Town feels unsafe now.”

“It needs inward investment, regeneration and measures put in place to make people feel safer addable to walk around in constant fear of something unpleasant happening.”

“Kidderminster is stagnant, nothing to inspire residents to feel good about their environment. Uncontrolled youths out in the parks until all hours, no visible signs of authority.”

“Plans for Kidderminster look fantastic..... but! All of your hard work will be destroyed unless you get a grip of anti social behaviour, drunks lounging around the town centre etc. and that will be a shame!”

An economy and town centres that support economic growth and jobs:

“WFDC needs to have a town centre regen plan for Stourport and Kidderminster.”

“Their top priority should be to regenerate [Kidderminster town centre] what was once a thriving town centre.”

“The town centre is regenerating to attract new shops and outlets to encourage visitors /shoppers.”

“Stourport is way behind Bewdley and Kidderminster in the allocation of funding. Level up please.”

Access to nature:

“Economic growth drives the funding of all the other activities that the council want to provide, but not at the sacrifice of the green spaces and nature that are so important to the community.”

“The Council needs to be more active in educating the public about the twin crises of climate and nature.”

“Appreciate more the beauty of River Stour in the Kidderminster area and have a focus on water pollution. Clean rivers attract wildlife and are therapy for people.

Where the Stour meets the Severn at Stourport could be made into a lovely attraction.”

“I believe we should be a greener place to live more cycle paths. Make the most of our positives, such as the cycle path along the River Severn.”

Clean Streets:

“Keeping the town clean and safe. Also, keeping the green areas on estates looking tidy.”

“We need to go back to basics, sort out crime, keep our community clean.”

“Street clean: I live in Bredon close. We hardly get the road sweep down this road and we get a lot of young kids "hanging out" down this road they leave quite a mess and it's left to me or my neighbour to clean it up...”

Parks and open spaces:

“This council has allowed houses to be built on beautiful fields, killing wildlife and affecting people's mental health by reducing the green areas.”

“Economic growth drives the funding of all the other activities that the council want to provide, but not at the sacrifice of the green spaces and nature that are so important to the community.”

“Developing brownfield sites before any green belt or rural areas are even considered should be a priority.”

“Generating more income streams and promoting these. Providing a safe place for people to live.”

Question 5 – Thinking about the local area, which of the things below do you think needs improving most?

General public	Staff
An economy and town centres that support economic growth and jobs (69%)	An economy and town centres that support economic growth and jobs (73%)
Level of crime and anti-social behaviour (58%)	Level of crime and anti-social behaviour (57%)
Clean streets (33%)	Clean streets (30%)

Again, the views of the public were matched with the views of staff who responded. Areas that received the least votes with the public were waste collections (4%), access to nature (7%) and parks and open spaces (12%). Staff results showed access waste collections (1%), access to nature (6%) and sports and leisure facilities (11%) with the least votes.

The results of the Members survey differed slightly. 100% agreed with more support for economic growth, second was split between clean streets and a mix of housing

that meets the needs of residents and the third vote was also split between wanting more cultural facilities and with more sports and leisure facilities.

Selection of comments:

“There is no point focusing on building houses until the area becomes a thriving town with jobs created and places for people to go out and enjoy the area thus making it a desirable area to live which will then see a rise in unemployment and finally the need for housing.”

“People don't care about the area, there is no pride. Antisocial behaviour, noisy cars and motorcycles, litter everywhere.”

“We need more community involvement and support around antisocial behaviour.”

“Just clean the place up - it's a filth tip.”

Question 6 – Where would you like to see us focus our energies most during the next four years?

Commentary:

To get an average score we have totalled all scores and divided by the number of people scoring each individual priority area.

Please note **lowest score = highest priority**

Top 3 priority areas, for each group, are highlighted in bold.

General public	Staff
Contributing to a successful local economy through economic regeneration projects, supporting businesses and attracting inward investment (Average score: 3.37)	Contributing to a successful local economy through economic regeneration projects, supporting businesses and attracting inward investment (Average score: 2.93)
Keeping the district clean, green and safe (Average score: 3.62)	Keeping the district clean, green and safe (Average score: 3.50)
Making sure that there is an up-to-date plan and vision for Wyre Forest's future development (Average score: 4.21)	Delivering good quality and efficient essential services such as waste collection, administration of welfare benefits and elections, and processing planning applications (Average score: 4.37)
Giving people access to good quality and affordable homes (Average score: 4.47)	Making sure that there is an up-to-date plan and vision for Wyre Forest's future development (Average score: 4.40)

Agenda Item No. 7.1 Appendix 2

Delivering good quality and efficient essential services such as waste collection, administration of welfare benefits and elections, and processing planning applications (Average score: 4.65)	Ensuring there are good things to see, do and visit (Average score: 4.82)
Ensuring there are good things to see, do and visit (Average score: 4.77)	Giving people access to good quality and affordable homes (Average score: 4.85)
Taking a more commercial approach to generating income to help preserve services community values (Average score: 4.81)	Taking a more commercial approach to generating income to help preserve services community values (Average score: 5.39)
Continuing to make efficiencies and transform the ways in which we deliver services to drive down costs and make it easier for customers to engage with the Council including extending our digital offer (Average score: 5.02)	Continuing to make efficiencies and transform the ways in which we deliver our services to drive down costs and also to make it easier for customers to engage with the Council including extending our digital offer (Average score: 5.36)

The top 3 priorities from the Members survey was ensuring there are good things to see, do and visit (average score 2.34), contributing to a successful local economy (average score 3.34) and keeping the district clean, green and safe (average 3.67). The lowest scores were for making efficiencies, taking a commercial approach and delivering good quality services.

Selection of the comments received:

Contribution to a successful local economy through economic regeneration projects supporting businesses and attracting inward investment:

“On a recent trip to Wales it became clear to me how much enabling people to access the outdoors is valued. So many of their outdoor spaces are free to access with little need to pay for parking, the towns were well looked after and new business encouraged, and old businesses maintained, access to lakes etc was free and encouraged. [...] Encouragement for locals starting up businesses too would be good.”

“We need to attract more big-name shops and encourage bars and bistros to open in Kidderminster. “

“Why are you not spending money on Stourport on Severn High Street, we have a lot of tourism but will lose that as the town looks run down and needs a new regeneration programme.”

“Something to kick start businesses in the centre. I know ‘something’ isn’t very helpful but thriving businesses in the centre of Kidderminster would help so much.”

“Complete projects as promised e.g. Bull ring”.

“Please rescue Stourport, it could be beautiful again it has so much history. Regenerate the town centre and clean the place up especially round the basin and the fairground. It’s embarrassing to live here now and my family has been here for over 50 years.”

Keeping the district clean, green and safe:

“I often feel unsafe in the town centre and in parks around Kidderminster. This should be a huge priority.”

“Keep Bewdley clean, green and inviting for visitors and residents.”

“I feel that alcohol licences need looking at particularly those that allow outdoor drinking. It makes it feel like an unsafe place to be after dark.”

“I think it is important to keep public spaces tidy, well maintained and clean to present a good image to visitors and attract returning visitors.”

“With regards to noise, I strongly feel that loud open-air musical events need to be more strictly controlled as it is becoming an increasing blight on the quality of life in my home area. I think residents’ wishes should be put foremost ahead of individual business needs.”

“Do we have spaces that could become community spaces for local community groups to develop community vegetable gardens? Could this reduce the council’s need to maintain (mowing etc.) some areas?”

“Please start putting the environment over money. Please promote greener ways of living and running council services and events eg supporting plant-based initiatives and lower carbon transport.”

Continuing to make efficiencies and transform how we deliver our services to drive down costs and make it easier for customers to engage with the Council, including extending our digital offer:

“Going digital on parking passes on certain areas. It is not going to work.”

Question 7 – How satisfied are you with the Council’s commercial approach?

45% of the public were either satisfied or very satisfied followed by 40% who were undecided. 15% were either dissatisfied or very dissatisfied.

59% of staff were satisfied or very satisfied with our approach, 14% were dissatisfied or very dissatisfied and 27% were undecided.

Some of the comments are below:

“At present, it feels like WFDC is not listening to the people they are supposed to serve.”

“Commercial approach should complement the area (i.e. not the approach of Woking BC).”

Agenda Item No. 7.1 Appendix 2

“I'm dissatisfied that a council has to take such a business-centric approach; many of the services should be delivered, well, for the people, without a cost concern.”

“We tried to support the council by using one of the 'commercial' services but there was a complete lack of customer focus. Not at all professional.”

“We do not welcome ambitious plans in taking over commercial premises following the disasters seen elsewhere in Essex etc.”

“Access to services that make the district an attractive place to live shouldn't depend on the ability to pay. The green waste service should be available to everyone free of charge. Introducing more charges for services widens the division between the richest and the poorest. Teams are already lean and struggling to cope. Embracing digital will help match demand with capacity and may improve staff's work-life balance and mental well-being, but it will not close the funding gap. Income generation based on demand-led services is inherently volatile. We should learn from experience (C-19) that over-reliance on income generation is a risky strategy..”

“As long as commercial services are not to the detriment of the services already delivered.”

“Councils cannot be commercial, and it's a conflict to our service delivery.”

“I believe more commercial activities could increase the authority's commercial income.”

WYRE FOREST DISTRICT COUNCIL

CABINET

12TH SEPTEMBER 2023

Budget and Performance Monitoring First Quarter 2023-24

OPEN	
CABINET MEMBER:	Councillor D Ross, Cabinet Member for Finance and Capital Portfolio
RESPONSIBLE OFFICER:	Head of Resources and s151 Officer
CONTACT OFFICERS:	Helen Ogram Ext. 2907 Helen.Ogram@wyreforestdc.gov.uk Kath Pearsall Ext.2165 Kathryn.pearsall@wyreforestdc.gov.uk Lisa Hutchinson Ext. 2120 Lisa.Hutchinson@wyreforestdc.gov.uk Rhiannon Foxall Ext. 2786 Rhiannon.foxall@wyreforestdc.gov.uk
APPENDICES: The appendices to this report have been circulated electronically.	Appendix 1 - Wyre Forest District Council Revenue Budget Total Requirements - District Council Purposes Appendix 2 - Capital Programme Appendix 3 - Budget Risk Matrix Appendix 4 – Analysis of Outstanding Debt Appendix 5 – Commercial Manager’s Income analysis Appendix 6 – How we are doing performance reports

1. PURPOSE

- 1.1 The purpose of the report is to brief members on the Council’s financial and other performance at the end of Quarter 1 ending 30th June 2023 and to present the current projected outturn position for the 2023-24 financial year.
- 1.2 The report sets out the current forecast of income and expenditure against budget for 2023-24 for revenue expenditure. In addition to the usual information presented in the Quarterly Budget Monitoring Reports, the report provides key information relating to estimates of the Council’s financial position for the next three years, highlighting the revised Funding Gap that will need to be closed to bring expenditure into line with income.

Revenue – after application of risk and contingency reserves the year-end outturn position on services is forecast to be **£215k** worse than the position forecast in the 2023-26 Medium Term Financial Strategy (MTFS). Before application of reserves the service overspend is projected to be **£3.097m**.

Capital – after including slippage of £19.776m from 2022-23, the approved Capital Programme for 2023-24 is £60.455m. The forecast slippage to future years at Quarter 1 is currently anticipated to be circa £815k. However, many of the major schemes, including the Capital Portfolio Fund, Capital Projects Fund and Levelling Up Fund, will be reprofiled during the Revised Budget process, so the projected capital outturn for 2023-24 will likely reduce when reported in future quarterly

budget monitoring reports. Council approved two additional allocations for the Future High Street Scheme in July 2023. These have been included in the current Capital Programme total of £60.455m.

- 1.3 The report also briefs members on current progress against the savings and efficiency targets being delivered by the Wyre Forest Forward Programme and the Localism agenda. Only limited progress against meeting the 2023-24 Wyre Forest Forward target of £177,000 has been achieved and it is likely that the new administration's policy changes will result in the Localism savings of £208,000 for 2023-24 not being achieved. A review of recurring final account savings will be undertaken during Quarter 2 to capture and record efficiencies made.
- 1.4 The report includes the quarterly "How are we doing?" performance report. This combined report allows both Cabinet and Overview and Scrutiny Committee a rounded view of the Council's performance including its financial position.

2. RECOMMENDATIONS

The Cabinet is asked to NOTE:

- 2.1 **The projected budget variations and comments within this report and appendices 1 to 5.**
- 2.2 **The performance against measures and actions as set out in the report and appendix 6.**

3. BACKGROUND

- 3.1 Budget projections are reviewed regularly and reported to Cabinet on a quarterly basis. The 2023-24 Original Budget was approved as part of the 2023-26 Medium Term Financial Strategy (MTFS) by Council on 22nd February 2023. Performance is measured against the Original Budget presented within the 2023-26 Strategy (Appendix 1). The current forecast shows a net overspend against the Original Budget of £215k. The current employer's pay offer adds a further cost pressure of circa £330k, but this is largely being met by a transfer from the General Risk Reserve, created from the 2022-23 Final Account savings. The significant additional capital costs of delivering the Future High Street Fund projects will be met, in part, from a transfer from revenue risk and contingency reserves (£2.582m). The assessment of the outturn position is based on a wide range of assumptions, predicted patterns of cost, service demand and behaviours and the forecasts will be refined as part of preparation of the MTFS 2024-27.
- 3.2 The balanced budget approved by Council focuses on ensuring that the Council optimises the full range of income sources that affect its overall budget including Council Tax and Business Rates revenue, Government funding and other external specific grants, fees and charges and other elements of income from activities including returns from property and treasury investments.
- 3.3 Wyre Forest District Council is a member of the Herefordshire and Worcestershire business rates pool and receives a share of any growth in rateable value achieved. Any gain is shared between Worcestershire County Council, the Fire authority, the Herefordshire unitary authority (Herefordshire Council) and the 6 District Councils in Worcestershire.
- 3.4 Year-to-date monitoring shows that income from business rates payers will be in line with the position previously estimated with no noticeable increase in empty reliefs. Collection rates at the end of the first quarter are consistent with those

Agenda Item No. 8.1

achieved last year. The MTFS took a prudent assessment of growth above baseline this position is being closely monitored and assumptions revised, if necessary, when the MTFS 2024-27 is prepared. The position in relation to the 2023-24 year-end provisions for appeals cannot be estimated with accuracy at this time so this could result in variances. Any variation in appeals provision will impact on the surplus/deficit position and carried forward to future years.

- 3.5 The 2023-26 Medium Term Financial Strategy makes prudent assumptions about the income stream that is expected to be generated from the Capital Portfolio Fund. The uncertainty and ongoing risk inherent in this income stream is recognised and the properties are actively managed to minimise any risk to Council Tax payers. We continue to work to ensure that current financial performance of the fund, specifically the impact on the MTFS, is clearly presented.
- 3.6 The best value theme centred around use of resources in the Best Value Standards and Intervention guidance, highlights that dependency on high-risk commercial income for service delivery and balancing budgets is one of the indicators of potential failure. All business cases are subjected to due diligence checks, give a full appraisal of risks and a prudent view of likely income arising with appropriate sensitivity analysis presented to aid decision making. Lessons have been learnt from the Covid pandemic from over reliance by District Councils on demand led income streams. It is noted that the Government did not recompense Councils for any commercially generated income through the Covid Fees and Charges Support scheme.
- 3.7 A revised Capital Strategy 2023-33 was approved by Council on 23rd February 2023. The revised Strategy covers all capital expenditure and sets out reporting and planning for financial risk implications in relation to non-treasury investments. The capital programme has been updated following consideration by Council at the 17th July 2023 meeting.

4. FINANCIAL PERFORMANCE

4.1 Revenue Overview

The quarterly budget monitoring includes the forecast position for the current financial year. The Revenue Summary shows net expenditure by reporting group and where some costs are funded by reserves this is incorporated.

The following table details an early projected outturn position with variances against the budget approved by Council on 22nd February 2023. The projection is based on known and emerging cost pressures and cost reductions or income growth and does not take into account any management action plans still to be developed to address potential overspends:

Agenda Item No. 8.1

SERVICE REPORTING GROUP	Original Budget	Quarter 1 Outturn Projection	Quarter 1 Variance
	£000	£000	£000
Chief Executive and Solicitor to the Council	2,219	2,477	258
Community and Environment	5,482	5,677	195
Economic Development and Regeneration Resources	249	264	15
Revenues Benefits and Customer Services	2,448	2,506	58
Strategic Growth	1,390	1,463	73
	2,064	2,169	105
Services Total	13,852	14,557	705
External Investment Income	(750)	(1,500)	(750)
Capital Account	585	3,727	3,142
Grand Totals	13,687	16,784	3,097
Contribution from General Risk Reserve (Pay)		(300)	(300)
Contribution from General Risk Reserve (FHSF)		(682)	(682)
Contribution from FHSF Revenue contingency		(500)	(500)
Contribution from Business Rates Reserve (FHSF)		(1,400)	(1,400)
Total transfer from Earmarked Reserves		(2,882)	(2,882)
	13,687	13,902	215

The table includes the revenue impact of the decision to increase the Capital Programme allocation for the Public Realm Connectivity project and the Creative Hub at the former Magistrates Court at Full Council on 17th July 2023 by £5.738m, despite occurring after the quarter end date, due to the significance of the impact being known at the reporting date. The funding for the additional expenditure includes £2.950m direct revenue financing. This expenditure is met by transfers from Earmarked Reserves.

The assessment of variances is based on a wide range of assumptions, and the forecasts will be refined and reset as preparation of the Medium Term Financial Strategy 2024-27 progresses.

4.2 Capital programme – progress of spend against capital programme is summarised below:

2023-24 Capital Programme	Original 2023-24 Capital Programme	Updated Capital Programme 2023-24 (including slippage from 2022-23)	Q1 Capital Outturn 2023-24	Draft Outturn Slippage at Q1
	£	£	£	£
Community and Environmental Services	2,145,720	2,818,780	2,875	190,390
Resources and Revenues, Benefits & Customer Services	250,000	502,480	17,537	0
Strategic Growth	9,784,700	13,947,030	473,082	211,210
Economic Development & Regeneration	21,498,690	41,653,400	1,118,916	0
Chief Executive and Solicitor to the Council	413,610	413,610	0	413,610
Vehicle, Equipment and Systems Renewal Schedule	1,012,040	1,119,720	83,641	0
Total	35,104,760	60,455,020	1,696,051	815,210

Supply and inflationary pressures have created some significant risks for the Council's capital programme, such as increasing costs for construction and equipment renewals. Full detail of scheme progress is provided in Appendix 2 to this report. Two additional capital allocations relating to the Future High Street Schemes were approved by Council in July 2023; these have been included in the updated Capital Programme budget above since they were approved at the reporting date.

The majority of the Council's Capital Programme is financed from either borrowing or capital grants, some of the programme is funded directly from revenue. There are revenue implications from capital expenditure funded from borrowing through interest charges and the statutory Minimum Revenue Provision (MRP).

Reprofiling (slippage) of the 2022-23 spend to 2023-24 has only a modest impact on the MRP charge in 2023-24, since the majority of the reprofiling related to grant funded schemes.

5. RESERVES POSITION AND FUNDING GAP

Local authorities are required by law to have a balanced budget i.e. a plan based on sound assumptions which shows how income will equal spend over the short and medium term. Plans can take account of deliverable cost savings and/or income growth strategies as well as useable reserves. A budget is considered not to balance where increased uncertainty leads to budget overspends of a level which reduces reserves to unacceptably low levels. Any significant alteration in either expenditure or income may result in an unbalanced budget. Factors affecting a budget could include:

- Natural disaster
- sudden policy change
- demographic pressures
- unexpected funding pressures
- failure to realise planned savings or income growth

To avoid an unbalanced budget the council needs to be financially resilient to ensure that finances can withstand unexpected pressures. A large part of our financial resilience is secured via the adequacy of our general and earmarked reserves.

General Reserves

- 5.1 The tables below provide key information relating to early estimates of the Council's financial position through to 2026-27, taking into account the impact of new and emerging cost pressures and the Quarter 1 Budgetary Control projections presented in this report.
- 5.2 In the years up to the pandemic the Council had done exceptionally well in generating additional income and implementing efficiency savings that have put back the date at which it has to bring its expenditure into line with income. The new administration expects to focus on generating higher levels of commercial income although the implications across the current MTFS are not yet known.
- 5.3 The tables below present the reserves position with the current projected outturn position for 2023-24.

Revised Reserves Statement	Outturn 2022-23 £	2023-24 £	2024-25 £	2025-26 £	2026-27 £
Reserves as at 1st April	3,840,860	3,468,190	3,094,390	1,982,558	310,787
Contribution to/(from) Reserves	(372,670)	(159,010)	(394,850)	(939,040)	(1,309,200)
Estimate of major variances		(214,790)	(716,982)	(732,731)	(732,731)
Reserves as at 31st March	3,468,190	3,094,390	1,982,558	310,787	(1,731,144)

Impact on MTFS	(80)	214,710	931,692	1,664,423	2,397,154
-----------------------	-------------	----------------	----------------	------------------	------------------

- 5.4 In the absence of additional income, further savings and efficiency measures or additional Government funding, the Council will exhaust its general fund balances at the end of the current MTFS, likely to be before the end of 2026-27 and will be unable to set a balanced budget beyond 2025-26.

Earmarked Reserves

- 5.5 The Council’s earmarked reserves held at 1st April 2023 totalled £13.193m. The balance includes Business Rates reserves including those held in respect of the time lag inherent within the current Business Rates Retention (BRR) system.
- 5.6 A General Risk Reserve is held to meet one-off unexpected costs and to manage most future operational risks. Allocations against the reserve are approved by the Corporate Leadership Team. Following in year allocations and top-ups the current level of the General Risk Reserve is £1.176m. (reported after the allocation for FHSF £682k and pay costs £300k).

Earmarked Reserves	Reserves b/f at 01/04/23	Quarter 1 Spend	New Reserves Added	Commitments outstanding	Balance available
	£000	£000	£000	£000	£000
External Funding	2,318	20	0	0	2,298
Shared Service	468	7	0	0	460
WFDC Budget	3,683	3	(15)	892	2,804
Innovation Fund	1,178	0	0	472	706
General Risks	2,299	0	0	1,123	1,176
Sub Total	9,945	30	(15)	2,486	7,444
Covid Reserves	52	0	0	0	52
Business Rates (timing)	1,796			1,424	372
Business Rates (Risk)	1,400	0	0	1,400	0
Total	13,193	30	(15)	5,310	7,868

- 5.7 Reserves are very useful for balancing unexpected expenditure in the short term. However, CIPFA’s advice is that they are replaced when the short term need has passed and that the use of reserves must be very measured. The Business Rates (Risk) reserve was held to smooth the impact of business rates reform or a business rates reset. Use of the was considered acceptable to support regeneration due to business rates growth that can be expected to be generated from the completed schemes and the government’s commitment to transitional protection when funding reform is introduced. Further application of the General Risk Earmarked Reserves to meet inflated costs of approved capital projects or any day to day operational expenditure would put the financial viability of the Council at risk.

The Funding gap

The funding gap analysis takes account of assumptions of cost savings and/or income growth strategies built into the budget and the contribution required from reserves to balance the budget.

5.8 **Starting position MTFs 2023-26**

	2023-24	2024-25	2025-26
Financial Gap	£	£	£
Wyre Forest Forward Savings not yet achieved	177,240	388,310	357,810
Generic Localism Savings target	304,230	475,400	473,270
SUB- Total	481,470	863,710	831,080
Use of reserves from proposed 2022-25 Strategy	159,010	394,850	939,040
TOTAL	640,480	1,258,560	1,770,120

5.9 Major variations

Estimate of major variances compared to approved budget assumptions			
	2023-24 £000	2024-25 £000	2025-26 £000
General inflation	105	109	112
Pay inflation	330	343	353
Other Cost Pressures	74	77	79
Insurance renewal	45	47	48
Localism savings target	200	300	300
External Borrowing to support FHSF projects		42	42
Net income growth*	(49)	(51)	(53)
Investment Income (net of ringfenced sums)	(190)	(100)	(50)
Total Service Variances	515	867	883
Business Rates Growth and CPI uplift	0	(150)	(150)
Transfer from general risk reserve re pay	(300)		
Total Variances	215	717	733

*a re-energised focus on commercialism and income growth is expected to generate additional future revenue although the implications across the current MTFS are not yet known. These estimates will be refined as part of the preparation for the 2024-27 Medium Term Financial Strategy.

5.10 Revised Funding Gap analysis

Financial Gap	2023-24 £	2024-25 £	2025-26 £
Wyre Forest Forward Savings not yet achieved	177,240	388,310	357,810
Generic Localism Savings target	104,230	175,400	173,270
SUB- Total	281,470	563,710	531,080
Revised use of reserves based on Quarter 1	373,800	1,111,832	1,671,771
TOTAL	655,270	1,675,542	2,202,851

Information and Analysis – Financial Performance Summary

6. REVENUE DETAIL

6.1 This report draws attention to new and emerging budget pressures that will potentially have a significant impact on the council’s ability to deliver services within the budget envelope approved February 2023 Council. The report is produced in consultation with CLT, Heads of Service and Service Managers.

6.2 The following table presents an overview of the new and emerging budget pressures:

Estimate of major variations – New and Emerging Cost Pressures

Area	MTFS Assumption	Current Estimate	Impact	Detail
Additional Capital Programme approvals			£££	The additional capital expenditure on the Kidderminster Connectivity and Creative Hub projects, approved by Council on 17 th July 2023 will be part financed from revenue. The expenditure will be matched by a contribution from revenue reserves.
April 2023 Pay award	4%	7% minimum	£££	The initial employers offer adds circa 7% to the pay bill
Localism Target			£££	Savings target previously agreed may require amendment as a result of policy position of the new administration. Re energised focus on commercialisation and income generation may reduce any impact.
Slippage on capital programme increasing revenue spend/decreasing income			£££	Void property expenses reduced rental income, increased expenses (including business rates). Impact of inflation on supplies, materials and labour.
Planning appeal decision allowed			£££	The appeal decision has overturned the Planning Committee's refusal of Low Habberley application ref 21/0421/OUT: costs awarded to the appellant, amount yet to be confirmed but might easily be £100k. This is a one off item of expenditure.
General Inflation	3%	7%	£££	The 2023-24 Budget included an uplift of £155k for general non pay inflation. The full impact of inflationary pressures is expected to be double the original assumption
Recruitment and retention of specialist senior staff			££	There continues to be pressures around staff recruitment due to pay levels at these grades been uncompetitive nationally. In some areas, where shortages are acute, hybrid working across the sector means we are now competing with councils in London and the South East.
Insurance renewal	3%		££	Terms agreed for 1st July renewal, awaiting final invoices. Total cost increase expected to be £65k, budget variance of circa £45k.
Members' allowances			£	Following local elections there is an additional Cabinet member, additional Group Leader and Scrutiny Committee chair not

Agenda Item No. 8.1

Area	MTFS Assumption	Current Estimate	Impact	Detail
				already in receipt of special responsibility allowance (previously held by Group Leader).
Stourport Sports Club			£	Savings that had previously been recognised will not materialise (confirmed by Cabinet and Council decisions in July).

Key £ = £10k to £25k/year; ££ = £25k to £100k/year; £££ = over £100k/year

7. REVENUE DETAIL - External Income

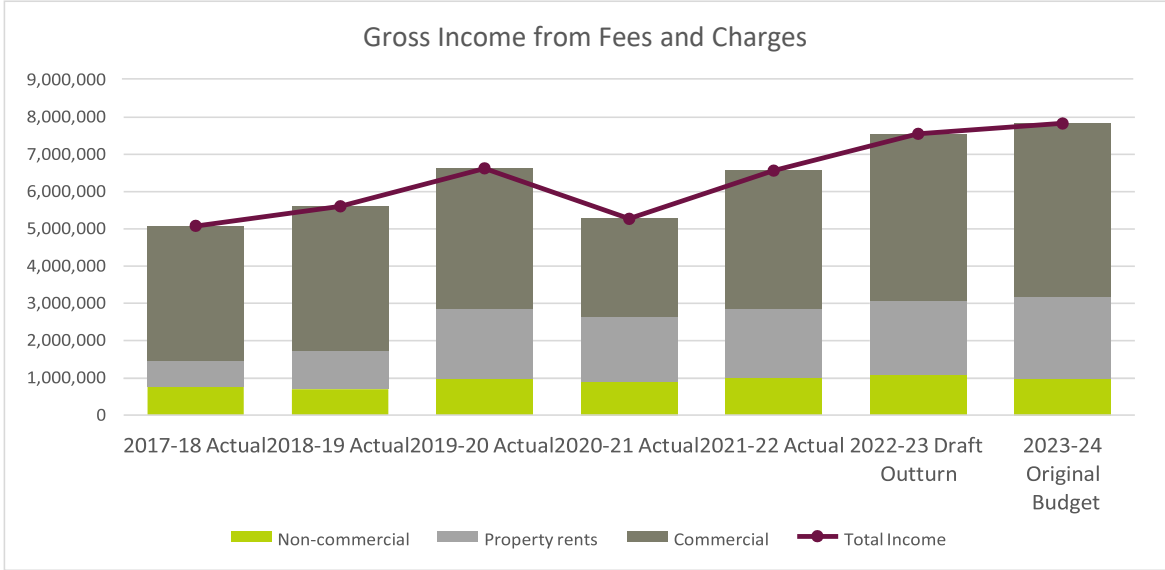
7.1 External Income is an important element within the finances of the Council, it affects the level of resources available to fund services and makes an important contribution to a balanced budget. The Covid-19 pandemic had a significant impact on demand led income streams and on the revenue received from the management agreement for Wyre Forest Leisure Centre. In general, income has recovered well however the position is mixed and some of the fees and charges from commercial activities have struggled to return to pre pandemic levels. The summary budget and estimated outturn position is shown in the graph below. Overall, performance is expected to be below (£152k) the target approved by Council in February. The majority of the shortfall in gross income is in relation to the Garage, driver training, Tree works and Grounds maintenance. It should be noted that the shortfall in income is to a large extent off-set by reduced cost (vacant posts and materials).

7.2 The table below details current projections for the Council's main revenue income sources

SOURCE OF INCOME	2022-23 Draft Outturn	2023-24 Original Budget	2023-23 Estimated Outturn at Q1	Variance	% Variance
	£000	£000	£000	£000	
Commercial Strategy					
Bulky Waste and external contracts for sweeping	-121	-144	-131	13	-8.8%
Cemetery	-71	-55	-55	0	
Garage, driver training, Tree Gang, Grounds Maintenance	-205	-363	-213	150	-41.2%
Green Waste	-526	-500	-550	-50	10.0%
Land Charges	-78	-89	-89	0	
Leisure Centre	-620	-623	-623	0	
Parking and Enforcement	-1,387	-1,589	-1,604	-15	0.9%
Parks and Green Spaces (including Highway Verges)	-106	-89	-117	-28	31.7%
Property Rental (incl CPF)	-1,753	-1,915	-1,887	28	-1.5%
Property Rental WFH	-247	-253	-311	-58	22.7%
Trade Waste	-855	-962	-850	112	-11.6%
Various	-355	-287	-287	0	
Total Commercial Strategy Income	-6,324	-6,869	-6,717	152	-2.2%
Regulatory and Other					
Licensing	-237	-235	-235	0	
Planning	-530	-530	-530	0	
Building Control	-232	-192	-192	0	
Other Income	-232	-11	-11	0	
Total Regulatory and Other Income	-1,231	-968	-968	0	
TOTAL INCOME	-7,555	-7,837	-7,685	152	

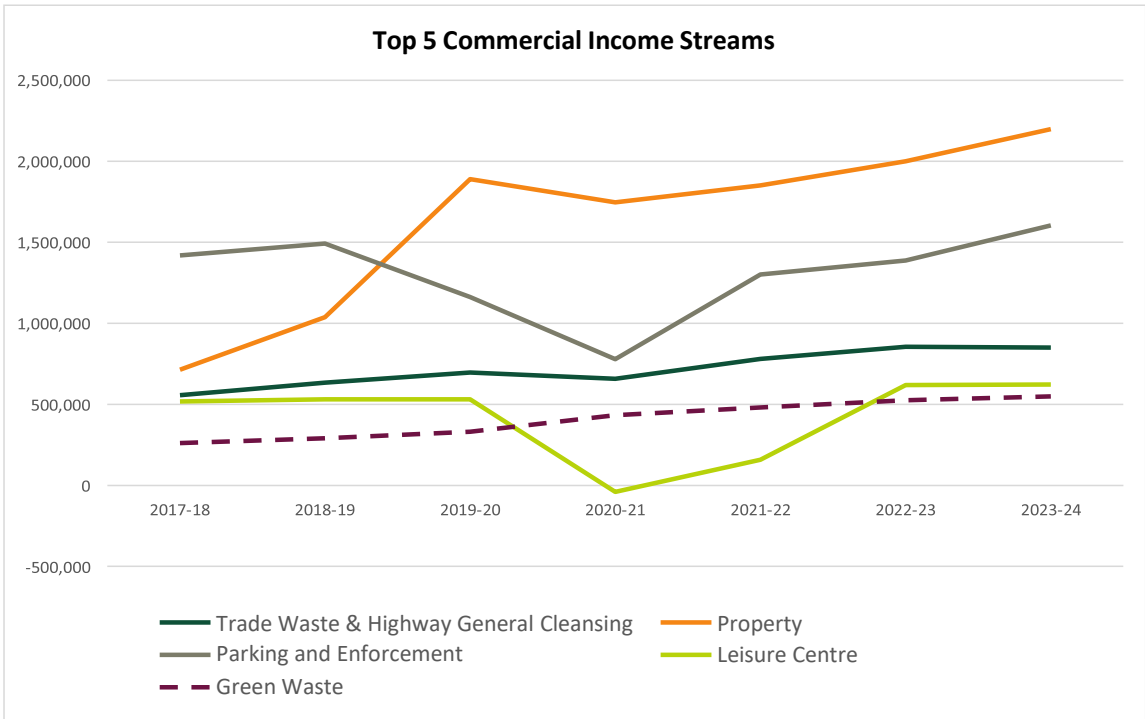
7.3 The previous success of the commercial income generation work and the extent of the shortfall against previous targets is shown in the graph below.

Summary Income Performance 2017-18 to 2023-24

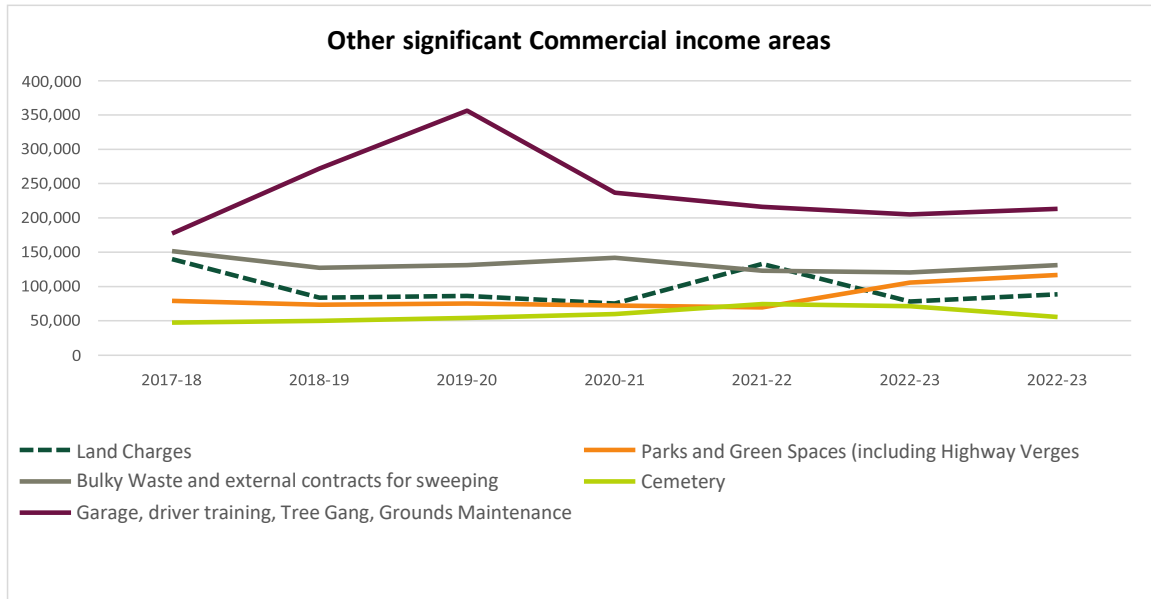


7.4 The graphs below detail performance for the income streams that fall under the Commercial Strategy.

Gross Commercial Income 2017-18 to 2022-23 – Top 5



Gross Commercial Income 2017-18 to 2022-23 – Other



- 7.5 The Council expanded its commercial activities to generate revenue from fees and charges to help close the funding gap. These demand-led commercial services have struggled the most to recover to levels seen pre-pandemic. Income is 40% below that achieved in 2019-20. Further detail on commercial income performance is contained in Appendix 5.
- 7.6 Income from the leisure management contract has returned to the pre-pandemic level. In general, the Centre appears to have recovered well, and in some cases activities and headcounts are outperforming that achieved in 2019 (pre-pandemic). The risk of increases to the cost of utility bills is borne by the Council. A provision has been created to cover those costs relating to 2022-23. At this stage it is expected that the budget will be sufficient to meet the costs arising in 2023-24. This additional cost is not shown in the gross income figures presented in the graph.
- 7.7 The Council’s income collection position at the end of Quarter 1 is presented in Appendix 4.
- 7.7 **Capital Portfolio Fund** - The Capital Portfolio Fund supports regeneration, economic growth and housing, is allied to the Council’s income generation/commercialism objectives and is financed from borrowing.
- 7.8 The table below summaries the current projection of the revenue impact of the Capital Portfolio Fund in 2023-24. The Quarter 1 outturn projection shows that the target included within the original budget is unlikely to be achieved as final rents agreed at review were below levels originally assumed. However, it should be noted that the portfolio is expected to perform better in 2023-24 than in any of the years since the pandemic. The pandemic resulted in vacant office accommodation proving more difficult to relet, leading to long void periods, and market rents being suppressed. There are now very few void units and the rent incentives in respect of newly granted leases in 2022-23 are now expiring and the portfolio is showing a much stronger position.

Property Portfolio Fund Net Impact on Council Tax after Statutory Charges		2022-23 Outturn £	2023-26 MTFS		
			2023-24 Original Budget £	Q1 Outturn projection £	Variance £
R276	High Street/Worcester Street	4,118	(12,300)	(12,302)	(2)
R277	Stratford Court	15,779	(187,970)	(121,075)	66,895
R278	Buntsford Gate	62,306	82,780	82,780	0
R279	Forest House	31,700	31,700	31,700	0
R280	Riverside	(10,209)	(15,120)	(53,870)	(38,750)
R281	Goldthorn Road	(127,238)	(110,520)	(110,520)	0
R282	Unity Park	27,691	8,510	8,510	0
R275	Property Portfolio Fund Admin account	0	0	0	0
Total		4,147	(202,920)	(174,777)	28,143

7.9 **Capital Portfolio Fund Debt** - The total overdue rent debt at 30th June 2023 is £15k which represents just 1% of the overall balance collected each year. The majority of the arrears is in the 3 to 6 months category and is being actively managed. There is a further £10k outstanding in respect of electricity recharges.

8. WYRE FOREST FORWARD SAVINGS PROGRAMME AND LOCALISM TARGETS

- 8.1 The 2023-26 MTFS projects a funding gap in 2025-26 of just under £1.8m and the new and emerging cost pressures outlined above will, in the absence of additional government support, widen the gap further. Against this background it is essential that expenditure is kept within the overall approved budget and that savings proposals continue to be developed so that the Council has as much flexibility as possible to meet the challenges that lie ahead. The refreshed funding gap at paragraph 3.8 shows that the 2025-26 funding gap is likely to increase to £2.203m.
- 8.2 Achieving financial sustainability is still the most significant challenge facing the Council. Since 2009 the Council has had a track record of continuously identifying opportunities to make savings. However, savings targets are proving increasingly challenging to achieve and at present are focussed largely on the transformation programme introduced in the 2021-24 MTFS to review and reassess how we deliver services with the objective of reducing net cost. The ambition of the new administration is to make the Council leaner, more productive and more commercially aware. Despite the projected financial gap, the administration is prepared to invest in capacity where necessary in order to increase net income or deliver other contributions to improving the Council's financial position.
- 8.3 The Council has done exceptionally well in generating additional income and implementing efficiency savings that have put back the date at which it has to bring its expenditure into line with income. The new administration expects to focus on generating higher levels of commercial income although the implications across the current MTFS are not yet known. Action will need to be taken to address adverse budget variations arising from price inflation and the legacy impact of COVID-19, and the existing savings and efficiency targets will need to be met. In the absence of additional income, further savings and efficiency measures or additional Government funding, the Council will exhaust its general balances at the end of the current MTFS in 2026-27..
- 8.4 The Wyre Forest Forward savings programme was established to review all aspects of the Council to ensure we deliver a balanced budget and services of real value to our residents. Substantial savings have already been achieved.
- 8.5 The budget approved for 2023-24 is summarised in the table below. Good progress

Agenda Item No. 8.1

was made in 2022-23 towards achieving the target with items of a recurring nature, with the outstanding savings target for 2022-23 being achieved from one-off final accounts savings. No new savings have been scored against the target during the first quarter of 2023-24.

Wyre Forest Forward Savings summary	2023-24 £000	2024-25 £000	2025-26 £000	2026-27 £000
Savings Target	4,382	4,682	4,682	4,682
Savings achieved at 31/03/2023	4,205	4,294	4,324	4,341
Savings Target at 01/04/2023	177	388	358	341
Savings achieved 2023-24 TBC	0	0	0	0
Savings identified in year <i>None currently identified in Quarter 1, although work is on-going to identify recurring final account savings</i>	0	0	0	0
Total WFF Savings not yet achieved	177	388	358	341

Note that this table only considers WFF savings and income targets and is only part of the funding gap. Localism savings are reported separately below.

Localism Partnership Target

8.6 Significant progress was made in 2022-23 towards achieving the Localism savings target but only limited further progress is currently expected in 2023-24. The savings achieved to date are summarised below. The new localism strategy will set out the administration's ambition and approach. In light of that, it will be possible to assess what change is needed to future targets - future budgets will be adjusted as necessary when the MTFs 2024-27 is considered. Savings not yet achieved are shown as a budget variation. Details are provided below:

LOCALISM PARTNERSHIP SAVINGS	2023-24 £000	2024-25 £000	2025-26 £000	2026-27 £000
Savings Target	525	700	700	700
Savings achieved at 31/03/2023	(317)	(324)	(377)	(377)
Balance b/f 2022-23	208	376	323	323
Savings Target at 1st April 2023	208	376	323	323
Savings achieved 2023-24 <i>None identified in Quarter 1</i>	0	0	0	0
Savings identified in year	0	0	0	0
Total Localism Savings not yet achieved	208	376	323	323

9. Supplementary Estimates and Virements

9.1 Service managers who wish to incur expenditure that falls within approved Council Policy for which either there is no or insufficient provision within approved estimates, may incur that expenditure by virement (transferring from one approved budget cost centre to another) or by supplementary estimate, subject to specified conditions as set out in the Financial Regulations – 6.7 and 6.8.

9.2 There are no requests for virement or a supplementary estimates to be considered by Cabinet this quarter.

10. REVENUE DETAIL – Central Items Business Rates and Council Tax

10.1 **Council Tax** - The level of discounts and awards, together with collection rates, and write-offs are being closely monitored. There is continued risk that assumed growth in the tax base might not be achieved in year.

10.2 **Business Rates** – Officers continue to liaise closely with the Valuation Office Agency to monitor developments in the sector particularly around material changes of circumstance and new applications lodged in the Check, Challenge, Appeal system. The overall impact of transactions in the collection fund will continue to be monitored to assess the impact on the council's MTFS.

10.3 Collection Rates

Council Tax: As at 1st July 23, Council Tax in year collection rates are at 29.50% compared to 29.55% last year.

Business Rates: At the end of Q1 2023-24, collection rates for NNDR show an improvement over last year, at 31.81% compared to 30.83% last year.

However, it should be noted that there has been an increase in debts being written off due to voluntary bankruptcy orders and petitions, individual voluntary arrangements and debt relief orders. The level of write-offs will continue to be closely monitored.

11. TREASURY MANAGEMENT PERFORMANCE SUMMARY

Investments

11.1 As at 30th June the council held £51.175m in investments. The level of funds available fluctuates due to the timing of precept payments and receipt of grants. The current balance is high due to payment in advance of the FHSF grant and the LUF grant. The average interest rate achieved for quarter 1 was 4.25% compared to the 90 day backwards looking SONIA of 4.10%. Yields continued to increase during the quarter and current forecasts expect bank rates to reach 5.5% for the remainder of this financial year. The impact on interest received is likely to be a budget surplus of circa £750k compared to original budget. The additional interest achieved from investing the FHSF and LUF grant will be reserved to bolster the revenue contingencies for those projects (estimated to be £560k of the total interest for the year).

11.2 The approved limits as set out in the Treasury Management Strategy report to Council 22nd February 2023 within the Annual Investment Strategy were not breached during the first quarter of 2023-24

External Borrowing

11.3 The Council had borrowing of £34m as at 30th June 2023. The Council's Capital Financing Requirements (CFR) as at 30th June 2023 is £41.282m. The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (External Borrowing) or from internal balances on a temporary basis (Internal Borrowing); an internal borrowing position of circa £7m is currently being held.

Compliance with Treasury and Prudential Limits

11.4 The Council's approved Treasury and Prudential Indicators are outlined in the approved Treasury Management Strategy Statement (TMSS). The Council has a duty to determine and keep under review the "Affordable Borrowing Limits".

11.5 During the period to 30th June 2023 the Council has operated within treasury limits and the prudential indicators set out in the Council's TMSS and with the Council's Treasury Management Practices. The Prudential and Treasury Indicators are shown below:

Agenda Item No. 8.1

Prudential Indicator as Per Original Budget(to be updated during revised budget process)	2023-24 Budgeted Indicator	Actual as at 30th June 2023
Capital Financing Requirement (CFR)	56,193,000	41,282,000
Gross Borrowing	56,000,000	34,000,000
Internal Borrowing	193,000	7,282,000
Internal Borrowing as % of CFR	0.34%	17.68%
Authorised Limit for external debt	75,000,000	34,000,000
Operational Boundary for external debt	65,000,000	34,000,000
Limit on Principal sums invested > 365 days	5,000,000	0
Maturity structure of fixed interest rate borrowing – upper limits (for future borrowing undertaken)		Maturity structure of existing loan portfolio (No new borrowing undertaken during Q1)
Under 12 months	100%	0%
12 months to 2 years	40%	8%
2 years to 5 years	10%	5%
5 years to 10 years	10%	17%
10 years and above	10%	70%

12. HOW ARE WE DOING PERFORMANCE SUMMARY

12.1 Performance management is instrumental in all council activities as it helps us to keep track of how well we are performing and enables any potential issues to be identified at an early stage so remedial action can be taken. It also informs our decision making processes which underpin the delivery of our Corporate Plan 2019-23, as amended.

12.2 The Council has a number of processes in place to monitor our performance including:

- Corporate Plan Actions
- Corporate Risks and associated actions
- Leading Measures
- Lagging Measures

12.3 The Corporate Plan 2021-23 is being delivered through the following strategic actions:

- Adopt the new Local Plan (now completed)

Agenda Item No. 8.1

- Implement measures to increase affordable housing (Supporting a successful local economy)
- Work with partners to protect our environment, to address air quality issues and to help to tackle climate change (Safe, clean and green living environment)
- Work with partners to secure external funding and investment to support the economy (Supporting a successful local economy)
- Oversee regeneration of central Kidderminster including Future High Streets projects (Supporting a successful local economy)
- Support the visitor economy in Stourport-on-Severn and Bewdley (Supporting a successful local economy)
- Work with partners to tackle abuse of vulnerable people and environmental crimes (Safe, clean and green living environment)
- Work with town and parish councils so that they have local control over assets and services (Safe, clean and green living environment)
- Seek a sustainable future for Bewdley Museum (Supporting a successful local economy)

Progress against the corporate plan priorities and our strategic actions is summarised below:

12.4 Corporate Plan – A safe clean and green living environment

- a) The Council's enforcement team continues to tackle environmental crime. Parking enforcement and other environmental and civil enforcement activity continues across the district. The team are currently looking at Love Your District/Love Where You Live Campaign driving people to engage with the council and encourage the reporting of environmental crime such as litter and fly tipping, which the team can then follow up on.
- b) The private sector housing team has been undertaking focussed work with landlords regarding thermal comfort through work on energy performance and the housing, health and safety rating system. The Local Authority Delivery Scheme 3 has now concluded and officers have procured a contractor for HUGS2 and hopefully the work will commence late September.
- c) Work is on-going to encourage good recycling practices in collaboration with partners across Herefordshire and Worcestershire to maximise the region's recycling rate and reducing the amount of residual waste (rubbish). The region's recycling rate for last year was 43.6%. Analysis is on-going around the amounts and types of waste that are disposed of across the region to inform the design of future service provision.
- d) Our climate change agenda continues to be progressed through the Climate Change action plan. This includes developments in alternative fuelled fleet vehicles and looking at ways we can create renewable energy in the district. In September the Corporate Policy Officer, in conjunction with Strategic Growth and Community and Environment Services will commence work on the Carbon Reduction Plan. We are also improving our car parks by installing LED lighting and the Depot took delivery of its first electric vehicle.
- e) Work around Community Safety continues with secured funding of over £100,000 from the West Mercia PCC for North Worcestershire Community Safety Projects, with £32,000 dedicated to Wyre Forest. Kidderminster & District Youth Trust has been commissioned to provide a district wide detached youth team with a focus on preventing anti-social behaviour (ASB). Mobile CCTV cameras have been deployed in hot spot areas around the district and the section continues to lead on the management and operation of those cameras on a case-by-case basis.
- f) Work continues on developing the Wyre Forest Wild project, an exciting and ambitious open space project that will, given the necessary external funding, provide a network of pathways and cycle tracks across all the district's nature reserves and key open

Agenda Item No. 8.1

spaces. To date the mapping of habitats and carbon absorption has been undertaken and external funding sources sought.

- g) Work on the Brinton Park Heritage Lottery Project continues. We are liaising closely with HLF to refine the scope of the project and in turn the construction costs. We hope to go out to tender in Autumn 2023.
- h) The transfer of St George's Park, Broadwaters and Baxter Gardens to Kidderminster Town Council took place on 5th January 2023.
- i) A large amount of work is ongoing with local community volunteer groups to engage and support these people with the council's priority of keeping the place safe clean and looking good. We recognise the value that these groups bring, and every effort is being made to equip and assist them in this process. We offered litter picking equipment out on loan to both groups and volunteers who attended the thank you event. We are about to launch our Adopt a Street initiative to encourage individuals, schools and community groups to take some ownership of their own area and to make a pledge to litter pick at least 3 times a year at a date and time of their choosing. We will loan out equipment and collect bags if needed.
- j) We are also continuing to work with our parks volunteers established as Friends Groups. We have been working closely this year with a new group to help them set up officially with a constitution and partnership agreement. The Friends of White Wickets want to bring a community family feel to the park and so a group has now been formed with a community picnic being their first event in the park this summer.
- k) This year we have also been able to support The Little Litter Warriors, a community group who work with the Scouts in the Wyre Forest, by purchasing their very own litter picking equipment. The groups enjoy working towards helping and protecting the environment and they gain a sense of pride and can work towards scout badges. This group that we helped last year continues to grow and we have regular updates on their progress. In two months, May and June a total of 58 bags of litter was collected across the district by various sections of the Scouting and Girl Guiding movement.

12.5 Corporate Plan – Supporting a successful local economy

- a) Work continues to support and develop the visitor economy in Stourport and Bewdley through work with Visit Worcestershire, the destination management organisation (DMO) for the County.
- b) Business grants – we continue to work with partners to secure external funding to support local businesses and the local economy. The grant funding available through the EU Structural Funds came to an end on 31st March 2023. The EU Structural Funds have been replaced by the UK Shared Prosperity Fund. Wyre Forest has been allocated £3.1m by the government, which will be distributed locally through the UKSPF Investment Plan. Approval of the Investment Plan was received late in 2022 and, in line with advice from the ReWyre Board, project allocations for current and future years, including allocations for business grants, have been confirmed to successful applicants.
- c) We continue to support start-up businesses across the district with our incubator units (industrial and office) at Space at Hoo Farm (Forest House). Current occupancy is 78.6% as a result of several businesses vacating their space. Vacant units are being marketed for new tenants.
- d) The projects to oversee the regeneration of central Kidderminster are progressing. The Levelling Up Fund programme aimed at re-kindling Kidderminster's heritage by making the canal and river a focus, encouraging visitors by making them special, vibrant places with cafes, arts and cultural activities is progressing. The original programme has been realigned for all three elements. The planning and listed building consent have been

Agenda Item No. 8.1

granted for the Town Hall improvements and a preferred contractor will be appointed in September 2023. During the quarter due diligence has continued and alternative delivery models explored for the Piano building with a decision expected from DLUHC in Quarter 2. The canal tow path works are 100% complete.

- e) Good progress has been achieved across the Future High Street Programme comprising of the following projects:
- Kidderminster Creative Hub (Former Magistrates Court)
 - Worcester Street Connectivity and Public Realm Project

Kidderminster Creative Hub

Project has now progressed to the delivery phase with the appointment of the contractor, BAM Construction, under a design and Build (D&B) contract.

BAM Construction have started on site. Practical completion is scheduled for September 2024.

Worcester Connectivity and the Bull Ring Public Realm Projects

McBain's Consultancy appointed as the Architectural and Engineering Design consultants.

The design work is progressing and the asbestos removal work is complete.

- Demolition contractor (DSM) formally appointed May 2023, phase 1 (internal soft strip) carried out
- Completion of demolition works expected by Oct 2023
- Completion of new public realm works (including new slopes/steps) expected May 2024. Public consultation on the public realm designs took place in July 2023 and the planning application was submitted in August 2023.

Crown House site

- Feasibility report for the culvert opening complete.
- Feasibility report - redevelopment options for multi-purpose use e.g. market space; pop-up markets – completed.

- f) Preparation of a preferred development scheme for Parcel One of Lionfields (former Glades site) is being progressed. This will result in Parcel One being taken to market for development, subject to the outcome of the feasibility study, in 2023-24. The tendering of the feasibility study has been delayed as a result of the delay in the government's approval of the UK Shared Prosperity Fund Investment Plan, which includes a grant allocation for the feasibility study. The announcement was initially scheduled for October 2022 but was given in December 2022. The feasibility work will **be commissioned during quarter 2 2023-24.**
- g) We continue to work with a Registered Provider to identify an appropriate delivery mechanism for Clensmore Street and to resolve the land purchase negotiations for the adjacent site next to the council owned land in Radford Avenue.
- i) The Castle Road housing scheme for temporary accommodation has been approved by Planning Committee. Stepnells were appointed through a pre-contract service agreement to work up the design. The RIBA stage 4 design is nearing completion and Stepnells are currently obtaining final scheme costs.

- 12.6 Organisational Health - includes information on turnover of staff, sickness absence, organisational health related investment areas and other performance measures requested by committee. A full update is provided in Appendix 7. There will continue to be a focus on investing in organisational health related areas, for example ICT infrastructure and related projects.

13. **LEGAL AND POLICY IMPLICATIONS**

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

14. EQUALITY IMPACT ASSESSMENT

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

15. RISK MANAGEMENT

- 15.1 A number of corporate risks are perceived to have increased in recent months. The inability to deliver a balanced budget is one of the Council's key corporate risks and has been adversely impacted by inflation in general and on construction costs in particular which will affect the Council's many capital projects. During the first quarter the Council has had a higher turn over of staff and recruitment and retention of suitably qualified staff is increasingly more difficult. This may have an impact on delivery or performance during remaining quarters. The Budget Risk Matrix has been reviewed to reflect the current assessment of risk. A copy is enclosed for information as Appendix 3 and further update on risks will be given to Audit Committee later in September.

16. CONCLUSIONS/ACTION

- 16.1 The information contained within Appendices 1 to 5 provides Members with an overview of financial trends and performance within the period to 30th June 2023.
- 16.2 The estimates and assumptions included in this report will continue to be updated and refined as more information becomes available particularly as more clarification on government funding emerges, and the position will be clarified as part of the revised budget process.

17. CONSULTEES

Corporate Leadership Team
Cabinet
Service Managers

18. BACKGROUND PAPERS

Budget setting papers Council 22nd February 2023
Draft Final Accounts 2022-23 and Quarter 4 Budget and Performance Report 2022-23
Medium Term Financial Strategy 2023-26
Corporate Plan action information is available on the Council's Performance Management System, Pentana Performance.

Hyperlink to Committee Reports
<http://www.wyreforest.gov.uk/council/meetings/main.htm>

WYRE FOREST DISTRICT COUNCIL

REVENUE BUDGET TOTAL REQUIREMENTS - DISTRICT COUNCIL PURPOSES

SERVICE	2022/23		2023/24			2024/25			2025/26		
	Original Estimate £	Revised Estimate £	At Nov.21 Prices £	Inflation £	TOTAL £	At Nov.21 Prices £	Inflation £	TOTAL £	At Nov.21 Prices £	Inflation £	TOTAL £
CHIEF EXECUTIVE AND SOLICITOR TO THE COUNCIL	1,293,870	2,313,470	2,108,840	81,020	2,189,860	1,650,890	150,340	1,801,230	1,668,080	221,630	1,889,710
COMMUNITY AND ENVIRONMENT	4,659,590	4,837,110	5,052,290	270,880	5,323,170	4,973,150	494,260	5,467,410	4,825,580	722,580	5,548,160
ECONOMIC DEVELOPMENT & REGENERATION RESOURCES	(93,790)	283,770	131,260	42,690	173,950	3,480	78,880	82,360	(7,190)	117,680	110,490
REVENUES, BENEFITS & CUSTOMER SERVICES	2,939,970	2,610,850	2,431,700	16,420	2,448,120	2,097,740	38,110	2,135,850	2,056,700	52,480	2,109,180
STRATEGIC GROWTH	977,580	1,033,640	1,312,430	77,560	1,389,990	1,328,400	141,240	1,469,640	1,319,990	206,500	1,526,490
	1,894,040	1,847,480	1,960,280	103,490	2,063,770	1,985,630	177,670	2,163,300	1,990,420	230,950	2,221,370
LESS: CAPITAL ACCOUNT	11,671,260	12,926,320	12,996,800	592,060	13,588,860	12,039,290	1,080,500	13,119,790	11,853,580	1,551,820	13,405,400
INTEREST RECEIVED	275,420	325,210	575,070	4,420	579,490	856,220	7,960	864,180	987,560	11,580	999,140
CAPITAL PORTFOLIO FUND AND DEVELOPMENT LOANS FUND	(55,000)	(850,000)	(750,000)	0	(750,000)	(500,000)	0	(500,000)	(444,600)	0	(444,600)
	135,000	0	0	0	0	0	0	0	0	0	0
TOTAL NET EXPENDITURE ON SERVICES	12,026,680	12,401,530	12,821,870	596,480	13,418,350	12,395,510	1,088,460	13,483,970	12,396,540	1,563,400	13,959,940
LESS: CONTRIBUTION (FROM) TO RESERVES	(21,750)	(372,750)			110,130			(70,050)			(584,970)
NET BUDGET REQUIREMENT	12,004,930	12,028,780			13,528,480			13,413,920			13,374,970
LESS: REVENUE SUPPORT GRANT	0	0			(150,380)			(150,380)			(150,000)
BUSINESS RATES INCOME	(2,956,940)	(2,956,940)			(3,442,050)			(3,590,130)			(3,697,830)
BUSINESS RATES GROWTH	(400,000)	(400,000)			(950,200)			(1,000,000)			0
BUSINESS RATES - NATIONAL LEVY REDISTRIBUTED	0	(23,850)			0			0			0
FUNDING GUARANTEE	0	0			(425,370)			0			0
COLLECTION FUND (SURPLUS)/DEFICIT	(10,150)	(10,150)			0			0			0
NEW HOMES BONUS	(463,760)	(463,760)			(240,030)			0			0
TRANSITIONAL FUNDING (assumption)	0	0			0			0			(571,200)
LOWER TIER SERVICES GRANT	(130,070)	(130,070)			0			0			0
ONE OFF SERVICES GRANT	(196,000)	(196,000)			(114,990)			(100,000)			0
GENERAL EXPENSES - COUNCIL TAX INCOME	7,848,010	7,848,010			8,205,460			8,573,410			8,955,940
COUNCIL TAX LEVY		229.34			236.21			243.30			250.60
COUNCIL TAX BASE		34,220			34,738			35,238			35,738

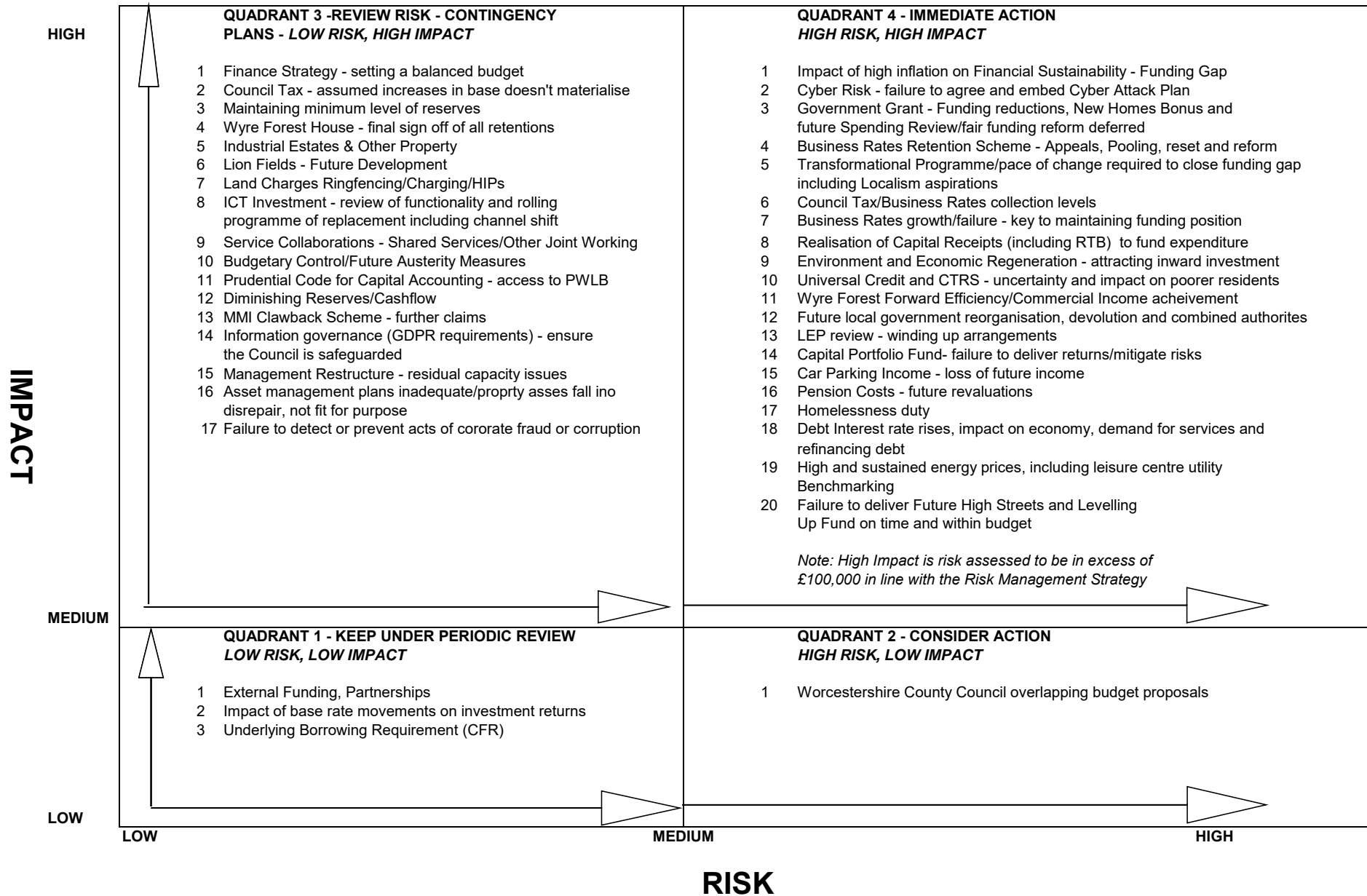
Capital Programme 2023-24 (including Slippage from 2022-23)
Quarter 1 Position

	2023-24	2023-24	2023-24	2023-24	Progress Notes
	Original Budget £	Updated Budget (including slippage from 22-23) £	Q1 Actual Expenditure £	Draft Outturn Slippage at Q1 £	
COMMITTED EXPENDITURE					
CHIEF EXECUTIVE AND SOLICITOR TO THE COUNCIL	413,610	413,610	0	413,610	Final account not resolved. Budget slipped to 2024-25
Headquarters - Office Accommodation					
SUB TOTAL	413,610	413,610	0	413,610	
COMMUNITY AND ENVIRONMENTAL SERVICES					
Parking Facilities: Improvements to Car Parks	29,530	54,530	0	0	Low energy lighting being installed across all car parks to reduce energy/carbon.
Brinton Park HLF Scheme (subject to successful HLF bid)	1,931,190	2,417,200	2,875	0	Project is currently predicted over budget. Officers are value engineering procurement within budget. Budget will be re profiled during revised budget process.
Innovation Fund Capital*	185,000	290,390	0	190,390	Currently a project for digital weighing system on commercial RCVs circa £60k.
Stouport Riverside	0	52,200	0	0	Ongoing project which will look to compete during this year.
CCTV Upgrade Bewdley and Stouport (PCC Funded)	0	4,460	0	0	Project ongoing and no slippage predicted. Will look to spend budget by end of financial year.
*Subject to Business Cases & approval by the Cabinet/CLT					
SUB TOTAL	2,145,720	2,818,780	2,875	190,390	
STRATEGIC GROWTH					
Housing Strategy:					
Disabled Facilities Grants	2,000,000	2,888,810	94,200	0	Q1 and Q2 funding of approximately £400k due to be transferred to the Home Improvement Agency shortly, and direct application cases are being processed that will accelerate spend during next quarter. Will be reprofiled as part of the Revised Budget Process.
Housing Fund	876,000	876,000	0	0	Scheme being progressed.
Flood Relief	28,410	28,410	0	0	Identified potential projects may need some funding in 2023-24, but timescales are dependent upon partner agencies including Environment Agency and Severn Trent Water. Will be reprofiled if necessary as part of the Revised Budget Process.
Housing Assistance - Private Sector Measures (including Decent Homes Grant)	290,230	361,210	25,234	211,210	Recycled grant funding has supported to maintain this budget. Landlord grants tied to landlords supporting rehoming referrals from the council will likely achieve around £150k this year. Remaining funds to be reprofiled over the next 2 years.
Future Investment Evergreen Fund (unallocated balance)*	890,470	1,009,970	0	0	Various projects earmarked - budget will be re profiled where necessary as part of the revised budget process.
Capital Projects Fund*	3,500,000	4,000,000	0	0	Full budget allocation currently sits in 2023-24 to give maximum flexibility for any schemes that may be developed. Likely that some will be reprofiled during the Revised Budget process.
Castle Road Development	2,000,000	3,314,290	97,416	0	This project is progressing - procurement exercise to appoint construction contract is underway. Expenditure will be reprofiled across 2023-24 and 2024-25 once contractor appointed. It is likely that a larger proportion of this capital budget will slip to 2024-25 during the Revised Budget process.
BCF Energy Efficiency	0	200,000	0	0	HUGS2 grants scheme now in place with a confirmed contractor. This will provide referrals for this fund that will supplement and provide an alternative to HUGS2 energy grants where HUGS cannot be applied for some reason or will not cover the whole costs.

Capital Programme 2023-24 (including Slippage from 2022-23)
Quarter 1 Position

	2023-24	2023-24	2023-24	2023-24	
	Original Budget £	Updated Budget (including slippage from 22-23) £	Q1 Actual Expenditure £	Draft Outturn Slippage at Q1 £	Progress Notes
BCF Disabled Adapted Units	0	150,000	0	0	0 Scheme being progressed.
Flood Recovery Support (BEIS Funded)	150,000	0	0	0	0 Scheme transferred to Revenue
Electric Vehicle Chargepoints	0	271,000	0	0	0 The original procurement was cost prohibitive, alternative scheme design is being explored.
Local Authority Delivery Scheme Phase 3 (LADS3)	0	432,750	233,435	0	0 Scheme extension to end of September. Cases being worked on now to maximise this expenditure.
Home Upgrade Grant (HUGS1)	0	260,000	22,797	0	0 Scheme extension to end of September. Cases being worked on now to maximise this expenditure.
Innovation Fund Capital*	0	105,000	0	0	0 Allocation towards Bridge Street redevelopment project. Likely to be reprofiled during the Revised Project process as scoping work relating to scheme options is in progress.
Acquisition of Land at Horsefair, Kidderminster	49,590	49,590	0	0	0 Scheme being progressed.
* Subject to Business Cases & Due Diligence					
SUB TOTAL	9,784,700	13,947,030	473,082	211,210	
ECONOMIC DEVELOPMENT AND REGENERATION					
FHSF - Public Realm (Worcester St, Oxford St & Crown House)	249,390	6,781,710	176,800	0	0 Council approved an additional capital allocation of £2,737,730 in July 2023 for the increased project costs. This is included in the Updated Budget. Contractor has been appointed for the demolition of the former shops. Budget will be reprofiled as necessary during the revised budget process.
Levelling Up Fund**	5,517,050	13,502,140	139,677	0	0 Only projects likely to incur capital spend currently are Tow Path & Town Hall. Significant figure forecast but exact figure & budget profile available once contractor is appointed (mid-August).
FHSF - Creative Hub (former Magistrates Court)**	9,502,530	15,031,360	802,439	0	0 Council approved an additional capital allocation of £3m in July 2023 for the increased project costs. This is included in the Updated Budget. Work on site is continuing. Budget will be reprofiled as necessary during the revised budget process.
Capital Portfolio Fund*	6,050,830	6,050,830	0	0	0 any schemes that may be developed. Likely that some will be reprofiled during the Revised Budget process.
UK Shared Prosperity Fund*	178,890	287,360	0	0	0 Work is continuing to fund various projects.
*Subject to Business Cases & Due Diligence					
**Any Co-funding subject to full Business Case following the principles of the Capital Portfolio Fund					
SUB TOTAL	21,498,690	41,653,400	1,118,916	0	
RESOURCES & REVENUES, BENEFITS AND CUSTOMER SERVICES					
ICT Strategy	250,000	502,480	17,537	0	0 Work is progressing on various ICT projects.
SUB TOTAL	250,000	502,480	17,537	0	
VEHICLE, EQUIPMENT & SYSTEMS RENEWAL SCHEDULE					
Vehicles & Equipment & Systems Renewal Schedule	1,012,040	1,119,720	83,641	0	0 Procurement is progressing on the various scheduled renewals.
SUB TOTAL	1,012,040	1,119,720	83,641	0	
TOTAL COMMITTED EXPENDITURE	35,104,760	60,455,020	1,696,051	815,210	

BUDGET RISK MATRIX 2023-26



WYRE FOREST DISTRICT COUNCIL

CABINET
13th September 2023

Budget Monitoring First Quarter 2023-24

ANALYSIS OF OUTSTANDING DEBT

This appendix details the Council’s income collection position at the end of Quarter 1 (30th June 2023)

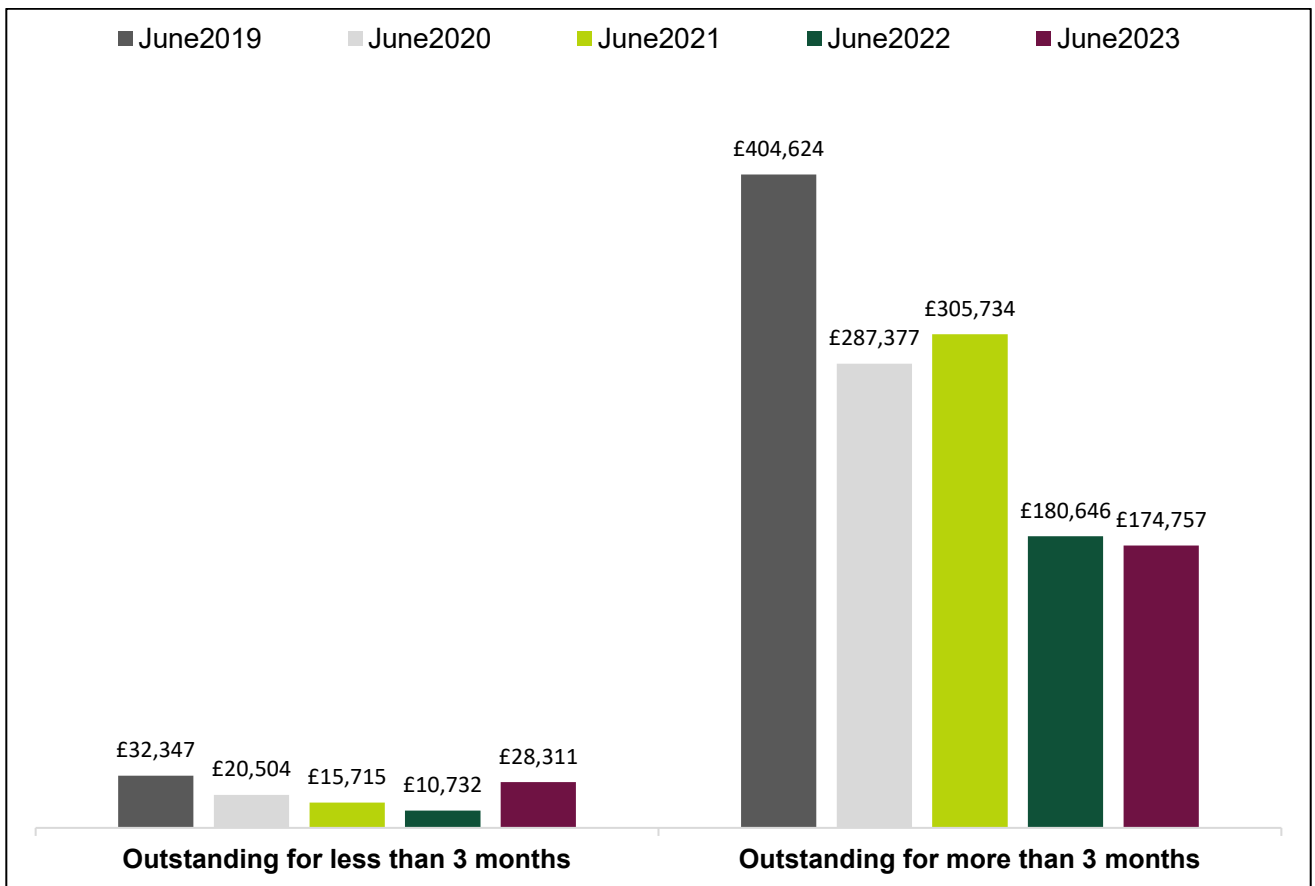
1.1. Housing Benefit Overpayment Recovery

Where customers have a change in their circumstances and we are later made aware of this, customers are expected to repay any Housing Benefit that has been overpaid.

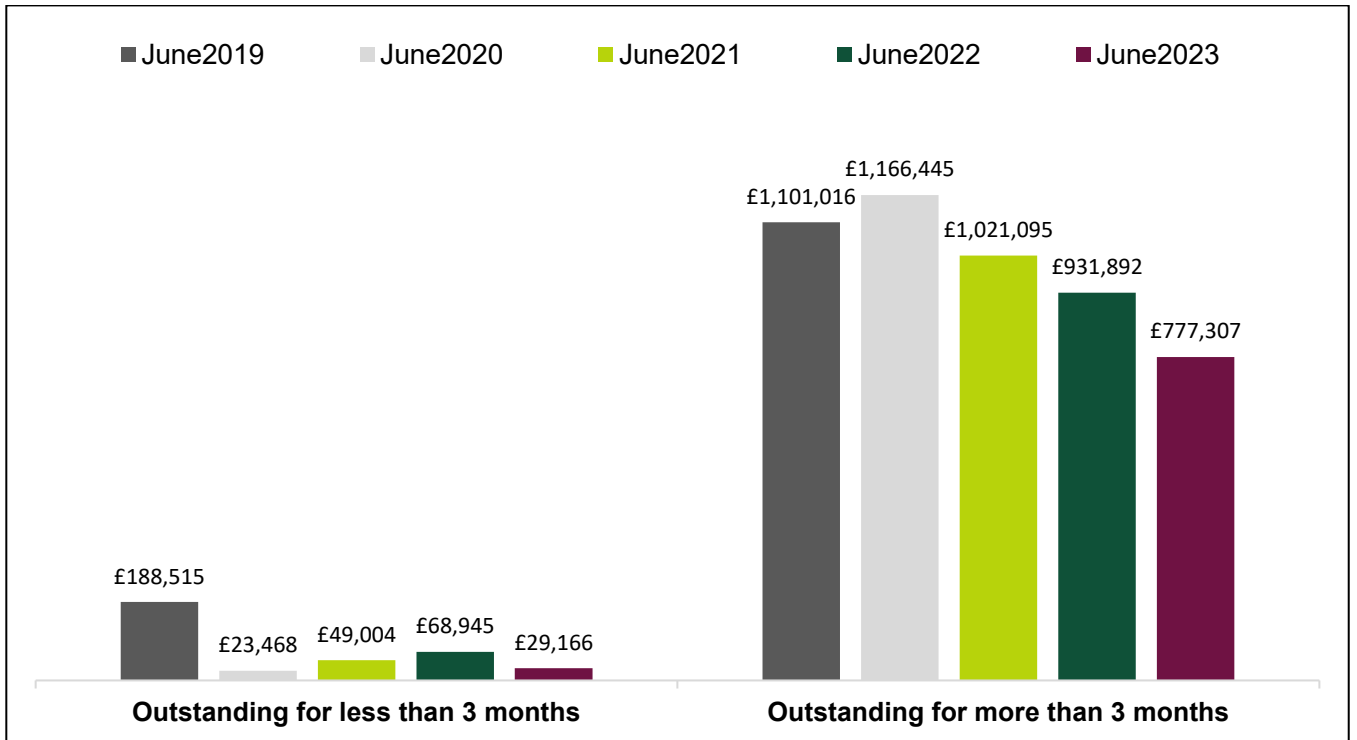
Customers who remain on Housing Benefit and have received an overpayment, have a deduction from their on-going benefit. Where a change in circumstance transfers the customer to Universal Credit, the overpayment is via a customer invoice.

The arears position relating to Housing Benefit overpayment is shown in the next two graphs:

Recovery by On-going Benefit

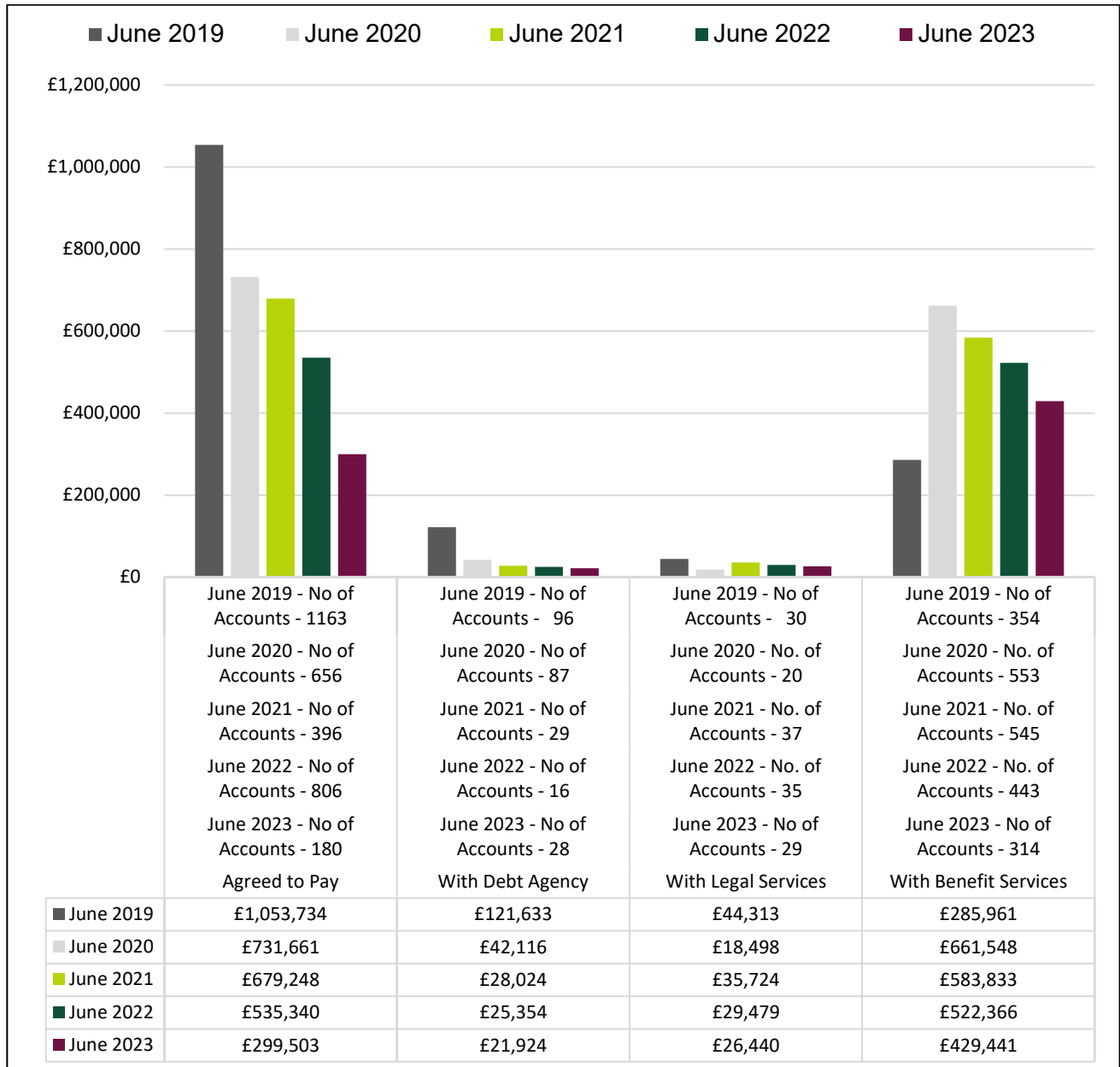


Recovery by Customer Invoice



Debts over three months old have either agreement in place to pay, have been referred to the Council's Legal Services, or remain with the Benefit Service to pursue. The Council employs the Debt Collection Agency Dukes. Debts are referred as a last resort. As at June 2023 debts of £426 have been recovered at a cost of £64 (during the same period in 2022-23, £438 was recovered at a fee of £66). The number of accounts, the value outstanding and how this will be collected is shown in the following graph:

Value and Number of Housing Benefit Overpayments over 3 months and Status



The total debt outstanding as at 30th June is £1,009,541 (including debt within payment terms) which represents a **15% decrease** over the balance outstanding at the end of Quarter 1 2022-23 (including debt within payment terms). The number of cases where there is an agreement to pay or our Benefit/Legal Services are dealing with the case, have decreased to 237 (857 in 2022-23), a decrease of 620 cases. Cases referred to an external debt collection agency have increased to 28 (16 in 2022-23).

The introduction of Universal Credit in November 2018 continues to reduce the number of customers claiming Housing Benefit year on year and also the occurrence of overpayment and its collection via on-going benefit. Collection of overpayments via customer invoice has seen a decrease in overdue debt of less than 3 months as customers transfer to Universal Credit. In addition, collections rates on overdue debt for more than 3 months continues to improve as these debts are now collected via the DWP.

1.2. **Sundry/ Property Debt**

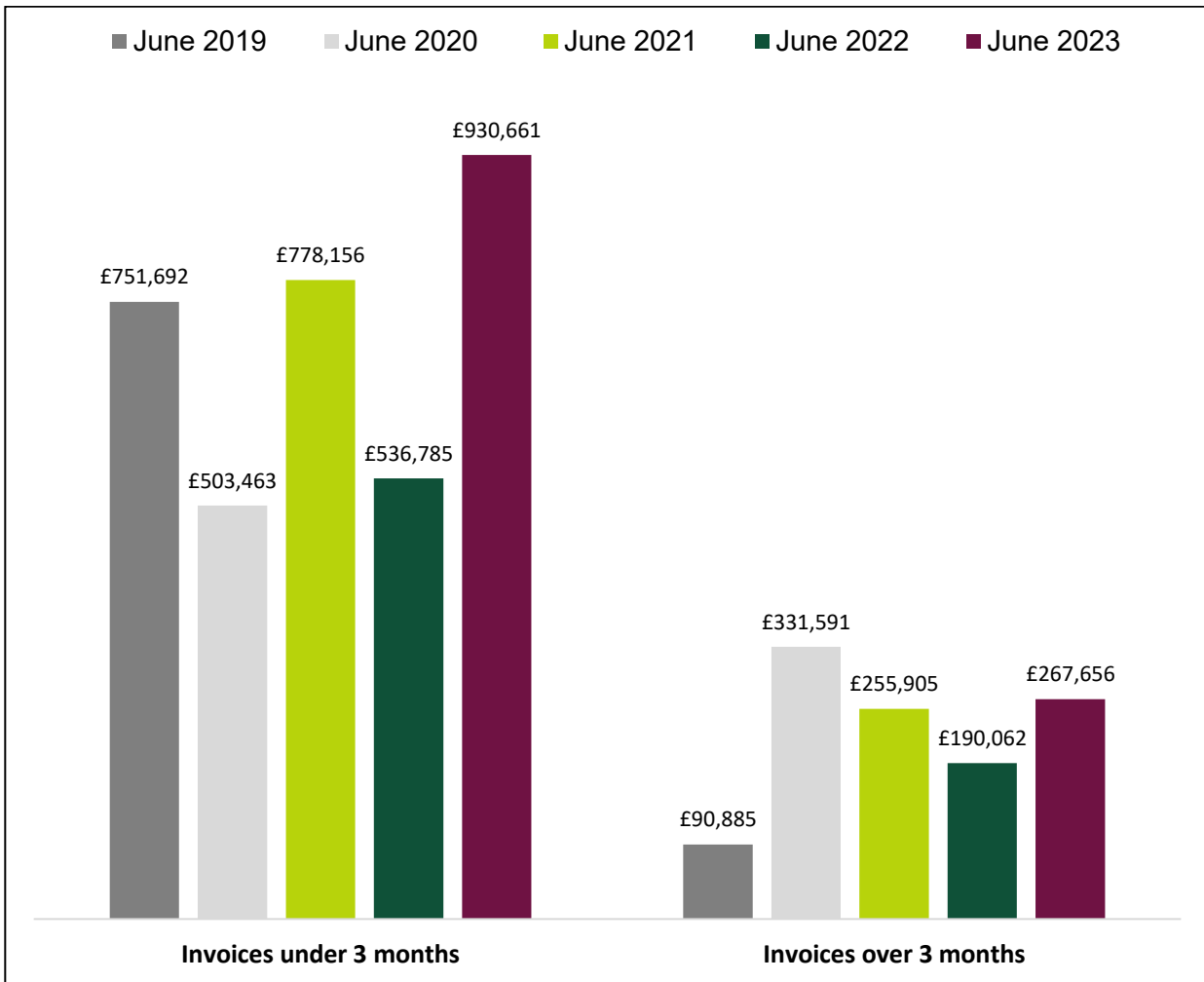
The total debt outstanding as at 30th June (including debt within payment terms) was £1,779,604 (Sundry Debt - £1,198,317 Property Debt - £581,287) which represents a 40.96% increase over the total balance outstanding at the end of Quarter 1 2022 of £1,262,527 (Sundry Debt - £726,847 Property Debt £535,679). The majority of this increase is due to the late invoicing in relation to shared service income with Bromsgrove and Redditch Councils due to challenges and delays in receiving purchase orders.

The 2023-24 Quarter 1 overdue debt (more than 3 months old) has increased to £489,183 (2022-23 £398,504).

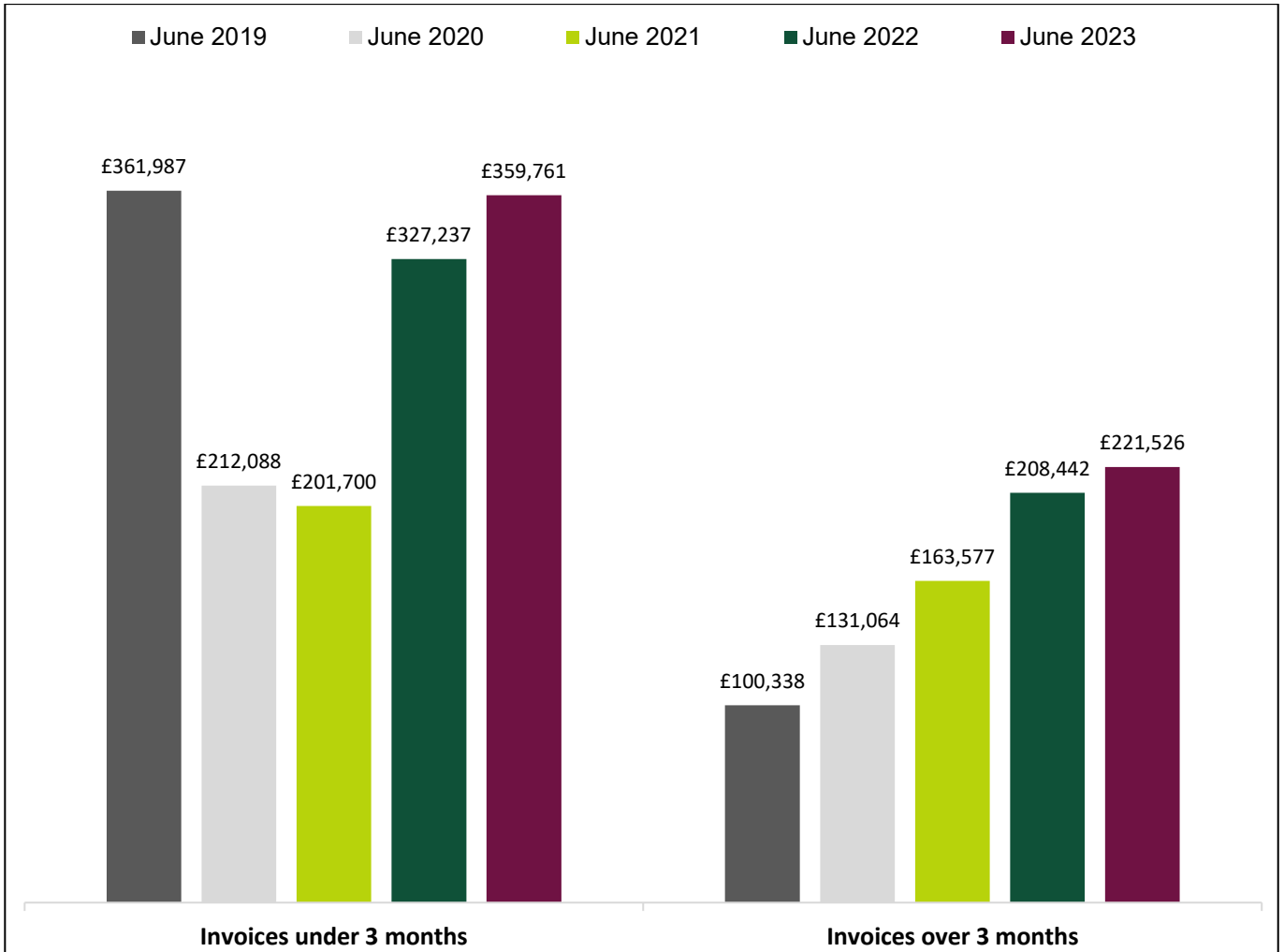
Invoices overdue (older than 3 months)	Quarter 1 2020	Quarter 1 2021	Quarter 1 2022	Quarter 1 2023	Movements
Sundry Invoices	£331,600	£255,900	£190,000	£267,700	£77,700
Property Invoices	£131,100	£163,600	£208,400	£221,500	£13,100
Total Invoices	£462,700	£419,500	£398,400	£489,200	£90,800

1.4. The position relating to Sundry Debtor and Property Invoices are as follows:

Sundry Debtors



Property Invoices and Debt



C&E Commercial Income Report P3

The figures in the income report are from live sources and there may be timing differences between these figures and Agresso. Furthermore, there are accounting principles that have been applied to opening balances in Agresso and will also be made at year-end. Note that this report has been prepared prior to the accounting period being closed.

Car Parks and Enforcement

Parking and Season Tickets

- New parking app (MiPermit) introduced in April saw expected small reduction in parking revenue due to requirement to download a new app
- Ease-of-use of MiPermit has encouraged greater app-use in May and June compared to the same period last year (£94k vs £85k)
- More accurate forecast will be available for Q2 report, following the end of the summer period – historically when majority of parking revenue is generated

PCNs (on and off-street)

- High turnover of staff continues to impact PCN income
- Recruiting issues are ongoing however officers looking into alternatives
- Optimistic of achieving current targets

Waste Collection

Commercial Waste

- Expected to fall short of original budget due to inclusion of 2019 business case figures aimed at increasing revenue by £150k with an additional collection crew
- Expected to build on 2022-23 outturn of £840k following internal service review
- Work ongoing to maximise efficiencies and improve service delivery standards including:
 - o Review charging structure including retro-fitting of weighing scales
 - o Management software with route and delivery optimisation
 - o Rebranding

Garden Waste

- Internal service reviews being completed to build on 2022-23 record turnover of £526k
- Expected to exceed original budget, however important to note that new garden waste contracts will see some revenue accounted for in next financial year (2024-25) due to the IFRS15 accounting regulation
- Eg. garden waste contract starting 1st October 2024 will see half accounted for in 2023-24 and half in 2024-25

Developers Bins

- Increased income above original budget due to the large number of housing developments in the district.
- Estimated to exceed original budget by c.£30k.

Arboricultural and Grounds Maintenance

Arboricultural Services

- Staffing issues sees the team continue to operate at roughly 50% capacity
- Discussions are ongoing with neighbouring authorities and businesses about the arboricultural team agreeing annual contracts for tree services
- Expected to fall short of original budget
- Team setup being reviewed

Grounds Maintenance and Landscaping

- Teams generating revenue from spare capacity and current high-demand for work in internal services
- Expected to fall short of original external income target

Advertising

Refuse freighters

- The true value of advertising our own services on our refuse freighters is being recognised
- Advertising of internal services and other corporate initiatives (eg. Commercial waste waste, We Are Watching You enforcement campaign) is and will be on council owned refuse freighters

Islands/roundabouts

- Signs have been redesigned to ensure they are consistent and revenue being more actively pursued
- Expected to exceed original budget, however future income will be subject to IFRS15 accounting regulations

Highways and General Cleansing

Highways external

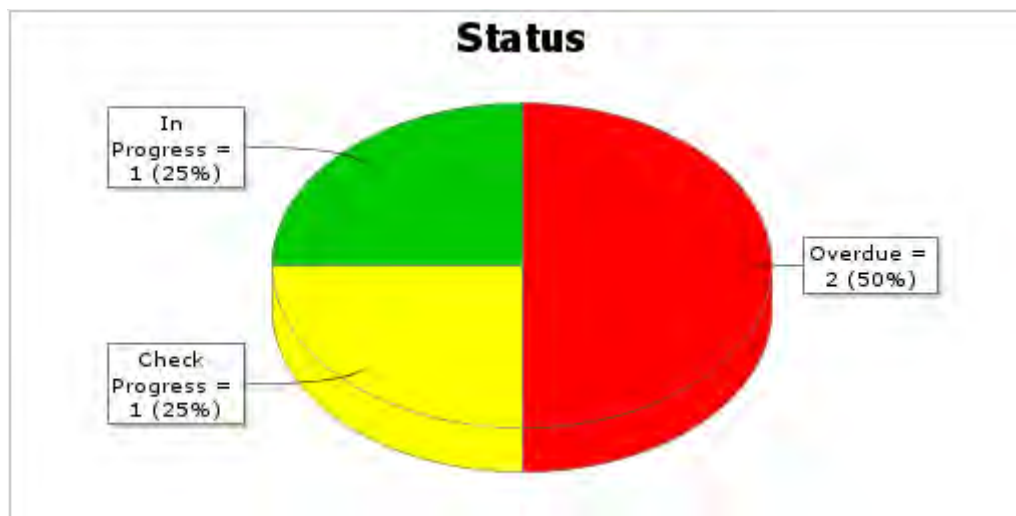
- Teams generating revenue from spare capacity and current high-demand for work in internal services
- Expected to fall short of original external income target

Agenda Item No. 8.1
Appendix 5

C&E Income	2022-23	2023-24	2023-24		Original vs
	Actual	Original	Actual (P3)	Forecast	Forecast
Car Parks and Enforcement					
Car parking (coin and pay-by-phone)	£1,191,709	£1,246,800	£331,387	£1,246,800	£0
Car park season tickets and resident parking	£176,042	£105,600	£52,888	£208,300	£102,700
PCNs (off-street)	£26,693	£41,250	£7,487	£41,250	£0
PCNs (on-street)	£110,418	£85,000	£16,095	£100,000	£15,000
Weavers Wharf management fee	£173,140	£188,730	£0	£188,730	£0
FPNs and misc. enforcement income	£16,405	£15,000	£1,665	£15,000	£0
Aldi rent, rental space and misc.	£11,767	£12,540	£408	£12,540	£0
Total	£1,706,174	£1,694,920	£409,930	£1,812,620	£117,700
Wyre Forest Leisure Centre					
Management contract	£620,184	£622,560	£0	£622,560	£0
Total	£620,184	£622,560	£0	£622,560	£0
Waste					
Business waste	£839,341	£962,000	£138,368	£850,000	-£112,000
Garden waste	£525,884	£500,000	£474,710	£550,000	£50,000
Waste transfer station	£17,083	£16,800	£8,400	£16,800	£0
Developers bins and domestic replacements	£48,152	£15,270	£8,325	£50,000	£34,730
Total	£1,430,460	£1,494,070	£629,803	£1,466,800	-£27,270
Garage					
MOTs and servicing	£21,206	£21,500	£2,079	£7,800	-£13,700
Total	£21,206	£21,500	£2,079	£7,800	-£13,700
Driver Training					
Training	£11,219	£26,250	£0	£15,000	-£11,250
Total	£11,219	£26,250	£0	£15,000	-£11,250
Arboricultural and Grounds Maintenance					
Tree gang	£64,410	£155,000	£5,741	£70,000	-£85,000
Grounds maintenance	£75,427	£85,000	£0	£75,400	-£9,600
Landscaping	£11,945	£50,000	£0	£20,000	-£30,000
Advertising	£18,886	£25,000	£0	£25,000	£0
Total	£170,668	£315,000	£5,741	£190,400	-£124,600
Parks and Green Spaces					
Maintenance of highways verges	£75,000	£75,000	£86,250	£86,250	£11,250
Parks licences and rentals	£24,789	£13,590	£9,839	£30,400	£16,810
Rangers and nature reserves	£54	£50	£50	£50	£0
Total	£99,843	£88,640	£96,139	£116,700	£28,060
Highways and General Cleansing					
Bulky waste	£56,315	£64,000	£16,906	£67,100	£3,100
Highways external	£64,335	£80,000	£29,927	£64,300	-£15,700
Total	£120,650	£144,000	£46,833	£131,400	-£12,600
Bewdley Museum					
Shop income	£66,126	£54,800	£18,321	£62,770	£7,970
Educational visits	£12,597	£20,000	£4,931	£29,850	£9,850
Museum activities	£26,804	£20,000	£7,689	£20,730	£730
Weddings	£10,619	£15,000	£11,164	£19,370	£4,370
Property and rents	£21,443	£17,280	£5,661	£23,340	£6,060
Misc fees and income	£7,359	£12,500	£2,193	£12,500	£0
Guildhall	£660	£660	£550	£660	£0
Total	£145,607	£140,240	£50,509	£169,220	£28,980
Cemetery					
Burial Fees	£71,363	£55,420	£12,281	£55,420	£0
Total	£71,363	£55,420	£12,281	£55,420	£0
Other					
Green street depot rents	£4,500	£2,000	£1,000	£2,000	£0
Total	£4,500	£2,000	£1,000	£2,000	£0
Grand Total	£4,401,874	£4,604,600	£1,254,315	£4,589,920	-£14,680

Corporate Plan Priority: A safe, clean and green living environment

This report details the progress we have made against the Corporate Plan Priority of 'a safe, clean and green living environment'.



WFF 22/23 99 Electric Vehicle Charging Points 

Due Date	Managed By	Latest Note	Latest Note Date
30-Jun-2023	Kate Bailey	Selected contractor going through procurement checks.	10-May-2023

WFF 23/23 104 Brinton Park HLF 

Due Date	Managed By	Latest Note	Latest Note Date
----------	------------	-------------	------------------

30-Sep-2024	Steve Brant	Currently undertaking a value engineering exercise due to increased costs. Procurement exercise will commence after this review.	20-Jul-2023
-------------	-------------	--	-------------

WFF 23/24 105 Solar Farm 

Due Date	Managed By	Latest Note	Latest Note Date
30-Jun-2023	Kate Bailey	Proposals received from consultant regarding new connection to grid. Awaiting timeline.	10-May-2023

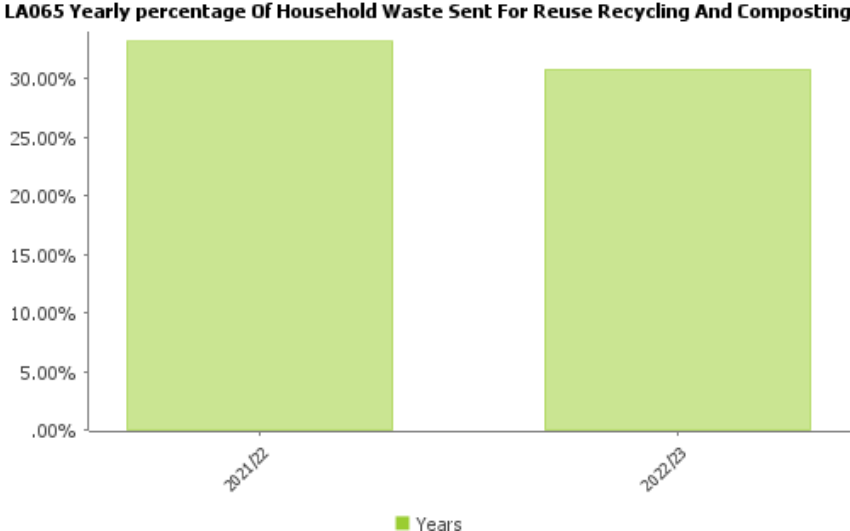
WFF 23/24 110 Wyre Forest Wild 

Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2024	Steve Brant	Bid to Innovation Fund unsuccessful. Engaged contractors and currently preparing brand identity with an intention to make a third funding bid.	20-Jul-2023

Measures

As a way of measuring the progress with our purpose, we collect key data to monitor trends and patterns. This data not only helps us to understand the impact of the work that we are doing but it also assists with decision making at a corporate level. The latest available data is detailed below:

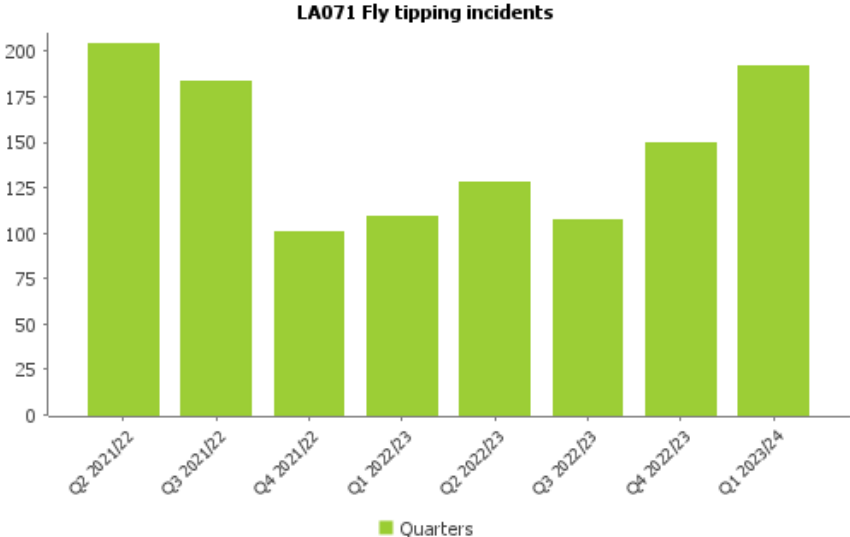
LA065 Yearly percentage Of Household Waste Sent For Reuse Recycling And Composting



Current Value 30.81%

Managed By Steve Brant

LA071 Fly tipping incidents



Current Value 192

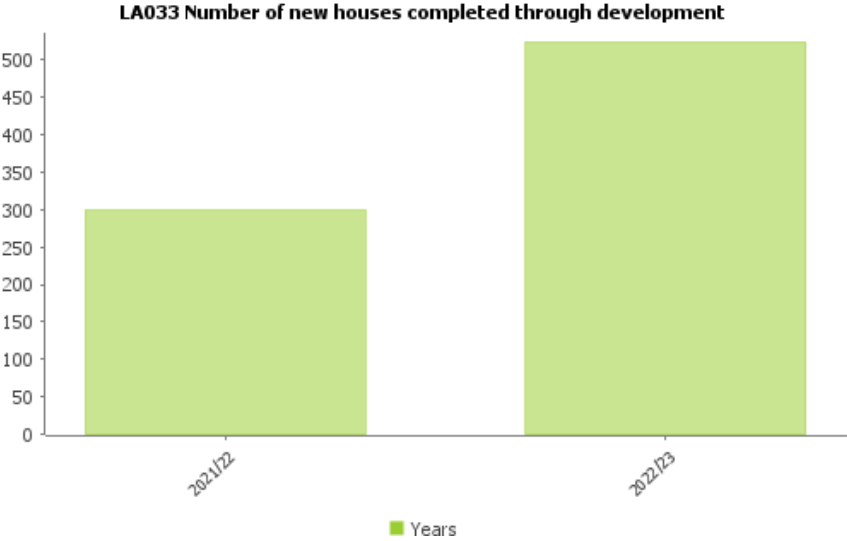
Managed By Steve Brant

Measures

This report details the latest date for our measures that are not directly associated with a Corporate Plan Priority



LA033 Number of new houses completed through development



Current Value 523

Managed By Kate Bailey

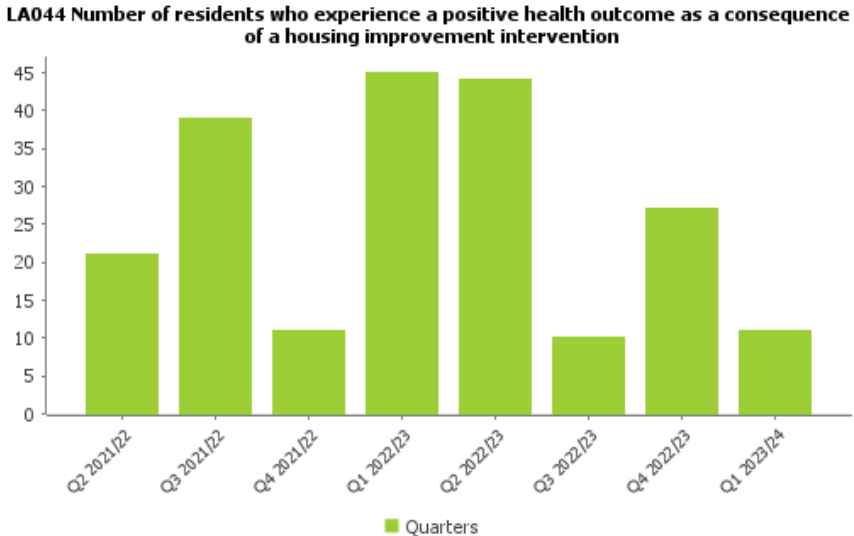
LA039 Number of affordable new homes completed



Current Value 7

Managed By Kate Bailey

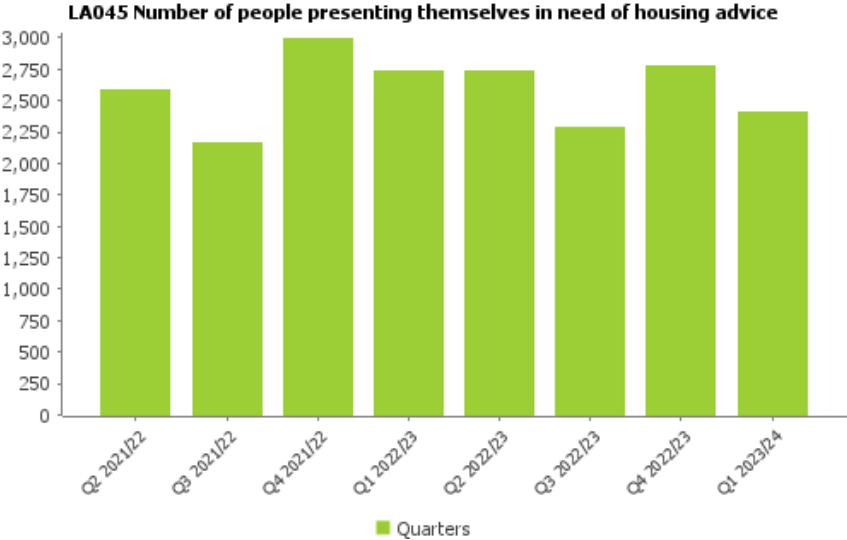
LA044 Number of residents who experience a positive health outcome as a consequence of a housing improvement intervention



Current Value 11

Managed By Kate Bailey

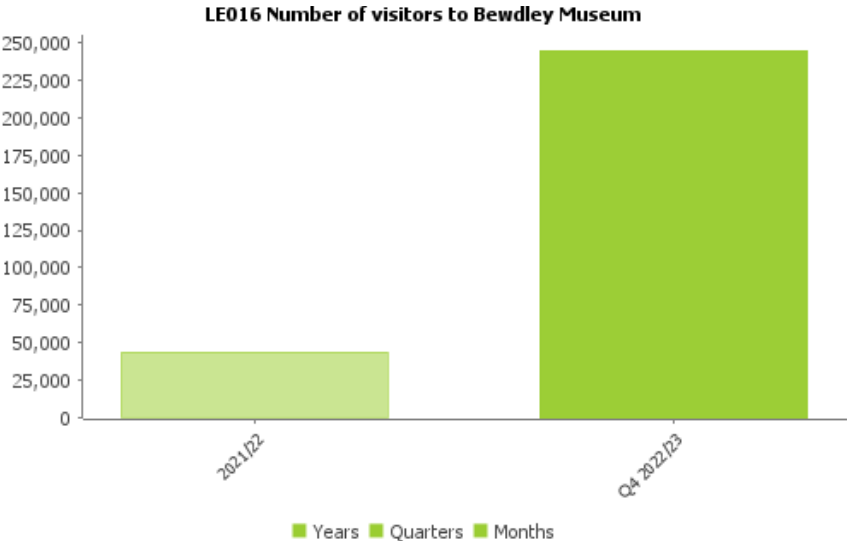
LA045 Number of people presenting themselves in need of housing advice



Current Value 2,401

Managed By Kate Bailey

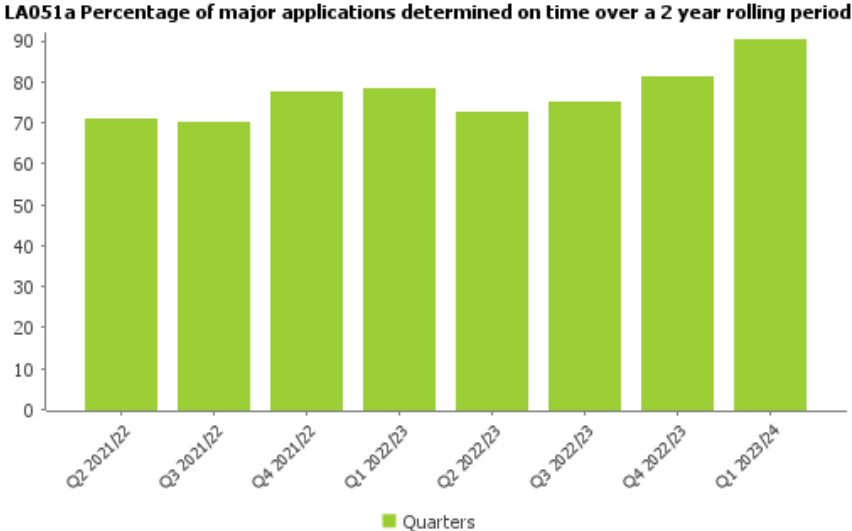
LE016 Number of visitors to Bewdley Museum



Current Value 245,000

Managed By Alison Bakr

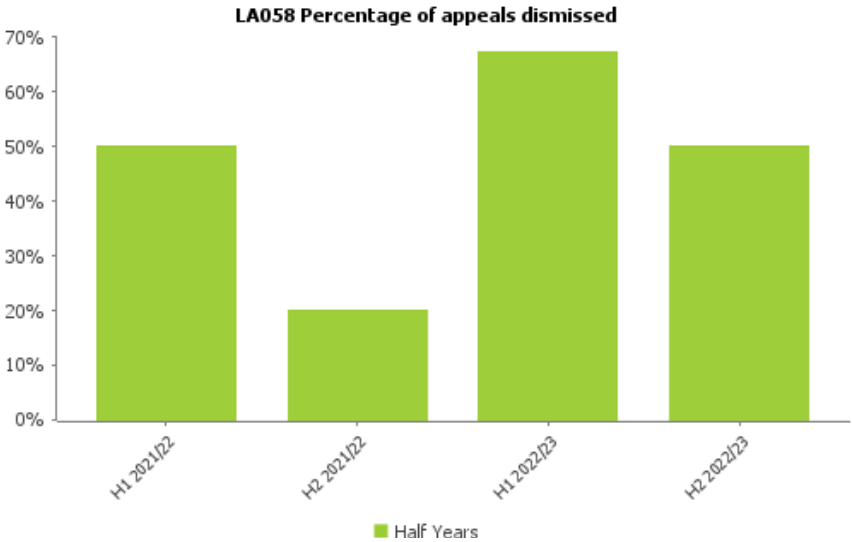
LA051 Percentage of major applications determined on time over a 2 year rolling period
a



Current Value 90.4

Managed By Helen Hawkes

LA058 Percentage of appeals dismissed

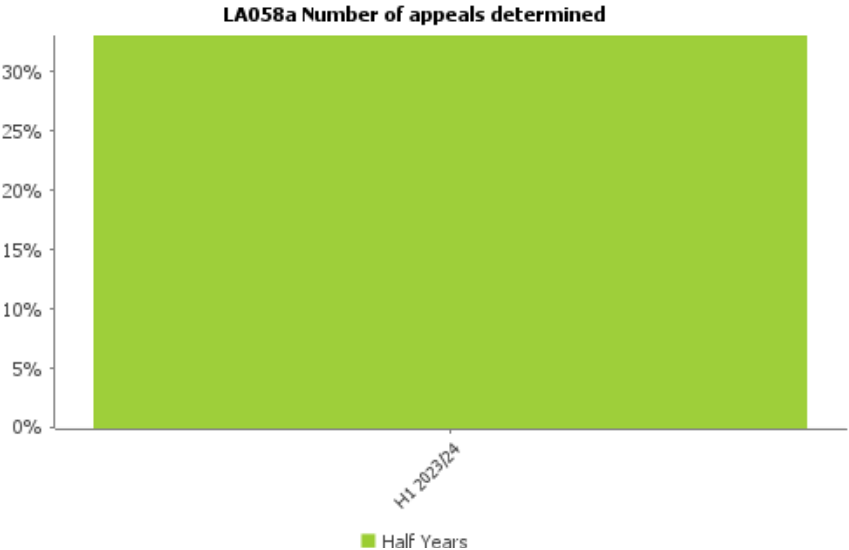


Current Value 50%

Managed By Helen Hawkes

LA058 Number of appeals determined

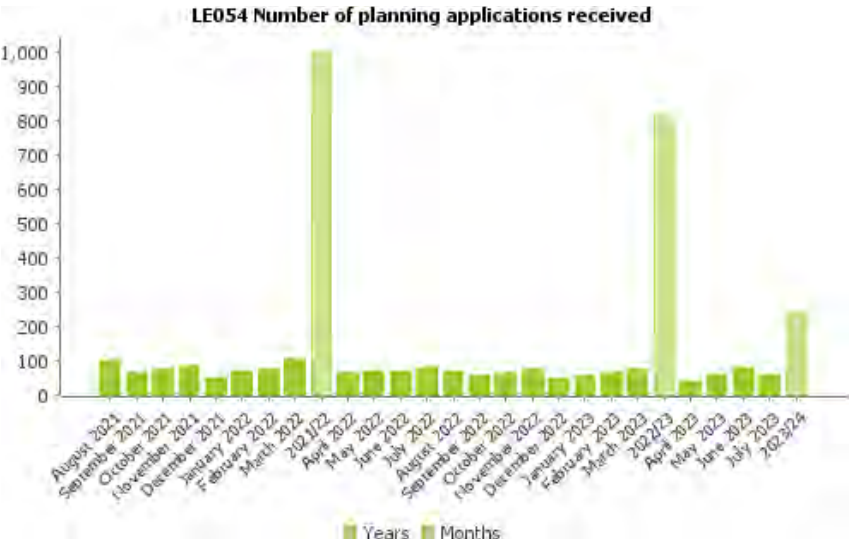
a



Current Value 33%

Managed By Helen Hawkes

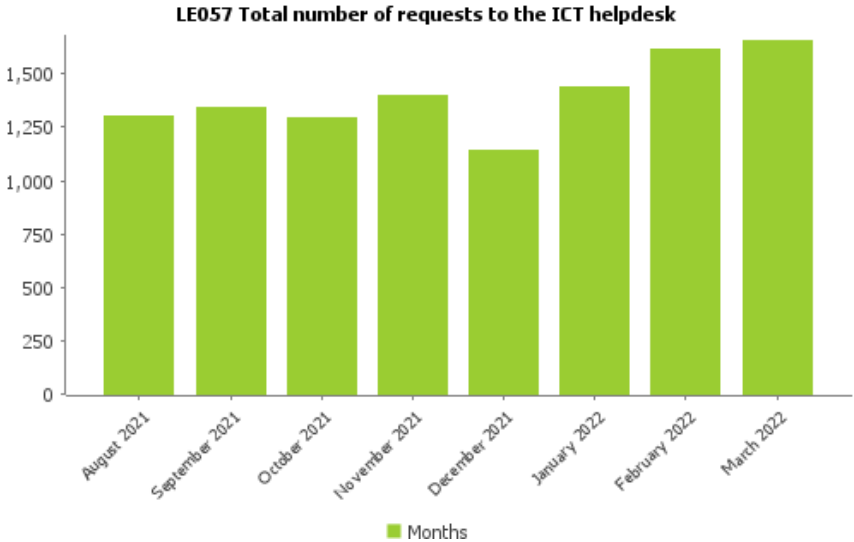
LE054 Number of planning applications received



Current Value 62

Managed By Helen Hawkes

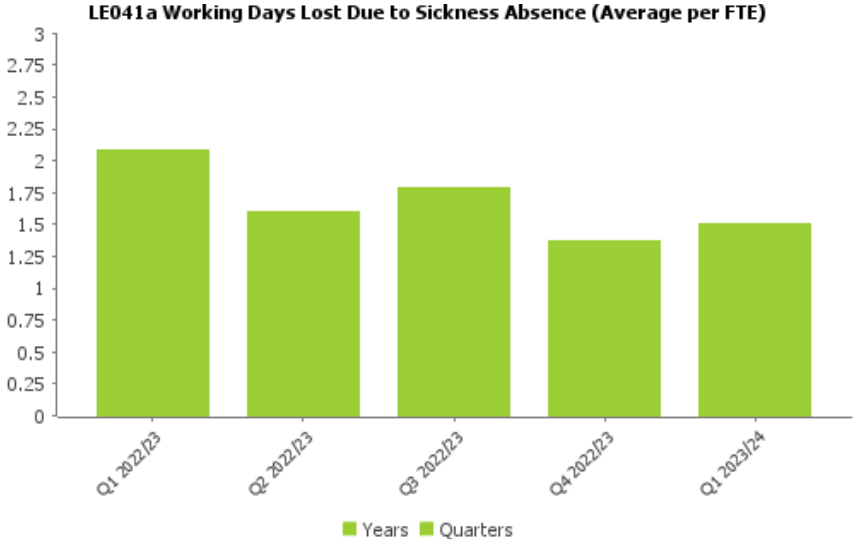
LE057 Total number of requests to the ICT helpdesk



Current Value 1,654

Managed By Dave Johnson

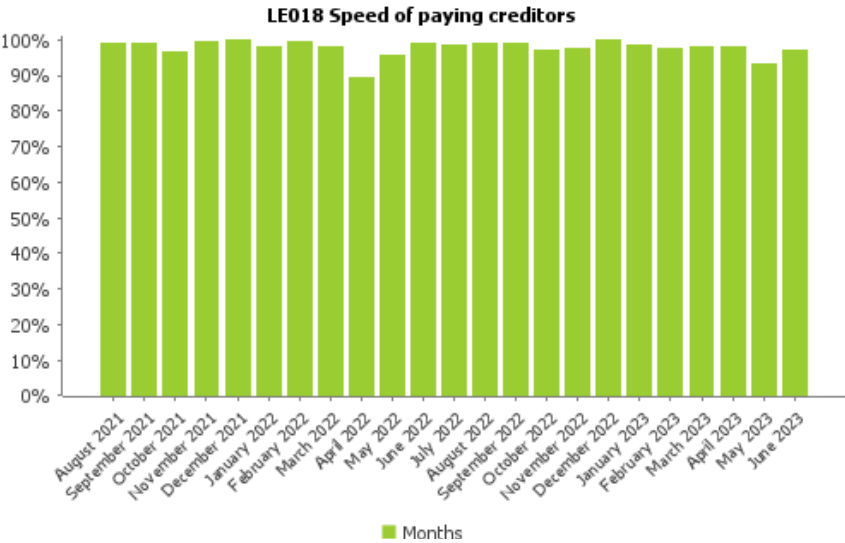
LE041 a Working Days Lost Due to Sickness Absence (Average per FTE)



Current Value 1.5

Managed By Caroline Newlands

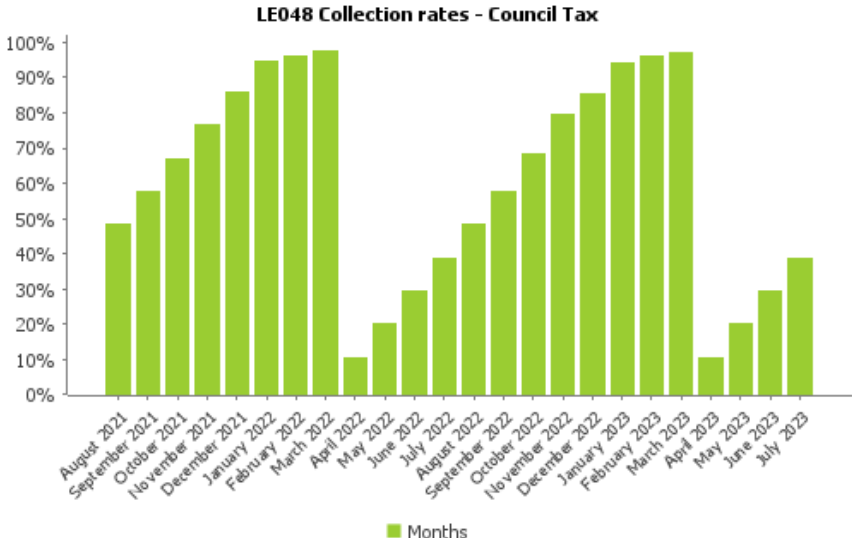
LE018 Speed of paying creditors



Current Value 97%

Managed By Helen Ogram

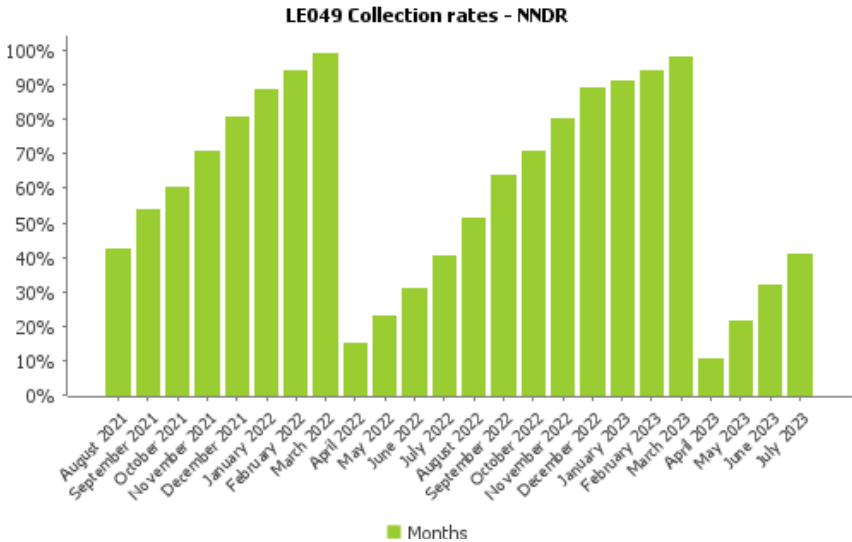
LE048 Collection rates – Council Tax



Current Value 38.86%

Managed By Lucy Wright

LE049 Collection rates – NNDR

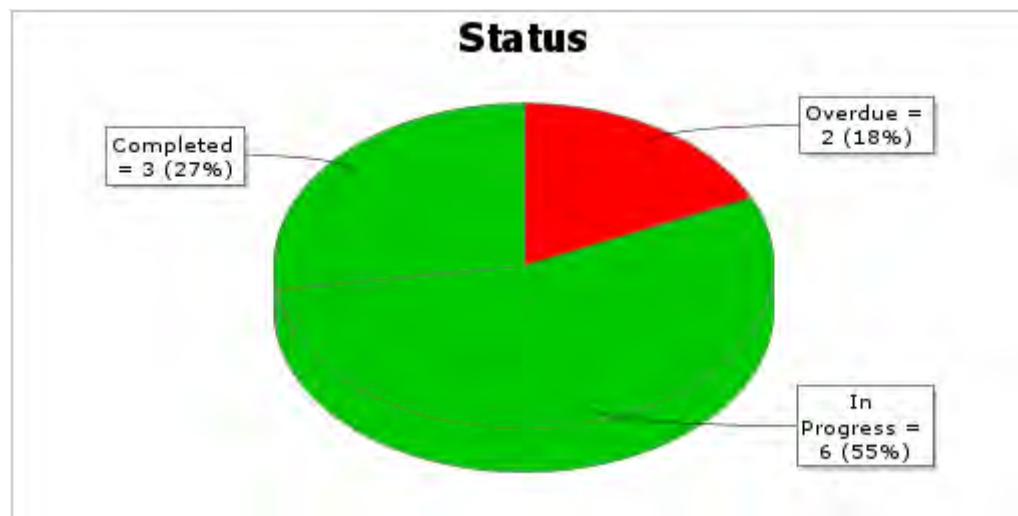


Current Value 41.08%

Managed By Lucy Wright

Corporate Plan Priority: Supporting a successful local economy

This report details the progress we have made against the Corporate Plan Priority of 'supporting a successful local economy'.



RA23/24 58

Governance arrangements: programme board in place



Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2024	Head of North Worcestershire Economic Development and Regeneration; Head of Resources; Solicitor to the	Structure in place and on-going attendance and participation in LUF and FHSF board meetings. Robust arrangements maintained for budgetary control and governance. Audit plan provides resource for contract audit assurance. Report to Government on quarterly	21-Jul-2023

Council

basis. Risk registers are updated at each board meeting.

RA23/24 59

Project management including delivery managers in place and project specific issues and risk registers maintained



Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2024	Head of North Worcestershire Economic Development and Regeneration	Programme team report to Interim Regeneration Manager who reports to Head of NWEDR. Structure in place and reflecting needs currently. More external resource may come in to reflect the project need.	21-Jul-2023

RA23/24 61

Financial contingencies



Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2024	Head of North Worcestershire Economic Development and Regeneration; Head of Resources	VOA approved the Council request to remove the properties due for demolition from the rating list.	21-Jul-2023

WFF 22/23 89

Future High Streets Fund Programme



Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2024	Ostap Paparega	The FHSF is still on programme and the key next steps for this program are:- Procurement of Design Team to work on the connecting projects and former Bull Ring designs and this is currently being progressed	29-Aug-2023

Concurrently, we are considering the asbestos removal and demolition requirements for the acquired properties and progressing these packages of work. The programme has identified that this can be delivered in two stages, and this is linked to the requirement to relocate a substation in 2-6 Worcester Street before the building can be demolished. Advanced negotiations with Western Power Distribution on the relocation of the sub-station are underway.

FHSF site wide master plan, consultants have been commissioned to develop the site wide master plan and an induction meeting has been arranged. Will be able to report on the outputs and timescales after the meeting.

WFF 22/23 90

Lionfields Phase One (Former Glades Leisure Centre site) feasibility study



Due Date	Managed By	Latest Note	Latest Note Date
31-Oct-2022	Ostap Paparega	Funding secured from the UK SPF	29-Aug-2023

WFF 22/23 96

Redevelopment of Land at Radford Avenue



Due Date	Managed By	Latest Note	Latest Note Date
31-Dec-2024	Kate Bailey	Requires new Cabinet approval to pursue compulsory purchase order. Report likely to come forward in July.	10-May-2023

WFF 22/23 97

Levelling up fund



Due Date	Managed By	Latest Note	Latest Note Date
----------	------------	-------------	------------------

Agenda Item No. 8.1 Appendix 6

31-Mar-2025

Ostap Paparega

Kidderminster Town Hall

29-Aug-2023

KTH secured Planning and Listed Building consent on 10th October 2022. Currently in RIBA Stage 4 design phase which is progressing with Speller Metcalfe (contractor). As part of the second stage design and build tender process.

Canal Tow Path

Works completed to 70%

Piano Building Acquisition of building pending.

WFF 22/23 98

Redevelopment of land at Clensmore Street



Due Date

Managed By

Latest Note

Latest Note Date

31-Dec-2023

Kate Bailey

Heads of Terms with Housing Provider – awaiting sign off.

10-May-2023

WFF 22/23 106

Castle Road – temporary accommodation



Due Date

Managed By

Latest Note

Latest Note Date

31-Oct-2024

Kate Bailey

Contract advert live, with a closing date of 12:00, 24th February 2023

10-Feb-2023

WFF 23/24 101

Town Centre Masterplan including former Crown House, Woolworths and Mega Value sites



Due Date

Managed By

Latest Note

Latest Note Date

31-Mar-2023

Ostap Paparega

Draft masterplan completed as at 31st October 2022.

02-Nov-2022

WFF 23/24 103

UK shared Prosperity Fund

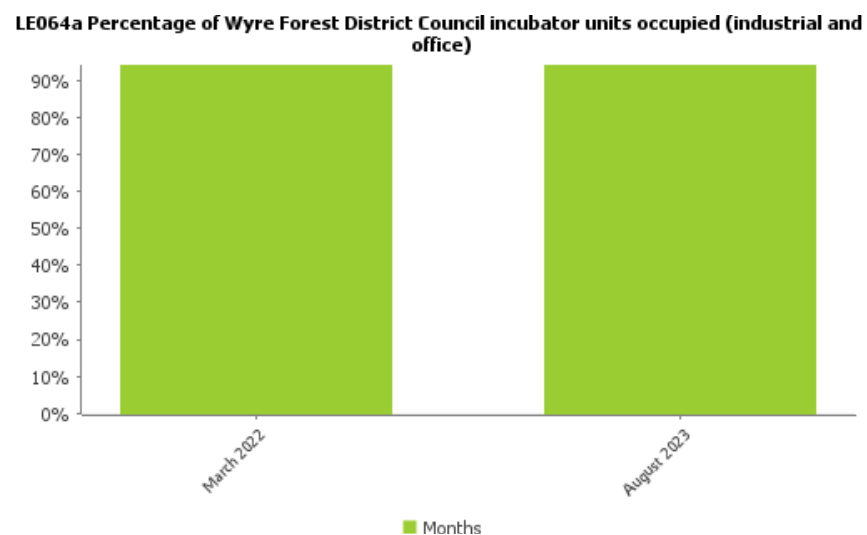


Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2025	Ostap Paparega	UKSPF approval was expected in October 2022, delayed to December. ReWyre board met in Q4 to agree project allocations.	29-Aug-2023

Measures

As a way of measuring the progress with our purpose, we collect key data to monitor trends and patterns. This data not only helps us to understand the impact of the work that we are doing but it also assists with decision making at a corporate level. The latest available data is detailed below:

LE064 Percentage of Wyre Forest District Council incubator units occupied (industrial and office)
a



Current Value 94%

Managed By Ostap Paparega

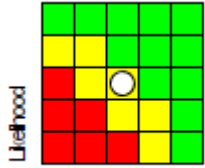
Risks

The below risk(s) has been identified as part of our Corporate Risk Register. All of the actions and measures detailed in this report aim to mitigate this risk(s) as well as drive forward our priority of 'supporting a successful local economy'.

CORPRISK11

Includes waste shared service; food waste collections; solar farm; temporary accommodation, Castle Road; localism including future arrangements for Bewdley Museum; ICT strategy; solar farm and other “green” projects; Lionfields Phase One; UKSPF; Wyre Forest Wild

Current Risk Matrix



Impact Moderate
Likelihood Likely



Target Risk Matrix

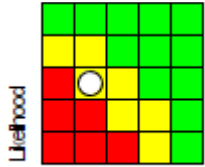


Impact
Likelihood

Description to be provided

CORPRISK15

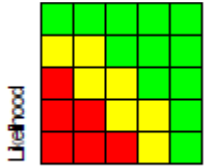
Current Risk Matrix



Impact Major
Likelihood Likely



Target Risk Matrix



Impact
Likelihood

**WYRE FOREST DISTRICT COUNCIL
CABINET
12 September 2023**

**Review of Public Space Protection Orders and Results of the Consultation
Process**

OPEN	
CABINET MEMBER:	Councillor Tracey Onslow, Cabinet Member for Culture, Leisure, Arts and Community Safety
RESPONSIBLE OFFICER:	Steve Brant, Head of Community and Environment Services
CONTACT OFFICER:	Kathryn Underhill, Community & Strategic Projects Manager
APPENDICES: The appendices to this report have been circulated electronically	Appendix One: Summary of Consultation Responses Dog Control Appendix Two: Summary of Consultation Responses Alcohol PSPO Stourport, Bewdley & Kidderminster Appendix Three: Formal responses from The Kennel Club and West Mercia Police Appendix Four: List of consultees Appendix Five: Maps Dog Control PSPO Map of Specified Area (District wide) Dog Control PSPO Map of Specified Area (QEII Jubilee Gardens) Dog Control PSPO Map of Specified Area (Kidderminster Cemetery) Dog Control PSPO Map of Specified Area (Hurcott Pool) Dog Control PSPO Map of Specified Area (Stackpool) Alcohol PSPO Map of Specified Area – Bewdley Alcohol PSPO Map of Specified Area – Kidderminster Alcohol PSPO Map of Specified Area – Stourport-on-Severn

1. PURPOSE OF REPORT

- 1.1 To outline the results from the consultation process regarding the dog control Public Space Protection Order (PSPO) and the restriction of alcohol consumption in Bewdley, Kidderminster and Stourport-on-Severn PSPOs and to outline the implementation process if the Public Space Protection Orders are agreed.

2. RECOMMENDATION

Cabinet is asked to DECIDE that:

- 2.1 A Public Space Protection Order regarding dog controls, within the specified area, outlined in Appendix Five, is implemented.**
- 2.2 A Public Space Protection Order to restrict the consumption of alcohol within the specified area of Bewdley, outlined in Appendix Five is implemented.**
- 2.3 A Public Space Protection Order to restrict the consumption of alcohol within the specified area of Kidderminster, outlined in Appendix Five, is implemented.**
- 2.4 A Public Space Protection Order to restrict the consumption of alcohol within the specified area of Stourport-on-Severn, outlined in Appendix Five, is implemented.**

3. BACKGROUND

- 3.1 A Strong Leader report, on 22 June 2023, approved the undertaking of a review of the district wide Dog Control PSPO and PSPOs restricting alcohol consumption in Bewdley, Kidderminster and Stourport-on-Severn and to commence consultation.

4. KEY ISSUES

4.1 Consultation Process

Having reviewed the findings of the evidence gathering exercise, Cabinet approved the launch of a consultation process for each PSPO. The consultation proposed to retain the PSPOs with the addition to the Dog Control PSPO of new offences of failing to provide a name and address and of providing a false name and address.

The formal consultation process was launched on 11 July 2023 and closed on 8 August 2023. The Anti Social Behaviour, Crime and Policing Act 2014 does not specify what constitutes appropriate consultation. However, it is clear that the local authority must consult with the following:

- Police and Crime Commissioner
- Chief Officer of Police for the local area
- Any Community representatives the Council feels appropriate
- Owner or occupier of land within the restricted area, such as local businesses.

A wide range of stakeholders were contacted directly, and the surveys were made available on the Council's website. The list of consultees contacted directly with an invitation to participate in the consultations, is at Appendix Four. Press releases and social media messages were issued during the period to elicit further responses.

Written formal responses were received from West Mercia Police and The Kennel Club and these are at Appendix Three.

4.2 Key Consultation Findings

Surveys were undertaken regarding district wide dog control orders and restricting alcohol consumption in Bewdley, Kidderminster and Stourport-on-Severn. The Summary of the Results is at Appendices 1-3. 283 responses were received for the dog control order survey and 145 responses in total for the alcohol related surveys (50 for Bewdley, 54 for Kidderminster and 41 for Stourport-on-Severn).

Dog Control Order Proposals

The consultation on the district wide Dog Control Order proposed to continue various restrictions and conditions and to introduce some new offences to be regulated under the Order, all of which were supported by a majority in the consultation as set out in the table.

Offence to be covered by the PSPO (continuation from the 2020 Order)	Percentage agrees with the current order
Failure to pick up dog faeces when in control of dog	93.57% (262/280)
Means to pick up	87.41% (243/278)
Failure to keep a dog on a lead in a designated area (Kidderminster Cemetery, Queen Elizabeth II Jubilee Gardens, the Stackpool at Springfield Park and the area around the Hurcott Pools)	77.12% (209/271)
Leads by order	86.04% (228/265)
Failure to exclude dogs from specified areas, including fenced off or enclosed children's playgrounds	94.23% (245/260)
Walking more dogs than is permitted at a time	66.93% (172/257)
New offences to be included in the proposed order	
Failure to give name and address when required to do so	85.88% (219/255)
Gives a false or inaccurate name or address in response to a requirement to provide name and address	

In respect of including the new offences regarding name and address, there was clear majority support in favour. Given that a very clear majority, over 85%, are in support is recommended that these new offences are included in the PSPO.

Alcohol Restriction

The consultation on Alcohol Restrictions in Stourport-on-Severn, Kidderminster and Bewdley proposed to continue various restrictions and conditions, all of which were supported by a majority in the consultation as set out in the table.

Proposed offence to be covered by the PSPO (continuation from the 2020 & 2021 Order)	Percentage in agreement
Stourport-on-Severn	

Agenda Item No. 9.1

The PSPO in Stourport is in place to stop people continuing to drink alcohol when asked to stop by an officer in the area shown on the map. Do you agree with this?	89.47% (34/38)
The PSPO requires a person to hand over alcohol at the request of an officer in the area shown on the map. Do you agree with this?	89.19% (33/37)
Agreement with the boundaries	71.05% (27/38)
Kidderminster	
The PSPO in Kidderminster is in place to stop people continuing to drink alcohol when asked to stop by an officer in the area shown on the map. Do you agree with this?	93.88% (46/49)
The PSPO requires a person to hand over alcohol at the request of an officer in the area shown on the map. Do you agree with this?	94.00% (47/50)
Agreement with the boundaries	82.00% (41/50)
Bewdley	
The PSPO in Bewdley is in place to stop people continuing to drink alcohol when asked to stop by an officer in the area shown on the map. Do you agree with this?	90.70% (39/43)
The PSPO requires a person to hand over alcohol at the request of an officer in the area shown on the map. Do you agree with this?	90.70% (39/43)
Agreement with the boundaries	76.19% (32/43)

4.3 Legal Conditions

Local authorities have the power to make a PSPO if satisfied on reasonable grounds that two conditions are met.

The first condition is that –

- a) activities carried on in a public place within the Authority's area have had a detrimental effect on the quality of life of those in the locality, or
- b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

The second condition is that the effect, or likely effect, of the activities –

- a) is or is likely to be, of a persistent or continuing nature,
- b) is, or is likely to be, such as to make the activities unreasonable, and
- c) Justifies the restrictions imposed by the notice.

4.4 Creating a Public Space Protection Order

In order to make each of the PSPOs, Members need to be satisfied that the legal conditions, laid out above, have been met.

The view of Officers is that the legal conditions have been met to enable all of the proposals consulted upon to be implemented. This is based on:

- Evidence gathered by the Council itself and from other partners and associated agencies including the Analyst and Intelligence Team at West Mercia Police, which has provided an anti social behaviour report. A Review of PSPOs – Key Findings was considered as part of the delegated decision to go ahead with consultation.
- Results from the consultation process.

4.5 **Implementation**

In order to meet the legislative requirements of the Anti-social Behaviour, Crime and Policing Act 2014 we must publish the order as made, extended or varied on our website. The existing signage will be reviewed to ensure that they are all still in place and are clean and legible.

The intention is to publicise the orders, once agreed, through the use of signage in key locations. The publicity is intended to ensure that residents and visitors are aware of each of the PSPOs and the associated restrictions and conditions.

Each order will take effect for a three year period, unless the Council decides to discharge an order during this time.

4.6 **Boundaries**

A map of the proposed boundaries for each PSPO is at Appendix Five.

Although the majority of respondents agreed with the proposed boundaries for all of the PSPOs. There were suggestions from the alcohol PSPO consultation that additional streets and areas could be included in the Bewdley, Kidderminster and Stourport PSPOs.

Regarding the Kidderminster PSPO, the response from Chief Inspector King, West Mercia Police suggested amending the boundary to include the football ground and surrounding area (to take in Comberton Hill - to include Comberton Place, and along the alleyway which starts by the court and ends on the car park adjacent to the stadium. The formal response is at Appendix Three.

The response from West Mercia Police has been duly considered but there is insufficient evidence from the police to support the request to extend the boundary of PSPO in Kidderminster concerning the restriction of alcohol consumption. This can be reviewed in due course if West Mercia Police provided evidence and it was determined that the legal conditions were met to justify an amendment to the boundary.

4.7 **Enforcement and Communications**

The Dog Control PSPO will continue to be enforced by the Council's Community and Environmental Protection team.

The enforcement of the alcohol restriction orders in Bewdley, Kidderminster and Stourport-on-Severn will continue to be a shared responsibility between the Council's Community and Environmental Protection team and the Wyre Forest Safer Neighbourhood Team at West Mercia Police.

Agenda Item No. 9.1

The PSPOs will be publicised on the Council's website and via social media channels and a press release.

5. FINANCIAL IMPLICATIONS

- 5.1 Costs associated with the implementation of the PSPOs will be met from existing Community and Environment Service budgets.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 When making a PSPO the Council must have particular regard to the rights of freedom of expression and freedom of assembly set out in the European Convention on Human Rights.
- 6.2 Section 17 Crime and Disorder Act 1998: implications with regards to the duty of local authorities to consider the impact of their decisions and actions on crime and disorder in the local area.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An Equality Impact Needs Assessment has been undertaken in relation to each of the Public Space Protection Orders and is available on request.

8. RISK MANAGEMENT

- 8.1 If the correct process to introduce a PSPO is not followed correctly this could lead to challenge, which will mean the Council could face legal costs and reputational damage.
- 8.2 There is also a risk that expectations will be raised by these orders, which agencies may not be able to meet.

9. CONCLUSION

- 9.1 The renewal of the PSPOs has the potential to deliver a significant positive community impact and will contribute to a cleaner and safer district and town centres for visitors, businesses and residents of the area.

10. CONSULTTEES

- 10.1 Corporate Leadership Team
- 10.2 Cabinet Member for Culture, Leisure, Arts and Community Safety
- 10.3 Litigation Solicitor
- 10.4 Senior Community & Environmental Enforcement Officer

11. BACKGROUND PAPERS

- 11.1 Strong Leader Report 22 June 2023
- 11.2 Delegated officer decision 4 July 2023

Appendix One: Consultation Responses Dog Control

Question 1: Do you live in Wyre Forest

Answered: 283 Skipped: 0

ANSWER CHOICES	RESPONSES	
Yes	79.15%	224
No	20.85%	59
TOTAL		283

Q2: Which of the following best describes your situation?

Answered: 283 Skipped: 0

ANSWER CHOICES	RESPONSES	
I am a dog owner/ or from a family who owns a dog	66.08%	187
I am not a dog owner but I walk other people's dogs as a favour	2.47%	7
I am not a dog owner now but I previously owned one or more dogs	14.13%	40
I am not a dog owner now but I am thinking of getting one in future	2.12%	6
I have never owned a dog	11.66%	33
I have previously been a dog owner/ or from a family who owned a dog	0%	0
Prefer not to say	2.47%	7
Other (please specify)	1.06%	3
TOTAL		283

Fouling

The current order states if a dog defecates at any time on land to which this order applies a person who is in charge of the dog at the time must remove the faeces from the land forthwith unless

- he has reasonable excuse for failing to do so; or

Agenda Item No. 9.1 Appendix 1

- the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so

Q3: Do you agree with the current order?

Answered: 280 Skipped: 3

ANSWER CHOICES	RESPONSES	
Yes	93.57%	262
No	6.43%	18
TOTAL		280

Q4: Why do you disagree with the current order on fouling?

Answered: 18 Skipped: 265

RESPONSES
When health is an issue people should take responsibility
British Law covers this issue and a PSPO is unnecessary
To avoid any doubt, all dog owners should be required by law to pick up their dog faeces using the appropriate sealable poo bags.
All responsible owners should pick up their dog's poo wherever they are
What's the point of an order if not enforced. Jubilee gardens is a dog toilet in the daylight and at night. What enforcement is there for an area that serves as a picnic spot and play area for families. Does WFDC pay attention to public health through H& S legislation
All dog owners should take responsibility for their dog, and clear any mess left by the up.
What ever the reason the person whom is walking the dog must clean up the dog mess. There should be no circumstances where a person does not need to clean up the mess
"he has reasonable excuse for failing to do so" There is NO EXCUSE.
As it infers that there is an excuse not to do so. There is no excuse. Fouling should be considered an offence and there should be zero tolerance.
I agree that fouling should be picked up when on pavements and in public parks, but in nature reserves and woodland I disagree. In woodland areas, nature reserves, stick and flick is better. It will natural decompose in an area that doesn't put any one at risk and reduces the use of plastic bags which will inevitably end up in land fill. Also, I feel that the council does not provide enough bins for residents.
What is a reasonable excuse? More information required.
it targets one sector of the community when there is far more disgusting littering going on. Far better to employ people to clean away litter and dog mess generally. It makes it almost impossible for children to take their dogs out because they are almost certain to get coated in it. Try getting a child to clean shoes and see what happens.
Because there are far more important issues within Wyre Forest that you should be concentrating your attention to
I think it should be cleared up full stop. I watched a dog owner walk in front of me in Severnside South Bewdley and let the dog walk and foul all down the street. No intention of picking up. I'm tired of cleaning it off shoes and younger children always tread in it. Just gross.

RESPONSES
You do nothing about people/horses leaving mess/distressing others, so should just trust dog owners. Decent ones already pick it up, bad ones will ignore you anyway
There is already statutory legislation in place - Dogs (Fouling of Land) Act 1996. This law makes it an offence for a person in charge of a dog to allow it to foul on designated land without cleaning it up. Why don't you just enforce that? Statistically, how many enforcement orders or prosecutions did you serve before the current PSPO came into place? How many since? Why didn't you enforce the laws before?
British Law already requires this and a local law is not required. Stop overstepping you remit and provide the services you are required to provide and leave British Law in the hands of others
It is not clear as to what land this order applies to, nor whom permission should be sought from.

Means to Pick Up

The current order states a person in charge of a dog on land to which this order applies must have with him an appropriate means to pick up dog faeces deposited by that dog unless

- he has reasonable excuse for failing to do so; or
- the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

The obligation is complied with if, after a request from an authorised officer, the person in charge of the dog produces, in the opinion of the authorised officer an appropriate means to pick up dog faeces.

Q5: Do you agree with what the current order says about means to pick up?

Answered: 278 Skipped: 5

ANSWER CHOICES	RESPONSES	
Yes	87.41%	243
No	12.59%	35
TOTAL		278

Q6: Why do you disagree with the current order on means to pick up?

Answered: 34 Skipped: 249

RESPONSES
Too prescriptive - what about if you have used all your poo bags!
British Law covers this issue and a PSPO is unnecessary provided the law is enforced
There is no mention of a fine if the dog owner fails to produce the appropriate means for picking up dog faeces. This should be mandatory
Everyone should be expected to pick up their dog's poo wherever they are, and carry it home/to a bin on the way home

RESPONSES
How does the owner know "land that this applies" just pick it up everywhere
No officers no enforcement
Dog owners should pick up the mess
There should be no reason to be walking a dog and not have poo bags with them
"he has reasonable excuse for failing to do so". There is NO EXCUSE
Please see previous comment, as the reason is the same I agree that fouling should be picked up when on pavements and in public parks, but in nature reserves and woodland I disagree. In woodland areas, nature reserves, stick and flick is better. It will natural decompose in an area that doesn't put any one at risk and reduces the use of plastic bags which will inevitably end up in land fill. Also, I feel that the council does not provide enough bins for residents.
What is a reasonable excuse? Give examples.
This is subjective to the officer involved and therefore can vary. Due to the global drive to reduce single use plastics which can have detrimental effects on wildlife it is common that once graces is picked up, as there are so few and inconsistent poo bins in the district this encourages owners to disagree the bagged graces which then hangs in trees or in undergrowth. It is far more environmentally friendly to encourage graces to be flicked into the undergrowth to compost naturally
I personally don't like the idea of being policed on a dog walk. Having had dogs for 35 years there isn't a pocket or a bag in my home that doesn't possess a poo bag. I'm also unsure of what the consequences are by not supplying proof.
People should not be forced to do this.
I don't think Local Authority employees should be operating a stop and search policy. If they see someone who doesn't pick up their dog mess THAT is the offence.
Because i think i would be invasion of privacy if i say i have a bag the person needs to believe me not insist i produce it or are they going to search me? Sometime in certain areas a dog poop can be flicked into the bushes, food for insects and some wildlife. I ALWAYS carry extra poo bags but would never be searched by anyone for proof
If it's applicable to one person then it should be applicable to all. There are devices that can help with picking up dog mess. There will be people who will deem to be unable to pick up after their dog that will have the capability to do so - where is the line drawn?
There should be no excuse for failing to clean up after a dog
This is a 'pre crime' measure. Punishing for a crime that has not yet happened and may never happen.
I agree that all dog owners should carry poo bags. However I would be very uncomfortable being approached by an officer and asked to prove so. For those with anxiety and such like this is not appropriate.
People should not be stopped and searched to check they have means to pick up randomly. Fines issues to those who are caught fouling and not picking up should be enough.
They should be charged if they are not carrying dog poop bags as they obviously have no intention of picking it up if they are not carrying anything
Because this is akin to stop and search - If I ran out of bags I would use a sock, an item of clothing or even my hands and do not believe officers should be allowed to harass dog walkers or deem them irresponsible just by looking at them
dog walkers who do not pick up, should be penalised. A stop and check if and what kind of and how many poo bags a person in charge of a dog has by an authorized person is unnecessary and borderline harassment of responsible dog owners.

RESPONSES
In practice you can on occasion run out of poo bags during a walk and occasionally forget. Whilst rare these are real world possibilities and need to be catered for.
As responsible dog owner, I don't feel there is a need for a stop and search policy regarding means of collecting dog faeces. I feel current policy is overzealous when majority of responsible dog owners follow this policy anyway
It is possible to be well meaning but forget a bag or use up your last one on the roll and not have another - poo bag police seems a bit OTT, another dog owner would give you a bag if needed.
Because I am a female and feel I don't want males approaching me in the darker evenings
Everyone can occasionally forget or use up their last bag - just ask another dog owner for one. Having the poo bag police seems a bit OTT
I don't believe in stop and search for plastic bags only weapons
See above. You do nothing about people/horses leaving mess/distressing others, so should just trust dog owners. Decent ones already pick it up, bad ones will ignore you anyway.
I think it makes it more ambiguous than the 96 legislation
means to pick up doesn't mean you will pick up. Not having the means to pick up could mean you have already picked up and used up your bags. Thus if a dog poos but you only have 1 bag left, do you pick up and risk being fixed for not having another bag or not pick up and risk being fined because someone sees you not picking up. Not picking up if no-one is around is unlikely to get you fined but if you do, there's more chance you could be stopped without a bag and fined. Therefore this order could increase fouling being left
If someone fails to pick up after their dog, use British Law. I do not want stop and search type powers in the hands of Local Authority Officers

Leads

The current order states a person in charge of a dog on land edged in red in Schedule 2,3, 4 and 5* must keep the dog on a lead

- he has reasonable excuse for failing to do so; or
- the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

*Kidderminster Cemetery, Queen Elizabeth II Jubilee Gardens, the Stackpool at Springfield Park and the area around Hurcott Pools.

Q7: Do you agree with the current order on leads?

Answered: 271 Skipped: 12

ANSWER CHOICES	RESPONSES	
Yes	77.12%	209
No	22.88%	62
TOTAL		271

Q8: Why do you disagree with the current order on leads?

Answered: 60 Skipped: 223

RESPONSES
I think responsible owners with well controlled dogs should be allowed to have the dogs off a lead walking beside them when the area is quiet.
I cannot view the maps, the link doesn't work. So the areas indicated may be unnecessarily restrictive. Also British Law covers this issue and a PSPO is unnecessary.
It should be more widespread- cover areas of parks where children may be playing football, play equipment
Dogs are off leads in too many areas. They scare people and children. Areas need to be more clearly marked in parks as people wander about aimlessly
No officers no enforcement
Too broad
Dogs should be on a lead in the majority of public spaces
A rule is a rule
Not all dogs are the same and I've always walked my previous dog around the stackpool off the lead
I understand that the minority ruin it for the majority but I used to walk my dog in Jubilee gardens first thing in the AM and last thing at night before they used to be locked. There was never a sole about. He's a springer spaniel and lead walks alone are not sufficient. I'm not against the ban altogether there but could you consider a time bracket vs a complete ban. I had a baby at the time and lived in a flat in town so it was perfect. I don't know how I'd manage it now
It does not go far enough. The areas should be wider. No one walking more than one dog should be allowed to let them off leads. The number six is far too many at any one time. That is a pack whether on leads or not and too much to be sure of safe control for the walker or members of the public.
What is a reasonable excuse? Give examples. What about extending leads? All dogs should be kept on a short lead whilst in a public area. A long trailing lead and a dog wandering across footpaths or, worse still, several dogs on extending leads, is a trip hazard and especially dangerous for the elderly or infirm.
Hurcott pools is a haven for dog owners on walks and dogs should be able to walk off leads as this is a safe area not designated or designed as a cemetery or children's park. This makes no sense to include this area
Dogs should be under control not on lead. All dogs need off lead time and places like jubilee Gardens are the only space some people can access to exercise their dogs
Dogs should not have to be on leads unless they are not possible to control. We need to stop excluding dogs from society.
I believe that it should be or under control. Not all dogs need to be on lead to be under control and the misuse of extendable leads means some dogs are clearly not under control even though on lead
British Law is there to deal with out of control dogs. Apply British Law
Dog control is already covered by UK law
A well sociable dog with a responsible owner can safely walk beside their owner...however some should be on a lead or put on a lead when ordered to do so by a warden
i think as long as you have the dog under strict control, then it wouldn't hurt to be able to unclip them by the grave your visiting in the cemetery
As long as a dog is under control what's the problem?
These areas are very limited. I live in a rural area where people let their dogs run free through farmers crops - I don't class this as being a responsible dog owner? People let their dogs off leads and DO NOT watch what they are doing, fail to see when they need to pick up after them conveniently.
Dogs should be on a lead at all times

<p>RESPONSES</p>
<p>Dogs should be on lead in all public spaces</p>
<p>It needs to be stronger identifying more land where it is requires. For example on the SSSI that I manage - Devils Spittleful as well as other smaller sites in Wyre. Dogs off leads (in increased numbers) are now the greatest threat to wildlife on these protected sites and we are powerless to do much. Signage, talking to visitors is not enough. We are spending £10000s on fencing but this still only protects a fraction of the sites</p>
<p>Most dogs behave well off lead. Owners of difficult dogs tend to be responsible and keep their dogs on leads</p>
<p>Hurcott woods and pools should not be included as it is a safe area, away from roads and children's play areas for dogs to be allowed off the lead.</p>
<p>There is national legislation that says that dogs should be 'under effective control'. Why do we need anything more?</p>
<p>There are other areas and occasions when dogs should be on leads. Some dogs are aggressive and should be on leads whenever they are out in public.</p>
<p>They need to cover more areas. We live on Spennells and have had a least two encounters with people unable to control their dogs... some even on a lead. Some people allow their dogs to run through the farmers crops. Designated areas for dogs to run free are the best way forward. There are a lot more dogs since covid . I am a dog lover but am concerned about the behaviour of some owners and their dogs especially for older residents and young children</p>
<p>If an owner deems their dog to be well behaved and have good recall then they should be allowed off the lead to enjoy their freedom</p>
<p>I am in control of my dog and deem it unnecessary to keep him leashed</p>
<p>What % of dogs walked off lead in this area have been reported as a nuisance. We'd will be exaggerating and increasing dog behavioural issues if dogs are to be refrained continuously on a lead. You cannot blanket and target ALL dogs because of a few. Dogs get far more aggressive or anxious when contained on lead</p>
<p>I have been bitten by a dog and it's painful and terrifying. I think they should be kept on leads full stop. I can't get over fears to walk in Wyre Forest anymore as it's scary on a long walk, I understand dogs love to run and roam but owners are often far away and the dog jumps up on you. They say oh don't worry but they are often very far away.</p>
<p>I think that if a dog has a solid recall then it shouldn't have to be on a lead</p>
<p>Just because a dog is on a lead does not mean it is under control - you can have an order that requests that a dog that is not under control be put on a lead - I agree that dogs should be on lead in children's play area or even not allowed into children's enlosed play areas</p>
<p>The law currently covers out of control dogs.</p>
<p>I agree in terms of the cemetery for the other areas I disagree. Dogs who walk well off lead have good recall and can walk sensibly in these areas.</p>
<p>On the leads only on playgrounds and cemeteries, anywhere else, if the dog is under control should be allowed to be off lead. It is part of dog basic needs to be able to exercise. Unless the council provides a fenced area where the dogs can off lead, the dogs should be free to be left off the lead in those areas</p>
<p>To penalise the majority of dog owners who are responsible and are able to control their dogs when off lead is discriminatory and unfair. Visitors to the area may be caught out unaware of restrictions. Those dog owners who cause a problem should be penalised. It's like saying no under 18s can be unsupervised in the area as a small minority can cause problems and distress.</p>
<p>Dogs should be allowed off the lead in these areas as long as they're controlled and not listed as a dangerous dog</p>

RESPONSES
To spoil it for the majority of dog owners for the rare time there is an incident is wrong, the dog owner should be responsible, too often now authorities take the easy option and ban far too much,
My dog walks better off a lead, he is responsive when called and enjoys the freedom of being able to walk away and sniff if he wants. He is never out of my eye sight and is only walked off lead at non peak times as not to disturb others walking. Requiring all dogs to be on a lead will ruin a lot of dogs free time and enjoyment and seems I've the top as a response from the council.
If a dog is happy walking round heel, and not entering the area, why should it also be on a lead?
Dogs can be kept under reasonable control without the use of a lead. Dogs have a right to walk freely and explore their environment in sight of owners.
Trained dogs are fine off lead.
I don't feel there should be a need to ban off lead walking in all open spaces particularly places such as Stackpool and Hurcott woods. Many dogs can be walked off lead safely and responsibly and some dogs actually behave better off a lead than on one. Majority of dogs are not out of control or dangerous so a one rule covering all dogs is not necessary
Because it restricting well behaved and responsible owners who have trained their dogs
Wooded areas should be off lead
It is unnecessary
It penalises the well behaved
Not all dogs are the same. People that take the time to train their dogs shouldn't be discriminated against
I agree dogs should be on leads in the cemetery, Jubilee Gardens and Stackpool but don't believe it is necessary at Hurcott Pools
Don't agree with Hurcott pools, it's not the same sort of area as the others
You are discriminating against disabled people, who often cannot manage their dog on a lead. Just as you leave it up to parents to decide whether to keep their child on a rein or allow them to play with others, let the owner decide. Many dog breeds need to run for their welfare.
Context is everything. Some dogs should always be walked on the lead in public places e.g., reactive dogs, dangerous dogs, seriously out of control dogs but don't penalise every dog owner without balanced consideration. How many enforcement orders or prosecutions did you process for. DDA before you introduced the PSPO?
Don't think it should apply to all of QE2 gardens at Bewdley
Hurcott Pools boundary is fenced along the eastern pool yet the red line on the plan appears to include the footpath which runs along the "land" side of the fence. This is misleading. Dogs should be allowed off leads on the path and in the Woods. I support keeping dogs out of the main pools

Leads by order

The current order states a person in charge of a dog on land to which this order applies must comply with a direction given to him by an authorised officer of the Authority to put and keep the dog on a lead unless

- he has reasonable excuse for failing to do so; or
- the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

Agenda Item No. 9.1 Appendix 1

An authorised officer may give a direction under this order if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog that is likely to cause annoyance or disturbance to any other person, or to a bird or another animal.

Q9: Do you agree with the current order on leads by order?

Answered: 265 Skipped: 18

ANSWER CHOICES	RESPONSES	
Yes	86.04%	228
No	13.96%	37
TOTAL		265

Q10: Why do you disagree with the current order on leads by order?

Answered: 34 Skipped: 249

RESPONSES
British Law covers this issue and a PSPO is unnecessary
Too ambiguous, in a restricted area dogs should be on leads, not wait until the dog is a nuisance
No officers no enforcement
Dogs should be on leads or put one on if anyone requests it
People e.g. non dog owners are getting to precious it's all about balance
My dog is a gun dog. He will walk to heel without fail if I tell him. Dogs need to be 'under control' not necessarily on a lead
Anywhere in the district is too extreme. Doctorial!
Again, what is a reasonable excuse? In my view all dogs should be on a lead in a public space or park. The only place a dog should be running free is on the owners property, a designated dog exercise area or on land where the owner has given permission for dogs to play. This should be rigorously enforced. Unfortunately, it isn't.
As long as owners aren't walking dogs I'm within designated recreational areas such as parks and play areas there should be no requirement for a dog to be leashed if the owner believes their dog is controllable.
Too much power to enforcers. and no reasonable appeals process.
There are no grounds given for requiring a dog to be put on a lead... Purely on the instructions of a council representative
British Law is there to deal with out of control dogs. Apply British Law not blanket bans
Dog control is already covered by uk law
My dog is under control at all times within the laws of the UK. I don't need to be told by an Enforcement Officer who has no experience/knowledge of my dog.
Because it's not adhered too. It should be an offence to let a dog off a lead on any public highway
Again this is a distraction and bullshit from a council uninterested in a real issues
Could be stronger - only dogs off leads where agreed by landowner - and technically off leads but under control on RofW
Could be an unreasonable request.
The order as it stands is too subjective. If an officer has no experience of normal dog behaviour, it could be misinterpreted. If misinterpretations occur and are

RESPONSES
noted, they could be used as false evidence that dog problems are common, and form the basis of further restrictions for responsible dog owners.
If the dog is being a nuisance then by all means enforce wearing a lead. However dog owners will know the behaviour of their dog more than a patrolling officer.
Not based on the wording of the sentence. 'Likely to become'. How is someone able to judge a dog is likely to be a nuisance? Are these wardens dog trainers or behaviourist?
I think the 'reasonable excuse' on all these statements is a get out clause for many. And if land allows dogs off leads I think there should be a big sign to warn people who are not comfortable with that to avoid going there.
The officer would not know the dog. The owner can make a reasonable decision as to whether their dog can behave off lead.
I agree to this point only if the authorised officer is a public officer and the council doesn't put in charge of it private companies
If the request is reasonable as in ground nesting bird season ok, but jobs worth official can make life very unpleasant for no good reason.
What's classed as an annoyance or disturbance. It should just be in line with the law & that they're under control
Dogs can be kept under reasonable control without the use of a lead. Dogs have a right to walk freely and explore their environment in sight of owners
Trained dogs are fine off lead.
I don't feel there should be a need to ban off lead walking in all open spaces particularly places such as Stackpool and Hurcott woods. Many dogs can be walked off lead safely and responsibly and some dogs actually behave better off a lead than on one. Majority of dogs are not out of control or dangerous so a one rule covering all dogs is not necessary
Because it restricting well behaved and responsible owners who have trained their dogs
If you can control your dog and have good recall you shouldn't be told when it can or cannot be on/off leas
Wooded areas should be off lead
It is unnecessary
It penalises the well behaved
Not all dogs are the same. People that take the time to train their dogs shouldn't be discriminated against
I agree dogs should be on leads in the cemetery, Jubilee Gardens and Stackpool but don't believe it is necessary at Hurcott Pools
Don't agree with Hurcott pools, it's not the same sort of area as the others.
You are discriminating against disabled people, who often cannot manage their dog on a lead. Just as you leave it up to parents to decide whether to keep their child on a rein or allow them to play with others, let the owner decide. Many dog breeds need to run for their welfare.
Context is everything. Some dogs should always be walked on the lead in public places e.g., reactive dogs, dangerous dogs, seriously out of control dogs but don't penalise every dog owner without balanced consideration. How many enforcement orders or prosecutions did you process for. DDA before you introduced the PSPO?
Don't think it should apply to all of QE2 gardens at Bewdley
Hurcott Pools boundary is fenced along the eastern pool yet the red line on the plan appears to include the footpath which runs along the "land" side of the fence. This is misleading. Dogs should be allowed off leads on the path and in the Woods. I support keeping dogs out of the main pools

Exclusion Areas

The current order states a person in charge of a dog must not take it into or keep it within a fenced/enclosed children’s play area or water play area, and signed at its entrance(s) as a ‘dog exclusion area’ (whether the sign uses those particular words or words and/or symbols having like effect) which is designated and marked for children’s play unless

- he has reasonable excuse for failing to do so; or
- the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

Q11: Do you agree with the current order on exclusion areas?

Answered: 260 Skipped: 23

ANSWER CHOICES	RESPONSES	
Yes	94.23%	245
No	5.77%	15
TOTAL		260

Q12: Why do you disagree with the current order on exclusion orders?

RESPONSES
If a dog is on a lead and under control there is no need to exclude the dog. If the council wants to exclude dogs from these areas then it must ensure that clear appropriate signage placed at an acceptable height so that it can be seen must be at every access point to the specified area. The onus here would be on the council ensuring that the signage is correct and clear. Promotion of any rule must be widespread and thorough. Just because the council has made up a rule does not mean that everyone knows about it.
British Law covers this issue and a PSPO is unnecessary
What is the point if there is no control or enforcement
There should be patrols to ensure procedures are being adhered to
What is a reasonable excuse? Your criteria should be made plain. Currently it is far too woolly and needs to be more explicit. The only dogs allowed in a children's play area should be assistance dogs. If a parent, for example, wants to take their children to a play area, they leave the dog at home.
I agree that water parks and or pools should be included so far as much as the dogs should not be allowed in the water or on the water zone but as long as a dog is on a lead then within the parameter of the zone or park would be highly beneficial to parents and families attending the park with children
Children should not be excluded from taking their dogs with them. Again we are excluding dogs from society. Not acceptable.
Responsible dog owners won't let them go in anyway. Just deal with the irresponsible ones rather than treating all dog owners like criminals.
Could seek to include parts of nature reserves - in conjunction with NE areas of even open access land can be closed off to protect wildlife.
There should be NO instance where it is acceptable to take a dog into a children’s play area. NO DOGS should mean what it says. Too much room for room for ambiguity.

RESPONSES
There are some circumstances that require dogs to enter areas, for example single parents and dog owners
No dogs in children's play areas end of. It's far too dangerous.
Dog owners pay tax the same as everyone else and should not be victimised by excluding them from public areas. As specific groups (children) have safe places to be, dogs should also be allowed to exhibit natural off lead behaviour in a safe environment within these areas without prejudice for their tax paying owners.
The areas should be listed. This order appears to allow anyone, council or not, to put up a sign
You are discriminating against single parents who work. There is no time to manage a dog, child and dog on your own if you cannot take the child and dog out together. Some single parents do work and you make this harder for them with this sort of thing. Plus it is great to let kids and dogs play together for their mental and physical health.

Multiple dog walking

The current order states a person in charge of more than one dog shall be guilty of an offence, if at any time, and at the same time, he takes onto the land to which this Order applies more than six dogs unless

- he has reasonable excuse for failing to do so; or
- the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

Q13: Do you agree with the current order on multiple dog walking?

Answered: 257 Skipped: 26

ANSWER CHOICES	RESPONSES
Yes	66.93% 172
No	33.07% 85
TOTAL	257

Q14: Why do you disagree with the current order on walking multiple dogs?

Answered: 80 Skipped: 203

RESPONSES
SHOULD BE REDUCED TO MAX 4 DOGS
Too many, number of dogs should be lower
Should depend on how the dogs are controlled not the number.
Too many dogs for one person to control let alone clean the mess up that they are then supposed to carry with them.
What if someone has more than said amount of dogs?
A person with well trained dogs can easily control more than 4 dogs. Also this would impact on friends with multiple dogs walking together and, as I've said previously, British Law covers this issue and a PSPO is unnecessary

RESPONSES
Six is too many. Four would be better. We have come across instances of owners/carers who can't control more than 3 dogs, and it has frightened our dog (a rescue dog who had been badly frightened/treated as a pup and deserves respect)
Too many no one person should walk more than 3
There should be a maximum of 3 dogs per adult. All dogs should be under control-on a lead of come immediately when called
Often see people not controlling 3 dogs, nevermind 6 (unless they are small). 4 max is better, but still too many, 2 would be better, 1 lead per hand.
I believe that in order to control more than four dogs is impossible. Therefore the ability for a single person to look after the needs of their dogs and their responsibilities to the public are incompatible
Professional dog walker have no more experience than personal dog owners. If anything they may have less control as its not theirs. I have experienced this on the old golf course, Redstone, Burlish Top
Maximum of 2 dogs
I don't think a person should be in control of more than four dogs at any one time - there should be restrictions to keep these dogs on a load (maybe more than 2) as its impossible to keep an eye on where they're pooping if they're scattered about.
It makes no sense it needs to be written better. It seems to say you cannot walk more than one dog.
I think 6 dogs is too many to be walked together in a public place. These dog walkers are usually a business and I have seen these groups not fully under control of the walker. They are not dogs that live together and can become over excited. I have more than one dog, but I think 4 should be the maximum, six is intimidating for members of the public.
Doesn't mean that a person with more dogs isn't going to be irresponsible.
Six is too many! No matter how experienced the handler. A maximum of three would be a better figure.
It is almost impossible for one person, no matter how responsible, to be in adequate control of more than two dogs! Multiple dogs cause potential problems and dangers.
As a dog owner, I can confidently say that a maximum of 4 dogs is sufficient. It's physically impossible to control 6 dogs off lead, should they or one of them be attacked by another dog.
Some people need to walk multiple dogs at a time.
Too many for safety whether on or off leads
Six dogs is too many. Have you ever observed somebody walking 4 dogs or more? Losing one because they are distracted? I have. Try visiting Wyre Forest on a busy day at the visitor centre. How can they clear up after the dogs when they have such a large number to walk?
This is oppressive policing of freedoms. As long as the owners are in full control of their animals there should be no upper limit
As long as the pack is under the walkers control I do not see why a number should be limited. Some owners have five/six dogs to walk and should not be restricted on walking their dogs together!
Too many dogs allowed. There are too many incidents that I've witnessed where dogs are going mad at each other. Very very unpleasant and unsettling. There are too many dogs around generally. Some owners are terrible
If well trained it shouldn't matter about number of dogs
It is penalising experienced dog owners who have at least 4 dogs and whom they have control of. Again it's the minority that ruin it for the others. I have had a few dogs come flying at mine and when I had a Jack Russell it got attached my 2 large dogs that the lady didn't want to have control of, she just said oh they won't hurt

RESPONSES
her. When I walk my 3 they know they are to keep by me and not go by other dogs.
There was not an issue before the PSPO and there is not one after. This is not needed.
It makes it illegal to walk 7 tiny chihuahuas but allows a couple of huge great Danes or powerful rottweilers. It takes not account of different sizes or types of dog and also takes no account of differences in people. A frail elderly person is classed as having the same ability to hold dogs on a lead as. a strapping young man who regularly goes body building. Ridiculous.
Too many. They form a pack. Maximum of three.
British Law deals with out of control dogs. Apply British Law
I have 1 dog and my friend has 6. Hers are very well behaved and from rescues. She's not able to help rescue anymore because of this rule and I know that if she did have more she would be able to control them better than I control mine.
Dog control is already covered by UK law
Two dogs should be maximum number, especially off the lead. An individual could not possibly supervise 4/6 dogs off lead.
Six is too many for one person to control satisfactorily. Three or four would be more reasonable
I didn't understand why this was put in place 3 years ago and don't agree with it. I've never seen any issues with people walking multiple dogs.
One individual walking six dogs cannot and will not be able to see if they need to pick up after all six if they are let off their leads. Irrespective I've heard so many times 'oh he's ok he won't hurt you' but dog attacks have increased which is worrying. Limit the dogs - limit the risks!
6 dogs is too much for one person to control. the rule should be 2 dogs
As long as they are under control I see no problem.
It should be 3 dogs max.
Too many dogs to control efficiently in a variety of circumstances.
Six dogs is far too many. Two dogs per person is ok above that it's a pack and the person in charge has no proper control.
Six is too many for one person to control
I do not think that one person can safely be in charge of more than 2 dogs at any one time.
It should be a maximum of four
Allowing one dog is unreasonable.
It is simply not possible for one person to control 5 or 6 dogs at any one time. Following the tragic event last year in Surrey, even the Kennel Club is reviewing these rules. A professional dog walker should hold a license, have insurance and be responsible for no more than 3/4 dogs at any one time. I recently met two people walking 10 dogs in Hurcott Wood - legal but very intimidating for both me and my dog. I hope the number will be reduced for safety reasons.
Professional dog walkers have insurance in place that often protects them walking up to eight dogs at a time. There are also people who have more than eight pet dogs (unusual, but it happens). In these cases, restrictions would either mean them not being able to do their job efficiently, or mean that they couldn't walk their own dogs, whose personality and behaviour they are familiar with, together. In any case, walking six or more dogs is few and far between and this order restricts those very few people.
No one can control six dogs. Maximum should be four.
I have seen too many instances where people walking multiple numbers of dogs cannot control them and have no idea where they are defecating. To say they

RESPONSES
must clear any dog faeces produced by those dogs is laughable. Personally, I would limit people to two - one per hand.
Some dogs walk more appropriately in a pack.
I don't find it very clear
Dog walkers i.e. those walking dogs that they do not own should be restricted to less. 4 sounds ideal. They have less control than an owner and can't watch every dog at once if of lead- I see poo not being noticed/picked up under those circumstances
4 dogs max. 6 especially if big is too many, look at that recent death.
This is ridiculous - one dog could be out of control and 6 or 7 well trained dogs totally under control. You have UK laws already to sort out uncontrollable dogs - why are you targeting multiple dog owners who more than likely are professional dog people. I visit your area when I go to dog shows up and down the country - I may take more that 6 dogs with me - are you now saying you do not want people who show dogs to visit your district - this will mean a loss of income to hotel's, food industries and of course those people who put on the dog shows. I do not wish to be seen as a criminal just because I am walking well trained dogs who are under control at all times. Sort out the irresponsible few rather than alienated the responsible dog owners.
I don't think there should be a set limit on how many dogs are being walked together, I think it should be up to the individual walking the dogs, who know their dogs to decide if they are safe to be out together.
If you own more than one dog you should be able to walk them together without breaking a law, especially if they are not causing a nuisance.
Normally yes, but permits should be given to those with sports dogs that have to be well trained to compete and owners have young dogs being brought on, competing dogs and dogs that have retired. If one owner is ill and a partner takes all the dogs out this may be over your limit, again a permit system would allow for this eventuality. To have a blanket ban is unreasonable as it does not allow for real life situations.
As long as they're in control then walk however many they wish
Why does someone who knows nothing about me or my dogs dictate how many I walk, purely by a number? One dog out of control can cause chaos, and 10 dogs walking politely and quietly and not disturbing other land users is not a problem
If a person has reasonable control over dogs or all dogs are on lead there should be no issue
A restrictions is not necessary as everything else is already covered in UK dog law (e.g. dogs dangerous out of control), independently from Number of dogs walked by one person.
One person could have a single dog which is out of control and another person could have 6 dogs off lead which are under control. This doesn't tackle irresponsible owners but punishes those who are responsible.
Multiple dog owners are an extreme minority in this country which therefore, concludes your area will only have a handful if that. As per the guidelines of implementing a PSPO please consider what evidence the council has to victimise these minority owners. If this is aimed at dog walkers, dog walkers will have insurance which will limit the number of dogs they are allowed to walk at any one time legally and fairly. Please research this part of the PSPO and ensure you have based your decision on factual evidence and not one or two anecdotal stories
I think the limit should be 4
The limit should be a maximum of 4 dogs
I think it is too hard to control 6 dogs, even on leads. 4 would be a more reasonable amount.

RESPONSES
6 dogs is too many to control properly
You cannot adequately control 6 dogs. The maximum should be 4.
Having multiple dogs does not actually increase risk. Having 1 or more aggressive, aggressive, unsocialised dog does. Just putting a limit on amounts of dogs will not reduce incidents from happening. Most incidents happen with people with 1 or 2 dogs only
You do not limit parents to 6 children, do you? What matters is whether the adult is in control of pets/children. Some parents/owners cannot control one child/dog and let them make a mess/annoy others. Others manage perfectly well with 8. Let the individual decide.
Licensed operators under Defra's rules allow 6. Situational context is everything,
As long as dogs are under control which is covered by British law there should be no limit. one dog in the wrong hands is potentially worse than 10 dogs under control
I have 10 dogs which I'm perfectly competent to walk all at once. They have been repeatedly attacked whilst on lead by single dogs who won't recall to their owner and are reactive. This order penalises people for having multiple dogs regardless of their behaviour and excuses bad behaved dogs simply because they are walked in a pack of less than 6. The Kennel Club advise that by specifying a 'safe number' people will be encouraged to walk that number whether competent or not, whereas others will be unfairly constrained when they actually have a good level of training but multiple dogs. This order assumes guilt without any actual nuisance having been caused and is legalising prejudice
The law covers out of control dogs and quoting the RSPCA of 4 dogs gives the impression that should be a limit for some bizarre reason. Why not quote Dogs Trust or leave it in the hands of insurers?
I've seen walkers with 5 or 6 dogs and they can't keep an eye on all of them and miss fouling
Six is too many for one person to control, especially if they are off lead. I think the maximum should be reduced to four.
Should be reduced to 4 dogs per walker
some owners are not able to control multiple dogs due to other owners inability to recall their dogs

New proposed offences

Failure to give correct details

If an authorised officer proposes to give a person a fixed penalty notice under any part of the PSPO, the officer may require the person to give him his name and address.

A person commits a criminal offence under clause 2 of this Order, if

- a) he fails to give his name and address when required to do so; or
- b) he gives a false or inaccurate name or address in response to a requirement to provide his name and address.

15. Do you agree with the proposal to add the new section?

Answered: 255 Skipped: 28

ANSWER CHOICES	RESPONSES	
Yes	85.88%	219
No	14.12%	36
TOTAL		255

16. Why do you disagree

Answered: 33 Skipped: 250

RESPONSES
It is excessive and power-crazed
How would anyone know that if an 'officer' demands name and address that they are a legitimate officer? Why would anyone give out their personal details to a stranger? If someone lives alone, has a dog for protection, and quite innocently made a mistake you would be making that person unreasonably upset and worried about handing over personal details to a stranger. Flashing an ID card is not enough security for someone to hand over personal details. How will you protect the dog owner? The dog owner has rights as well.
why use HE, this is the 21st Century not comprised of just men!! Say he/she or they
I don't believe it should be illegal to refuse to give your name and where you live to law enforcement. Regardless of the offence I believe it is a slippery slope if we criminalise this and seems a bit police state.
This proposal would solely increase demand upon an already stretched and under founded/staffed police force who have better things to be doing than investing time and resources into investigating the council's dirty work. Council rates are already excessive for the services you provide and your sole focus appears to be targeting dog owners rather than habitual fly tippers and illegal double yellow line parking which would much more benefit the communities and increase road safety and real environmental hazards
It's too draconian, we children without food and your worried about this!
Council officials should not have this type of power and it can only lead to abuse
WFDC should not become a local law enforcement agency. If you want to join The Police, get out of LA employment. This is how the Nazi party started.
Dog control is already covered by UK law
They are NOT police! They should Never be allowed to do that. I was threatened and abused by a warden for having my dog in an area on the beach which is so wrong as I was NOT on a restricted area
Isn't this already covered by law. Why does it need to be micro managed by Enforcement Officers who should be tackling the issues of littering in this area which is much more of a problem than dog owners?
Don't disagree that there should be a consequence, however, who is going to pay for the resource to do so? Irrespective of what laws/policies are put in place now they are not being kept under control. I have experienced and witnessed people on a daily basis walking dogs and not picking up. When approached you just get verbal abuse from them - there is no deterrent! Where we live we have no dog poo

RESPONSES
bins any longer. Again no incentive to pick up after your dog. The fields behind where we live are littered with dog poo, it's disgusting. There just aren't the resources to monitor this problem.
Why are dogs and dog sh@t such a big issue please don't waste my council tax money on this
Dog walking should not be policed
This should in no way be a criminal offence!
Depends on the circumstances
They are not the police! This is a ridiculous idea
Are we in a communist state - if you employ external dog control officers they have been known to follow and harass women and the vulnerable. You are not the police. You are there to serve the community not treat us like criminals. You want to stop and search and demand names when all someone is doing is walking their dog. Yes to picking up after dogs, yes to fining those who do not - yes to excluding dogs from children's play areas but NO to everything else - you already have laws to hand to tackle the irresponsible few
Dog walking should never be a criminal offence. Keep it in the civil offence category. There are existing dog laws that are adequate. If people are giving false details is it because they are awkward or is the officer being unreasonable.
I agree to this point only if the officer is a policeman, I would not give any detail to an officer working for a private company
Just over the top again
If an irresponsible person gives false details, having the proposed offence won't make them give you the correct details because they don't care and this won't make them care any more. Lets face it they still won't give you their real details.
Too much power at too low a level. If an incident warrants this then the police should be involved. Under any circumstances I would be wary of giving details to any organisation other than the police.
There are already UK laws in place to deal with dog related antisocial behaviour. The Dogs (Fouling of Land) Act 1996 Animal Welfare Act 2006 The Dangerous Dogs Act 1991.
I think it depends on the severity of the broken rule I for one wouldn't be giving a stranger my address
sometimes powers can be over reaching in their application and criminal offences should be dealt with by the appropriate government agency - the police. by raising the stakes surrounding dog fouling / walking it puts too much power in an inappropriate place and potentially puts council employees in harm's way from people who relish in the 'buzz' of a confrontation
They are not police officers and it is not a crime
I agree with this as long as the correct identification is shown. It can be very intimidating to be approached by a stranger.
Places are dirtier and less safe since things like this were introduced
You just stated that PSPOs are not 100% effective. Are you Jewish or gay? I want your name and address. I think not. I can only imagine that there are some canine haters on the council
There may be many reasons a person does not want to engage in conversation with a stranger. The dog may be nervous and panicking or the person may be nervous, especially if its dark and they are in a secluded area. In light of recent attacks on dog walkers, it's understandable that people may be scared of being approached by a stranger
Leave the law in the hands of professionals and stop going above and beyond British Law.
The proposal as it is currently written assumes the offender is male. Replace "He" with "They", women can be law breakers too you know!

17. Any other comments

Answered: 90 Skipped: 193

RESPONSES
Very Kidderminster centric. Why for example list just Kidderminster cemetery all cemeteries should be quiet places for reflection also parks seem again Kidderminster centric. Why?
Why not just use the existing national laws related to out of control animals. You won't be able to enforce these anyway due to resource constraints.
Is this meant to be a free country? Dogs have a very special place in peoples' hearts, are important companions for physical and mental health, just look at the surge of dog ownership through lock down. Why not look at protecting dogs and dog owners from the malpractice of illegal breeding, of irresponsible humans who taunt dogs and goad them, why not educate the general public that when a female dog urinates they can be mistaken for defecating and it is not acceptable for the general public to hurl abuse at a single female dog walker about this. Why not educate the unfriendly humans who make the life of dog friendly humans so upsetting. Targeting dog owners means those who are completely innocent and might have an isolated lapse are pounced on as good respectable upstanding members of the community and end up being targeted because they are easy to catch. And the results of fines would be widely made known to demonstrate how successful your campaign has been. All the non compliant humans who cause the angst get away scot free. Ultimately the good guys lose out twice because it's the good guys that pay the council tax that goes towards the salaries of the 'office' who are there to enforce your rules.
Think there should be more, visible, warden patrols observing owners picking up mess, or not as the case may be.
In general, as I've said I feel that PSPOs are not required when all situations are already covered by British Law
The dog poo frequency has improved significantly outside my home thanks to existing enforcement however there are times (particularly during winter months) when undercover of darkness the offenders re-appear. I would like to see portable cameras used in these circumstances to catch and fine offenders)
There needs to be more education about the disturbance dogs cause to wildlife, just with doggy behaviour of sniffing around path edges nesting birds (the vast majority of bird species only nest around 1-1.5 M off the ground - not at the top of trees) are constantly being disturbed! Adults will delay return to the nest, chicks don't get enough food & die. Birds attempting to incorporate dog poo bags into the nest.
Please strongly enforce our rules, not warnings galore.
Retractable dog leads should be banned, people using them have no control over the dog and in my opinion they are dangerous.
Occasional patrols along the riverside in Bewdley would be very welcome.
Dog fouling - more poo bins are needed especially along public footpaths or new walk area (The Crescent new builds).
As previously stated what's the point if there is no action or enforcement
Don't judge good dog owners, but the few bad dog owners. Lets educate the residents using our open spaces
I have never see a PSP Officer in the Ofmore Road area or any of the surrounding streets.It's great to have the regulations but they need to be enforced.
I wonder if the current restrictions need to be more regularly/clearly stated. Kidderminster cemetery is now full of dog faeces and many owners allow dogs to run free there.

RESPONSES

I live in a block of flats with 4 flats in it, 3 of those flats have dogs in there, all in the communal garden and indoors in the communal corridors are dog mess and dog urine, as I'm writing this now The upstairs flat has a dog running around making a lot of noise but nobody seems to care. I'm disabled and a blue badge owner and I don't feel safe living here, I complain to the council but to no avail as nothing is done about it, owning a dog should not be allowed at all in a flat, it's morally wrong for the animal and other people it involves, but honestly nobody cares. I'm a dog lover but would never even consider getting one while I live in a flat, then again I do think of others and the animals too

More visible patrols in hot spot areas would be useful. An easy way to report dog fouling would also be useful as there are consistent hot spot areas where I live.

We need more Dog Pooh bins at Burlish Meadow

here are insufficient resources to police this issue. A smaller amount spent on more dog waste bins around the area would help to alleviate the problem to an extent as, like it or not, some people will always be lazy and won't take it home if a bin isn't provided (just take a walk down the old railway line by dry mill lane). I think all sensible dog owners would be delighted to see the punishments for offences related to dog mess become more severe. We are fed up with irresponsible dog owners as they give the rest of us a bad name!

It would be good to see the Council show a more positive attitude to dog owners. I have lived in this area for all my married life and have never felt welcomed as a dog owner. They focus too much on the small minority. It would be good to see the same strict attitude with regard to littering, which is a disgrace in the area. Glass bottles, cans, etc are just as much a risk and just as unpleasant for residents and wildlife.

I run a dog rescue and a dog walking business. I walk 6 dogs maximum regularly without any issues and would like to continue to do so. Any less would greatly impact my livelihood

Whilst many dog owners are responsible and their dogs are well behaved, an increasing number feel it is their right to allow their dog(s) to run free wherever and whenever they want. Not everyone is happy or comfortable around dogs, even if they are well behaved. I am not afraid of dogs but do have severe allergies to them and really don't want them jumping up, trying to lick me to say "hello" or leaping in to share my picnic. I have had several experiences of this sort of behaviour, yet I have been the one to be made to feel at fault. I also object to the amount of dog fouling that goes uncleared. We need better controls and dare I say it proper regulations with real bite !!!

Free running areas should be provided. Bookable and chargeable

I would be interested to know how often these rules are enforced. I volunteer at Bewdley Museum and the incidents of irresponsible dog fouling is on the increase. CCTV is on the site. More use of it could be made, ie. Showing images on social media. Also, there should be a widespread, local advertising campaign to educate those dog owners who seem to be ignorant of the rules on considerate ownership.

So many dogs now in parks etc off leads. Very disconcerting for people who are timid or afraid of dogs. Owners just seem oblivious.

The majority of dog owners clear up after them. Perhaps some effort can be made to make sure kids / teenagers clear up after themselves and even adults. All the rubbish dropped around the field where I walk my dogs. Another rant, dogs on beaches, so many beaches where dogs are not allowed but people are allowed to leave rubbish everywhere and allow their children to disturb others!

My wife has been stopped at least 3 times by pairs of Council Agents to show that she has poo bags. She always has bags and picks up after our dog. I have never been stopped when walking our dog either alone or with my wife but have seen pairs of Agents around. There are a lot of antisocial behaviours in this area and

RESPONSES
Council Agents should deal with these rather than stopping lone women walking dogs who are picking up after them and are following the rules. My wife does not take our dog out alone anymore because of feeling intimidated by pairs of council Agents. This needs to be addressed.
Scrap it.
Stop criminalising, demonising and marginalising the vast majority of dog owners who are responsible and law abiding. Start providing local services which is your designated role - keep out of a police/justice role.
Any reasonable dog owner should not find any problem with anything in the proposed PSPO
I would like the multiple dog PSPO got rid of altogether and a new one for children on bikes Offmore so Enforcement Officers concentrate on those. They are much more present and dangerous than someone with dogs.
Use of extending leads needs to be banned on pavements next to vehicular traffic.
The current PSPO is unnecessary as all Dog control issues are already covered by UK law and the council doing blanket bans are just victimising dog owners. The bigger issue in WFDC is human littering and the council should put money into dealing with that issue rather than targeting innocent dog owners
No matter what you do...the bad owners with the untrained dogs will STILL flaunt the rules...leaving genuine good owners and well sociable dogs taking the fines and being restricted to enjoy play with other dogs safely
I would like to see more control over large aggressive dogs and rigid enforcement. Also it would be good to see more receptacles for dog poo bags around the lanes where people tend to walk their dogs and dispose of the bags in the hedgerow!
As ever, enforcement is key
Dog exercising should not be allowed on public playing fields. Rules are pointless without enforcement- never seen a dog warden!
Stop treating dog owners like criminals. The parks in this area are being destroyed by youngsters and people with children not dog owners. I have helped with the litter pickers once and was disgusted with the amount of litter but didn't see much dog poop. The council needs to target the people who are the problem and not responsible dog owners. Helen Dyke said most dog owners are responsible. The ones who aren't can be dealt with individually rather than black listing everyone.
Theoretically I think it's a good idea, however, how much time/effort is going to be needed to see a substantial difference and where is the funding coming from? We have endured dog fouling outside our property for many years some culprits even being neighbours who we were advised to approach by the dog warden! Needless to say it didn't go down well and does need someone who has 'authority' to make a significant change to this situation. The neighbours didn't seem to think they should pick up for some reason or didn't have to bother picking up because it's a rural area! Obviously don't value where they live? The fields surrounding our property are walked on a daily basis by people (some who travel here by car) with dogs who don't give a jot about picking up after them. Don't want the dog poo in their own back yard but will happily leave in someone else's!!! We have witnessed dogs running freely through farm crops. We now have no dog poo bins which isn't going to help the situation. This group of people have no thought or consideration of what they allow their dogs to do, very little control either!! As previously commented, the fields surrounding where we live are littered with dog poo. I would dearly love to see improvement with dog fouling. There has also been an increase in dog owners since Covid which only adds to the problem even more. We previously lived in a town where dog fouling was very rarely seen predominantly, I believe, because there were too many people around to witness it which may be why we have so many people abuse the situation in rural areas as people walk

RESPONSES
their dogs and may not be seen by others in doing so? I totally agree with putting the deterrents in place and imposing fines on those who blatantly ignore their responsibilities as a dog owner. Unfortunately those with a 'couldn't care less' attitude let those dog owners down who could care
I have never seen a PSPO around the WF area and would be interested to know exactly how many there are and what prosecutions there have been.
Pro active would be better than re-active. Bewdley is a hive of so called dogwalkers they keep dogs overnight in apartments with no garden. PSPOs should be more vigilant.
I have a neighbour who will open her door in the early morning - and let her dog run free in the adjacent street to do its foul the street. No one can do anything about this, as no one sees it happening.
We need stronger enforcement.
All well and good but still too much dog fouling. How many have been fined in Wyre Forest?
The need for more poo bins in Dy115dt area
As a horse rider, I would like to see owners walking a maximum of four dogs only off lead if excellent recall
There appears to be no way to properly police the dog walkers that do not pick up after their dogs when walking on housing estates.
I feel that dogs should be allowed off lead to walk and play in public areas. I would also like to suggest, that while there are designated areas where dogs are not allowed, having signs that warn the public that this space allows dogs to be off lead (while still under control and supervision) as for example, if you didn't like/ scared of dogs, public would choose not to use this space. This would reduce the number of unwanted encounters with public and dog owners with dogs and dogs off leads
Dogs should be banned completely from town centres and public parks
As always it's a minority that cause issues which makes these restrictions necessary. Fouling of the canal towpath continues to be an issue. More generally, the volunteer litter pickers often encounter dog poo bags simply discarded on the ground or in trees!
Reduce number of dogs being walked to 4
Most dog owners are very considerate as always, it's the few that spoil it for others. Let's all be able to walk our dogs safely and sensibly in a beautiful countryside
I welcome stronger measures, principally to protect wildlife, livestock, other visitors and the dogs themselves. We have had increased incidents of dog worrying and attacks throughout the last 2 years. Most were not logged, but we now log them and report to police.
I think the fines for these offences should be enforced all the time for £1000, not up to £1000
Dogs should be kept in leads on public paths etc
I agree with licensing dog walkers and checks on them, off lead the walker probably doesn't have full control of those dogs. Owners of their own dogs normally have control of their own dogs.
Restrictions on the majority of responsible dog owners seem to be such a priority for many local authorities these days. The irresponsible minority will still flout the rules while the responsible ones are finding it more and more restrictive. It's far more effective to remind people (all users of our open spaces) of common courtesy and rely on national legislation that's already in place.
I would like to see more areas where dogs may only be walked on leads.
You can make whatever rules you like but if there is no-one around to enforce them they are useless. I walk in Habberley Valley and round Blake Marsh on a

RESPONSES

regular basis and have NEVER seen a dog warden. Dogs run over children's playing fields at White Wickets and by Baxter College and do exactly what they like with very little restraint from owners and no dog warden that I have ever seen. Dog owners know that they would be extremely unlucky to be caught because instances reported in the Shuttle or on social media are very rare. Dog faeces is a health hazard - particularly to young children and should be taken seriously.

Let's see wardens out in these areas enforcing these laws for everyone's safety and for the dogs.... it's not their fault it's the owners.

It is not necessary to adopt a blanket approach to say that all dogs should be on a lead at all times. The vast majority of dog owners are responsible people who understand their dog and react appropriately in any situation, ie be aware of when the dog needs to be put on a lead. Not all dogs are dangerous.

This must be managed on a case by case basis. As you say the majority of dog owners are sensible - certainly those owning, or 'in the canine industry' in dealing with multiple dogs must be permitted to continue to operate. These rules will prevent many from continuing their business and they should be protected. How many additional 'free of charge' areas will the council provide for the public to use.

To make sure people are accountable and responsible. I know most are but lots think they won't or can do as they wish.

Very little action taken if people ignore and flaunt these rules

Please look around and look at the councils who have adopted good practice by working with local dog owners and the Kennel club rather than applying draconian rules that only the responsible will obey - you still will not hit the irresponsible with any of these PSPOs

I agree that anyone leaving their dogs poop should be fined. I agree that in children's play areas and in sites of ecological importance dogs should be under close control on or off lead. Your emphasis should be on responsible dog ownership, to encourage dog training clubs and remove any obstacles in their way. Badly trained dogs are the problem so education is needed not restrictions which can make dogs more antisocial as happened during lockdown.

Dogs and dogs owner as the same right as any other person to enjoy public spaces, I hope that this PSPO will not discriminate them

As long as dogs are under control with good recall then let them off their lead. As long as they're complying with the law.

Don't really understand why there is a need to change it to be honest. I see it's every 3 years but if it's been working then why does it need to be adapted? You're just shaming dog owners yet again

Why not spend more time dealing any individual that causes an issues, rather than blanket banning when everyone bar the odd person are not causing issues

Most people seem to comply with the rules

Good dog owners are being penalised for the few poor dog owners. You have bylaws in place which should be used rather than a PSPO.

I think greater powers need to be given to landowners to enforce dogs on leads on public footpaths when requested to do so/where there is signage

There are a lot of great owners out there who are responsible and control their dogs perfectly. All these types of sanctions do is punish those. Irresponsible, law breakers will still be that whatever you put in place. Please don't punish the good ones. Restrict dog walkers through the business element, fine, and I agree they shouldn't walk 20 dogs. But these endless rules and laws in different areas is ridiculous. How can law abiding people on holiday with dogs know all the rules in different parts of the country. The UK is getting very antisocial towards dogs. What about those with unruly children, nothing is done about them and they cause more grief

RESPONSES
I think we need to balance improved dog owner behaviour against minor incidents escalating due to perceived heavy handed approaches from the authority.
There are already UK laws in place to deal with dog related antisocial behaviour. It doesn't need councils, who appear to base their decisions on anecdotal stories rather than evidential facts, micro managing this with unevidenced and disproportionate PSPO'S. Dog fouling needs to be addressed by Enforcement Officers patrolling areas effectively and efficiently so that the actual perpetrators can be dealt with appropriately. Education about placing dogs on leads around other dogs/children is important but is a PSPO regarding this evidenced and proportionate? Responsible dog owners will not go into areas that you describe. If the evidence is that there are a majority of people violating these areas then a PSPO could be appropriate. However if it is a minority then deal with them specifically under current UK law As the majority of dog owners are responsible a targeted approach to any rules/laws is a much more proportionate and appropriate way to deal with irresponsible owners for all issues and I do question whether PSPO's enforcing blanket bans are appropriate especially as any issues the minority cause can be dealt with under UK laws including: The Dogs (Fouling of Land) Act 1996 Animal Welfare Act 2006 The Dangerous Dogs Act 1991.
I believe we should all live by sensible rules but feel dog owners are becoming targeted don't let the minorities spoil life for others we already have laws
It would help if free bags were supplied on entrance and exit to common walking areas for the time where people genuinely forget to take their own - perhaps with a donation box or even better QR code for donations to supply the next set. Regular emptying of dog bins.
Please don't blame responsible dog owners for the few bad dog owners.
There should be more areas in the district where dogs must be kept on a lead so that there are more areas for people (young, old, vulnerable) to walk without the fear of being jumped on by a dog. The order should also extend to all riverside walks to protect the wildlife especially in the nesting season.
There needs to be more emphasis on responsible dog ownership. Maybe more encouragement to go to training classes, and licences for people who insist on having powerful dogs like Bull Terriers, Akitas, Rottweilers etc.
Please make dog owner aware that young children are very vulnerable to being bitten in the face. Old people are vulnerable to being knocked over and break a hip bone.
Overall I think the PSPO is useful and serves the correct purpose however I don't agree or think there is enough evidence to limit the amount of dogs walked by one person I also disagree with two locations of the dogs on lead those referring to the stack pool and Hurcott pool as the purpose this was brought in for was to stop dogs from entering the pools however looking into this further it implies that you can let your dog enter the pool as long as it is in a lead- which defeats the point- you could have one dog OFF lead in the pool behaving and one dog ON lead trying to eat and attack the ducks and wildlife but who are you going to penalise? The dog behaving because it's off lead??
It is annoying that surveys like this ask if you are disabled, as restricting dog exercise is effectively discriminating against disabled people, some of whom cannot easily go out without their pet.
Use the existing legislation - try enforcing it. How many reports of unlicensed boarders, day cares or breeders do you get per annum? How many have you investigated or prosecuted? Enforce the existing laws. Don't add to them.
Dog owners, especially multiple dog owners seem to be unfairly penalised nowadays whereas serious offences like muggings, attacks, burglaries etc are largely left unresolved. We need to focus on real crime where people get hurt on a regular basis rather than on fashionable nuisances

RESPONSES

The Nazi party started by making local laws marginalising and criminalising minority groups. PSPOs target the majority of dog owners who are responsible by implementing blanket bans. There is no need. Apply British Law and follow LGA guidelines on PSPOs which states that a PSPO should only be considered for specific areas of concern that can't be dealt with any other way.
--

Clear signage is required in areas where dogs are required to be on lead to protect wildlife. I've frequently witnessed dogs chasing birds around Stack Pool and the adjacent stream, even during nesting season.

Please create more dog friendly areas within the district.
--

Please try make everyone keep to these rules, make everyone life happy.

Appendix x: Consultation Responses Alcohol

STOURPORT

Question 1: Would you like to give your views on the PSPO in Stourport-on-Severn

Answered: 101 Skipped: 2

ANSWER CHOICES	RESPONSES	
Yes	40.59%	41
No - skip to next section on Bewdley	32.67%	33
No - skip to section on Kidderminster	26.73%	27
TOTAL		101

Question 2: The PSPO in Stourport-on-Severn is in place to stop people continuing to drink alcohol when asked to stop by an officer in the area shown on the map. Do you agree with this?

Answered: 38 Skipped: 65

ANSWER CHOICES	RESPONSES	
Yes	89.47%	34
No	10.53%	4
Don't know	0%	0
TOTAL		38

Q3: The PSPO requires a person to hand over alcohol at the request of an officer in the area shown on the map. Do you agree with this?

Answered: 37 Skipped: 66

ANSWER CHOICES	RESPONSES	
Yes	89.19%	33
No	10.81%	4

TOTAL 37

Q4: What impact do you think the PSPO has had on...

Answered: 38 Skipped: 65

	POSITIVE	NEGATIVE	NO IMPACT	NOT SURE	TOTAL	WEIGHTED AVERAGE
People living in the town	57.89% 22	2.63% 1	18.42% 7	21.05% 8	38	1
People working in the town	57.89% 22	2.63% 1	15.79% 6	23.68% 9	38	1
People visiting the town	50.0% 19	7.89% 3	18.42% 7	23.68% 9	38	1

Q5: Do you still agree with the boundaries of the PSPO? See boundary map.

Answered: 38 Skipped: 65

ANSWER CHOICES	RESPONSES	
Yes	71.05%	27
No. Please tell us what you would change.	28.95%	11
TOTAL		38

Q6: If no please tell us what you would change?

Answered: 11 Skipped: 0

RESPONSE
Unable to comment as I was unable to enlarge the map
Expand area
Should be a police remit only as council officers do not have the correct level of protection from people who are volatile, or become aggressive when trying to remove alcohol from someone who is potentially highly addicted to alcohol. Police have greater resource that can back offices up in difficult situations. PCSO have on hand support from their regular officer by radio that can quickly back them up. Police officers and PCSO are equipment with dual purpose (including ballistic) body armour, Pava Spray, casco baton and are re-trained yearly on person defence tactics.
I probably agree but your map won't load. This is the second error on this survey. The first one said have your view in alcohol restrictions when it was actually the

RESPONSE
dog fouling questionnaire. Please, if you really want the views of your residents ensure the websites are accurate and actually work! Or were you trying to put people off completing the dog fouling questionnaire? I may be cynical but I believe this is probably the case. In a few weeks you will say that not many people aired their views on dog fouling and so you have kept the order the same.
Think this PSPO has a very bias view on people drinking alcohol in the town and only really focuses on the homeless where there's people outside the pubs that are a lot worse but this doesn't tackle them
abandon it altogether.
Extend to the Areley Kings side of the river, especially Lloyds Meadow.
Should be extended to all public areas
Include all parks
PSPO need to be enforced. Drinkers in children's play areas ignored making them unpleasant for children to go.
Scrap this nanny state order

Q7: In the past 12 months have you been affected by alcohol related anti-social behaviour in Stourport-on-Severn?

Answered: 37 Skipped: 66

ANSWER CHOICES	RESPONSES	
Yes	16.22%	6
No	83.78%	31
TOTAL		37

Q8: Please tell us where this happened... (e.g. street name, park name)

Answered: 7 Skipped: 96

RESPONSE
Areley Kings Recreation Ground
Lickhill Road and Park
Riverside theme park
Town car park
Memorial Park, early evening
Mitton Street, outside the Holly Bush, after the pub has closed
Hermitage Way play park

Q9: How did it affect you?

Answered: 7 Skipped: 96

RESPONSE
Youths drinking and shouting abuse/anti-social behaviour around the Village Hall unsettling elderly Users at the Hall

RESPONSE
Uncomfortable
I was abused and my family felt unsafe
It's intimidating
Group of youths drinking and swearing. I had to take my grandchildren home because I was intimidated.
Noisy, inconsiderate and sometimes threatening behaviours from drunks sitting outside the pub for hours after closing time. Urination in our driveway and physical altercations on the street.
Children having to watch drinkers being foul mouthed and anti social

Q10: If you have any further comments regarding the Stourport-on-Severn PSPO please let us know.

Answered: 6 Skipped: 97

RESPONSE
More proactive police involvement
Too lenient, I hate going into town on sunny weekends or evenings
Scrap it
There should be no alcohol consumed in town centre unless consumed seated at street cafes etc
More action taken when rules are flouted
Better enforcement needed

BEWDLEY

Q11: The next section is on the PSPO in Bewdley. Do you want to answer these questions?

Answered: 67 Skipped: 36

ANSWER CHOICES	RESPONSES	
Yes	74.63%	50
No - skip to section on Kidderminster	25.37%	17
TOTAL		67

Q12: The PSPO in Bewdley is in place to stop people continuing to drink alcohol when asked to stop by an officer in the area shown on the map. Do you agree with this?

Answered: 43 Skipped: 60

ANSWER CHOICES	RESPONSES	
Yes	90.70%	39

Agenda Item No. 9.1 Appendix 2

No	9.30%	4
Don't know	0%	0
TOTAL		43

Q13: The PSPO requires a person to hand over alcohol at the request of an officer in the area shown on the map. Do you agree with this?

Answered: 43 Skipped: 60

ANSWER CHOICES	RESPONSES	
Yes	90.70%	39
No	9.30%	4
TOTAL		43

Q14: What impact do you think the PSPO has had on...

Answered: 43 Skipped: 60

	POSITIVE	NEGATIVE	NO IMPACT	NOT SURE	TOTAL	WEIGHTED AVERAGE
People living in the town	69.77% 30	2.33% 1	11.63% 5	16.28% 7	43	1
People working in the town	68.29% 28	0% 0	19.51% 8	12.20% 5	41	1
People visiting the town	61.90% 26	4.76% 2	9.52% 4	23.81% 10	42	1

Q15: Do you still agree with the boundaries of the PSPO? See boundary map.

Answered: 42 Skipped: 61

ANSWER CHOICES	RESPONSES	
Yes	76.19%	32
No	26.19%	11
TOTAL		43

Q16: If no, what would you change?

RESPONSES
Couldn't view the map in enough detail to comment
Firstly there is no enforcement whatsoever so the PSPO is a waste of time. With 22 pubs in walking distance there needs to be a visible police presence not a bunch of headline grabbing and pointless CSO's who only work from 10.00am till 4.00PM - the pubs should be charged a levy to fund this if they want to stay open till 2.00PM in the morning. We stay awake most weekends listening to Arches and the aftermath of drunks crossing the bridge
Make it a much bigger area - cover the whole town and fields around it.
Expand it
Increase the area and enforce it with a greater presence
Should be a police remit only as council officers do not have the correct level of protection from people who are volatile, or become aggressive when trying to remove alcohol from someone who is potentially highly addicted to alcohol. Police have greater resource that can back offices up in difficult situations. PCSO have on hand support from their regular officer by radio that can quickly back them up. Police officers and PCSO are equipment with dual purpose (including ballistic) body armour, Pava Spray, casco baton and are re-trained yearly on person defence tactics.
Abandon it altogether
Increase the area covered
I would like them to encompass all built up residential areas of Bewdley particularly between Lax Lane and the cricket club and the wooded area behind High Street
It's difficult to see the map clearly to see where the boundaries are
Scrap the order

Q17: In the past 12 months have you been affected by alcohol related anti-social in Bewdley?

Answered: 43 Skipped: 60

ANSWER CHOICES	RESPONSES	
Yes	27.91%	12
No	72.09%	31
TOTAL		43

Q18: Please tell us where this happened... (e.g. street name, park name)

Answered: 11 Skipped: 92

RESPONSES
I was sworn at by people near where I live plus darken people have been seen to urinate opposite my house
Vine Cottage Pewterers Alley Bewdley Worcs
High Street and Load Street
Drinking in Jubilee Gardens, usually in the evening.
Kidderminster Road

Agenda Item No. 9.1 Appendix 2

Regularly impacted by noise levels. Will not let my children go out nor do we like going into the town after 6pm on weekends due to on street drinking, raucous behaviour, have to deal with urinating in Pewterers Alley, broken glass in the Alley, littering from fast food places. Violent behaviour has been heard and seen when the bridge was damaged and the environment agency staff were abused during the floods.

High street, load street, lax lane

Jubilee gardens..anti social behaviour

Drunken brawl outside The Arches in Bewdley while passing by. Bouncer seemed to make matters worse and it escalated to punches between both parties. Police eventually arrived

Noise coming down Lax Lane. People on street outside of The Archers. Teens in Jubilee Park. Cans and bottle strewn around the wooded area behind High Street sadly around the ponds and in the drainage area.

Venus Bank

Q19: How did it affect you?

Answered: 10 Skipped: 93

RESPONSES

I was upset

The drunks will scream, fight and vadalize anything and everything on their way home. This includes the bridge, cars, street signage, windows. They use Pewterers Alley as a toilet, for drug use and for intimate sexual activity

Drunks jumping in front of my car, drunks blocking my way deliberately

Proximity, noise, swearing in conversation.

Abusive and poorly behaved people

Fearful to go into town. Would rather live out if town due to noise levels from music, drinking and cars racing through town at 2am!

Abusive language/swearing and shouting.

Boy came to the window...frightened me

Rather afraid to walk along Sever Side South to car parked in Gardeners Meadow.

Just annoyed. I have picked the litter up sometimes.

Q20: If you have any further comments regarding the Bewdley PSPO please let us know.

Answered: 14 Skipped: 89

RESPONSES

Always more police or special constables on the ground required please

If bars want to stay open until 2.00 - 3.00 in the morning then they should pay a premium to the police to manage the anti-social behaviour that follows. Also, locking up the idiotss that think they can get away with mindless vadalism.

Bewdley is a no-go town after 8.00pm on a weekend when the yobs take over

Drunks jumping in front of my car, drunks blocking my way deliberately

Never seems to be any authority present, no enforcement of PSPO.

1. No police presence. 2. No community support officer presence. 3. Loud fast cars driving through town. Restrict opening times of repeat offending pubs.

I sometimes drive through Bewdley town centre to my house-still in Bewdley- and often encounter people outside the pubs or crossing streets who take little or no notice of cars driving through, quite dangerous. Not sure what, if anything, can be done about this.

RESPONSES
Very difficult to enforce when there are so many licenced premises along the riverside with people drinking in the street.
I do not believe walking about the streets with opened alcohol drinking it should be permitted. Officers powers should be extended
Scrap it.
Possible expansion of the zone, also more officers to enforce as this happens more late at night.
Please lock gates to park at night
It needs to be enforced more systematically and with police presence at weekends
Include drug taking including smoking of cannabis/weed in streets & open spaces. More patrolling in the town & action needed
Who is monitoring it? I never see anyone around to regulate it anyway!
No alcohol to be consumed unless seated at street cafes etc

Q21: The next section of the survey is on the PSPO in Kidderminster. Would you like to complete this part of the questionnaire?

Answered: 86 Skipped: 17

ANSWER CHOICES	RESPONSES	
Yes	62.79%	54
No - skip to end questions	37.21%	32
TOTAL		86

Q22: The PSPO in Kidderminster is in place to stop people continuing to drink alcohol when asked to stop by an officer in the area shown on the map. Do you agree with this?

Answered: 49 Skipped: 54

ANSWER CHOICES	RESPONSES	
Yes	93.88%	46
No	6.12%	3
Don't know	0%	0
TOTAL		49

Q23: The PSPO requires a person to hand over alcohol at the request of an officer in the area shown on the map. Do you agree with this?

Answered: 50 Skipped: 53

ANSWER CHOICES	RESPONSES	
Yes	94.00%	47
No	6.00%	3
TOTAL		50

Q24: Do you still agree with the boundaries of the PSPO? See boundary map.

Answered: 50 Skipped: 53

ANSWER CHOICES	RESPONSES	
Yes	82.00%	41
No	18.00%	9
TOTAL		50

Q25: If no, what would you change?

Answered: 50 Skipped: 53

RESPONSES
Should be a police remit only as council officers do not have the correct level of protection from people who are volatile or become aggressive when trying to remove alcohol from someone who is potentially highly addicted to alcohol. Police have greater resource that can back offices up in difficult situations. PCSO have on hand support from their regular officer by radio that can quickly back them up. Police officers and PCSO are equipment with dual purpose (including ballistic) body armour, Pava Spray, casco baton and are re-trained yearly on person defence tactics.
I think it should cover the sub ways and public parks such as St Georges and Brintons
Cannot see map properly (link does not work) but the order should include all of Comberton Hill and the railway station.
I would also include Farfield, Chester Rd to Land oak. George St and Roads off Inc LEA st, Offmore Road and roads leading to Comberton Hill. I am concerned in a rise in ASB with public houses in that area given Kidderminster Harriers have been promoted and the increased numbers of away supporters likely to attend and engage in drink related ASB.
Abandon it.
Couldn't really see the map but it should cover to the top of station hill if it already doesn't

RESPONSES
The map is too small.
Just enforce it.
Widen the area.
Scrap the order
Should include Train Station and all parks

Q26: In the past 12 months have you been affected by alcohol related anti-social behaviour in Kidderminster?

Answered: 50 Skipped: 53

ANSWER CHOICES	RESPONSES	
Yes	28.00%	14
No	72.00%	36
TOTAL		50

Q27 Please tell us where this happened... (e.g. street name, park name)

Answered: 12 Skipped: 91

RESPONSES
Comberton Hill. Just rowdy behaviour from people sat outside pub.
Oxford Street.
Baxter Avenue, Emery court
Park lane cemetery
Town centre and Brinton Park.
Comberton hill
Disturbance outside the foodbank in the High St
Weavers wharf-people interfering with shoppers to M and s etc.
Excess litter from abandoned cans.
Vicar Street
Vicar street, people drinking and drunk by mid morning
Drunken persons in town centre streets

Q28: How did it affect you?

Answered: 12 Skipped: 91

RESPONSES
I found it annoying listening to bad language
Brawling drunks swearing when women and children are about.
Neighbours having large gatherings
There were quite a lot of drunken youth behaving very disrespectful in the cemetery, always lots of empty alcohol bottle and cans too
Rowdy group. Noisy aggression and argument. Broken glass
numerous incidents outside tesco and by the railway bell
Very upsetting and frightening
increased apprehension -delayed exiting car. I am disabled
I object to litter.

RESPONSES
Disturbed by behaviour of drunks congregating
Not a good thing to see. But nobody around to deal with it
making nuisance to passers by

Q29: If you have any further comments regarding the Kidderminster PSPO please let us know.

Answered: 9 Skipped: 94

RESPONSES
Whilst not affected, I've witnessed alcohol consumption regularly. The canal by Tesco in town seems a regular haunt for a group.
Drinking alcohol in the street should be banned completely
There shouldn't be any drinking of alcohol whilst moving around and particularly not whilst moving around in a group
Scrap it.
I think there has been a general improvement .. thank you
No alcohol to be consumed unless seated at street cafes etc
All drinking and drunkenness in any town should be banned, no excuses.
Better enforcement needed.
Officers need to be more strict to stop drunk congregating at the bottom of high street and other pedestrian areas

Q30: Please select which of the following group best describes you...(one only)

Answered: 79 Skipped: 24

ANSWER CHOICES	RESPONSES	
Member of the public	91.14%	72
Ward councillor	2.53%	2
Parish councillor/councillor	5.06%	4
Community group	1.27%	1
Business owner	0%	0
Representative/employee in alcohol licensed trade	0%	0
Other (please specify)	0%	0
TOTAL		79

Q31: Where do you live?

Answered: 79 Skipped: 24

ANSWER CHOICES	RESPONSES	
I live in Stourport-on-Severn	17.72%	14
I live in Kidderminster	46.84%	37
I live in Bewdley	31.65%	25
I live in Wyre Forest but not in any of the 3 towns listed	2.53%	2
I live outside of the Wyre Forest district	1.27%	1
TOTAL		79



**Formal Response to Wyre Forest District Council's Public Spaces Protection Order
Dog Control Measures Consultation**

Submitted on 3rd August 2023 by: The Kennel Club, Clarges Street, Piccadilly, London W1J 8AB, email: kcdog@thekennelclub.org.uk

The Kennel Club is the largest organisation in the UK devoted to dog health, welfare, and training. Our objective is to ensure that dogs live healthy, happy lives with responsible owners. We campaign for and advocate on behalf of dogs and their owners and, as part of our external affairs activities, engage with local authorities on issues such as Public Spaces Protection Orders (PSPOs).

The Kennel Club is the only national organisation named by the UK Government as a body that local authorities should consult prior to introducing restrictions on dog walkers and is considered the leading canine authority on dog access. As such, we would like to highlight the importance of ensuring that PSPOs are necessary and proportionate responses to problems caused by dogs and irresponsible owners. We also believe that it is essential for authorities to balance the interests of dog owners with the interests of other access users.

Response to proposed measures

Dog fouling

The Kennel Club strongly promotes responsible dog ownership, and believes that dog owners should always pick up after their dogs wherever they are, including fields and woods in the wider countryside, and especially where farm animals graze to reduce the risk of passing Neospora and Sarcocystosis to cattle and sheep respectively.

We would like to take this opportunity to encourage the local authority to employ further proactive measures to help promote responsible dog ownership throughout the local area in addition to introducing Orders in this respect. These proactive measures can include: increasing the number of bins available for dog owners to use; communicating to local dog owners that bagged dog faeces can be disposed of in normal litter bins; running responsible ownership and training events; or using poster campaigns to encourage dog owners to pick up after their dog.

On lead

We can support reasonable 'dogs on lead' Orders which can, when used in a proportionate and evidence-based way, include areas such as cemeteries, picnic areas, or on pavements in proximity to cars and other road traffic.



On lead by direction

The Kennel Club strongly welcomes 'On lead by direction' Orders. These allow responsible dog owners to exercise their dogs off lead without restriction providing their dogs are under control, whilst simultaneously giving the local authority powers to restrict dogs not under control.

We recommend that the authorised officer enforcing the Order is familiar with dog behaviour in order to determine whether restraint is necessary. There exists the possibility that a dog, through no fault of its own, could be considered a 'nuisance' or 'annoyance' to someone who simply does not like dogs.

We encourage local authorities to make use of more flexible and targeted measures at their disposal, including Acceptable Behavioural Contracts and Community Protection Notices. Kennel Club Good Citizen Training Clubs and our accredited trainers can assist owners whose dogs run out of control due to them not having the ability to train a reliable recall.

Exclusions

We do not normally oppose Orders to exclude dogs from playgrounds or enclosed recreational facilities such as tennis courts or skate parks. It is important that alternative provisions are made for dog walkers in the vicinity to avoid displacement or the intensification of problems in nearby areas. However, we will oppose PSPOs which introduce blanket restrictions on dog walkers accessing public open spaces without specific and reasonable justification. Dog owners are required to provide their dogs with appropriate daily exercise, including "regular opportunities to walk and run" – in most cases, this will be off the lead while still under control.

Seasonal/time restrictions

Where a seasonal restriction is proposed, we suggest that local authorities consider whether a time restriction would be an appropriate addition. For example, many playing fields are empty in the early mornings and late evenings, making this a key time for many dog owners to exercise their dogs. These are important local resources for owners to make sure their dogs get the required daily off-lead exercise and we see little reason why it should be restricted during times of the day when it is little used, even in the busy season.

Displacement

A common unintended consequence of restrictions is displacement onto other pieces of land, resulting in new conflicts being created. It can be difficult to predict the effects of displacement, and so the council should consider whether alternative sites for dog walkers are suitable and can support an increase in the number of dog walkers using them.



Means to pick up

Whilst we support proactive efforts on behalf of local authorities to encourage responsible dog ownership, measures to require owners to pick up after their dogs must be fair and proportionate. We would not like to see responsible dog owners penalised unfairly. The Kennel Club has concerns regarding the proposal to introduce an offence of not having the means to pick up. Responsible owners will usually have dog waste bags or other means to clear up after their pets. However, if dog owners are approached at the end of a walk they may have already used the bags that they have taken out or given a spare bag to someone who has run out, for example. Such behaviour is encouraged by Green Dog Walker schemes.

It is also plausible that such proposals could, in certain circumstances, perversely incentivise dog walkers to not pick up after their dog. Dog walkers could be made to decide between using their final waste bag and risk being caught without means to pick up, or risk not picking up in order to have a means to pick up should they be stopped later on their walk. It is reasonable to assume a proportion of dog walkers would choose the second option if they believed this was the least likely route to being caught, especially if the penalty for not picking up was the same as not being in possession of a means to pick up.

Local authorities may wish to consider introducing a clause which provides an exemption for those who have run out of bags but are able to prove that they were in possession of and made use of these during their walk. It is essential that an effective communication campaign is launched in the local area to ensure that people are aware of the plans and have an excess supply of dog waste bags with them.

Maximum number of dogs

An arbitrary maximum number of dogs that a person can walk is an inappropriate approach to dog control that will often displace and intensify problems in other areas. The maximum number of dogs a person can walk in a controlled manner depends on a number of factors relating to the dog walker, the dogs being walked, whether leads are used, time of day and the location where the walking is taking place.

As such we advise against the use of arbitrary numerical limits. Instead we suggest that the behaviour of individual commercial dog walkers is considered on a case by case basis, with Community Protection Notices used to tackle those behaving in anti-social manner.

If a maximum number of dogs measure is being considered due to issues arising from commercial dog walkers, we instead suggest that councils look at accreditation schemes – as seen in places such as the East Lothian Council area. These can be far more effective than numerical limits as they can promote good practice, rather than just curb the excesses



of one aspect of dog walking. Accreditation can also ensure that dog walkers are properly insured – which will typically cap the number of dogs that they can walk at any one time – and act as advocates for good behaviour by other dog owners.

Government guidance has been relatively consistent that the maximum number of dogs being walked should not exceed six dogs.^{1,2} This is in line with typical limits imposed by insurance companies, for which annual dog walking insurance for walking up to six dogs on or off lead, is readily available for under £100 per annum. Councils should be clear as to what behaviour they're aiming to address when introducing PSPOs to regulate the behaviour of commercial dog walkers. As there is a high chance rogue operators will make a financial calculation that the risk of being caught and maximum fine under a PSPO, is outweighed by the income generated by exceeding the numerical limit set out in the PSPO. Or indeed, it may encourage multiple dog walkers to share a single vehicle and walk in groups, resulting in larger groups of dogs being walked together.

Appropriate signage

It is important to note that in relation to PSPOs, The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014 makes it a legal requirement for local authorities to –

“cause to be erected on or adjacent to the public place to which the order relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to –

- (i) the fact that the order has been made, extended or varied (as the case may be); and
- (ii) the effect of that order being made, extended or varied (as the case may be).”

Regarding dog access restrictions, such as a ‘Dogs on Lead’ Order, on-site signage should clearly state where such restrictions begin and end. This can be achieved with signs that say on one side, for example, ‘You are entering [type of area]’ and ‘You are leaving [type of area]’ on the reverse.

While all dog walkers should be aware of their requirement to pick up after their dog, signage must be erected for the PSPO to be compliant with the legislation.

¹ Defra / Welsh Government - Dealing with irresponsible dog ownership, Practitioner’s manual, October 2014
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/373429/dog-ownership-practitioners-manual-201411.pdf

² Animal activities licensing: statutory guidance for local authorities March 2023 - <https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/home-boarding-for-dogs-licensing-statutory-guidance-for-local-authorities>, <https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/dog-day-care-licensing-statutory-guidance-for-local-authorities> and <https://www.gov.uk/government/publications/animal-activities-licensing-guidance-for-local-authorities/dog-kennel-boarding-licensing-statutory-guidance-for-local-authorities>



Assistance dogs

We urge the Council to review the Equality and Human Rights Commission's guidance for businesses and service providers when providing any exemptions for those who rely on assistance dogs. The guidance can be viewed here:

<https://www.equalityhumanrights.com/sites/default/files/assistance-dogs-a-guide-for-all-businesses.pdf>

We would therefore encourage the Council to allow for some flexibility when considering whether a disabled person's dog is acting as an assistance dog. The Council could consider adopting the definitions of assistance dogs used by Mole Valley District Council, which can be found below from their 2020 PSPO which included the following exemption provisions on dog control:

Nothing in this Order shall apply to a person who –

a) is registered as a blind person on a register compiled under section 29 of the National Assistance Act 1948; or

b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or

c) has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day-to-day activities, in respect of a dog trained by any current or future members of Assistance Dogs UK or any other charity registered in the UK with a purpose of training assistance dogs and upon which he relies for assistance

d) has a physical or mental impairment which has a substantial and long term adverse effect on the ability to carry out normal day-to-day activities and in the reasonable opinion of the Council that person relies upon the assistance of the dog in connection with their disability. or that of Northumberland County Council:

“(4) The term “Assistance Dog” shall mean a dog which has been trained to assist a person with a disability.

(5) The expression “disability” shall have the meaning prescribed in section 6 of the Equality Act 2010 or as may be defined in any subsequent amendment or re-enactment of that legislation”.

APPENDIX 3 – FORMAL RESPONSE FROM CHIEF INSPECTOR KING, WEST MERCIA POLICE

Sent by Email

Dear Kathryn

Thank you for your email inviting comments on the renewal of the following PSPOs:

Dog Control – district wide

Restriction on alcohol consumption – Bewdley

Restriction on alcohol consumption – Kidderminster

Restriction on alcohol consumption – Stourport-on-Severn

I only have specific comments in relation to the Kidderminster alcohol PSPO. I would like to suggest an extension of the current PSPO to include the football ground and surrounding area (to take in Comberton Hill- to include Comberton Place, and along the alleyway which starts by the court and ends on the car park adjacent to the stadium (necessity and proportionality would be covered by evidence that the risk groups use the licenced premises on Comberton Hill, purchase goods from Tesco and utilise the pathway to walk to the stadium) and Hoo Road (necessity and proportionality would be that it is the location of the stadium).

On behalf of West Mercia Police, I am in full support of the proposed existing Public Spaces Protection Orders being renewed for a further three years and trust you are able to use this letter for the purposes of your consultation.

Regards,

Chief Inspector David King

Agenda Item No. 9.1 Appendix Four: List of Consultees contacted directly to participate in the PSPO consultations

Type / Organisation	Role
West Mercia Police and Crime Commissioner	Police and Crime Commissioner
West Mercia Police	Superintendent for North Worcestershire
	Chief Inspector for Wyre Forest
	District Inspector for Wyre Forest
Worcestershire County Council	Chief Executive
	Director of Public Health
	Head of Safer Communities (Public Health)
	Countryside Service
Worcestershire County Council Councillors	Chaddesley
	Cookley, Wolverley & Wribbenhall
	Kidderminster - St Chad's
	Kidderminster - St John's
	St Barnabas
	St George's and St Oswald
	St Mary's
Local Councils: Bromsgrove, Redditch, Malvern Hills, Worcester City & Wychavon	Community Safety Managers or equivalent
	Bordering Councils: Shropshire & South Staffordshire

Type / Organisation	Role
Wyre Forest District Council	Aggborough and Spennells Ward Members
	Areley Kings Ward Members
	Bewdley Ward Members
	Blakebrook and Habberley South Ward Members
	Broadwaters Ward Members
	Foley Park and Hoobrook Ward Members
	Franche and Habberley North Ward Members
	Lickhill Ward Members
	Mitton Ward Members
	Offmore & Comberton Ward Members
	Wribbenhall & Arley Ward Members
	Wyre Forest Rural Ward Members
	Bewdley Museum
	All staff
Town Councils	Bewdley Town Council
	Kidderminster Town Council
	Stourport Town Council
Parish Councils	Broome
	Chaddesley Corbett
	Churchill and Blakedown
	Kidderminster Foreign
	Rock
	Rushock
	Stone
	Upper Arley
The Community Housing Group	Chief Executive
Worcestershire Regulatory Services	Head of Service
Friends of Parks Groups	Baxter Gardens
	Brinton Park

Type / Organisation	Role
	Broadwaters
	Springfield Park
	St George's Park
	White Wickets
North Worcestershire Community Safety Partnership	Bromsgrove District Council
	Community Safety Cabinet Members from the local authorities
	Hereford and Worcester Fire & Rescue Service
	Office of the Police and Crime Commissioner
	Redditch Borough Council
	The Probation Service
	West Mercia Police
	Worcestershire CALC
	Worcestershire Children First
	Worcestershire County Council
	Worcestershire Regulatory Services
	Wyre Forest District Council
	Victim Support
Professional dog trainer	The Dog Charmer Dog Training and Walking School
Other organisations	Canal & River Trust
	Churches Together in Bewdley
	Churches Together in Kidderminster
	Dogs Trust
	DY10 Big Local
	Forestry England
	Kidderminster Business Improvement District
	RSPCA
	Severn Trent
	Stourport Forward
	The Kennel Club
	Woodland Trust

Appendix Five: Maps

Dog Control PSPO Map of Specified Area (District wide) [Wyre Forest District PSPO - Dog controls | Wyre Forest District Council \(wyreforestdc.gov.uk\)](#)

Dog Control PSPO Map of Specified Area (QEII Jubilee Gardens) [Wyre Forest District PSPO - Dog controls | Wyre Forest District Council \(wyreforestdc.gov.uk\)](#)

Dog Control PSPO Map of Specified Area (Kidderminster Cemetery) [Wyre Forest District PSPO - Dog controls | Wyre Forest District Council \(wyreforestdc.gov.uk\)](#)

Dog Control PSPO Map of Specified Area (Hurcott Pool) [Wyre Forest District PSPO - Dog controls | Wyre Forest District Council \(wyreforestdc.gov.uk\)](#)

Dog Control PSPO Map of Specified Area (Stackpool) [Wyre Forest District PSPO - Dog controls | Wyre Forest District Council \(wyreforestdc.gov.uk\)](#)

Alcohol PSPO Map of Specified Area – Bewdley [Bewdley Town Centre PSPO - Alcohol consumption | Wyre Forest District Council \(wyreforestdc.gov.uk\)](#)

Alcohol PSPO Map of Specified Area – Kidderminster [Kidderminster Town Centre PSPO - Alcohol consumption | Wyre Forest District Council \(wyreforestdc.gov.uk\)](#)

Alcohol PSPO Map of Specified Area – Stourport-on-Severn [Stourport-on-Severn PSPO - Alcohol consumption | Wyre Forest District Council \(wyreforestdc.gov.uk\)](#)

WYRE FOREST DISTRICT COUNCIL

CABINET
12th September 2023

LOCALISM STRATEGY

OPEN	
CABINET MEMBER:	Councillor Tracey Onslow, Cabinet Member for Culture, Leisure, Arts and Community Safety
RESPONSIBLE OFFICER	Ian Miller, Chief Executive
CONTACT OFFICER	Kathryn Underhill, Community and Strategic Projects Manager
APPENDICES:	Appendix 1: Localism strategy

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to agree a revised Localism strategy.

2. RECOMMENDATION

2.1 The Cabinet is recommended to ADOPT the Localism strategy in Appendix 1.

3. BACKGROUND

- 3.1 The current strategy was adopted in 2019, and its main focus was on seeking to reduce or eliminate running costs and other financial implications for the Council by the transfer of assets and services to local bodies or organisations. That strategy had involved principally working with town and parish councils but was not limited to local government bodies.
- 3.2 As mentioned in a report to Cabinet on 17 July, the Cabinet expects the focus of the new strategy to be on the District Council working collaboratively and proactively with town and parish councils and other groups, to enhance and improve the offer, and also to encourage and empower volunteering to support local assets and services, building on existing arrangements. The strategy will retain the option of town and parish councils and other bodies asking to take over an asset or service: that is a legal requirement in respect of certain services as a result of the community right to challenge in the Localism Act 2011.

4. KEY ISSUES

- 4.1 The revised strategy sets out the new administration's aspiration for and approach to localism. It has been considered by the Overview and Scrutiny Committee and its recommendations will be reported separately.
- 4.2 In addition to maintaining the opportunity for councils and other organisations to be funded by the District Council to undertake certain duties and responsibilities, the revised strategy also focuses on ways in which councils and other organisations – in

particular town and parish councils - might enhance assets or services provided by the District Council.

5. FINANCIAL IMPLICATIONS

- 5.1 Preparation and adoption of the strategy has no additional financial implications.
- 5.2 The savings assumed in respect of localism in the adopted Medium Term Financial Strategy amount to £200k in the current year and £900k across the three years of the MTFS. The Cabinet's approach to addressing the savings targets will change in line with the strategy and will be reflected in revised targets in its proposals for the MTFS for 2024-2027.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 Relevant legislation is referred to in the report and the proposed strategy.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An EIA screening is not required as there are no specific proposals for implementation – this is a strategy document that will guide how the Council approaches localism.

8. RISK MANAGEMENT

- 8.1 There is no significant risk arising from the process of adopting a revised strategy. There remains a risk – which existed in respect of the 2019 strategy – of whether it will be possible to deliver the level of localism savings for WFDC that is assumed in the approved Medium Term Financial Strategy. Any specific proposals for transfers of land will have to comply, if relevant, with legislation on disposal of public open space and disposal of land at less than best value.

9. CONCLUSION

- 9.1 The Cabinet is invited to adopt the revised Localism strategy.

10. CONSULTEES

- 10.1 Cabinet
- 10.2 Corporate Leadership Team

11. BACKGROUND PAPERS

- 11.1 WFDC Localism Strategy 2019 [Localism strategy | Wyre Forest District Council \(wyreforestdc.gov.uk\)](http://wyreforestdc.gov.uk)

**APPENDIX 1
LOCALISM STRATEGY
September 2023**

The Localism Strategy sets out how we will work with councils and other local and community organisations to safeguard services and facilities that are vital and/or beneficial to the community.

Local context

Wyre Forest is a district in the north of the county of Worcestershire. The district has a population of over 100,000 and consists of three towns and large areas of rural countryside.

Kidderminster is the largest of the three towns with a population of over 55,000 residents. Stourport-on-Severn is located on the confluence of the rivers Severn and Stour. It has a population of around 20,000. Bewdley has a population of around 10,000 and is located on the western bank of the River Severn.

The district has three Town Councils – Bewdley, Kidderminster and Stourport-on-Severn and nine parish councils – Broome, Chaddesley Corbett, Churchill and Blakedown, Kidderminster Foreign, Rock, Rushock, Stone, Upper Arley and Wolverley and Cookley.

There are legal limits on the services parish councils can deliver but those with the General Power of Competence have more flexibility.

Our ambition

The Council's ambition is to work collaboratively with any council or other organisation to improve local services that are important to residents and communities.

We will work with town and parish councils to safeguard the future of our much-loved local parks and open spaces and other assets. We are prepared to consider transferring responsibility for parks and open spaces to town councils: this might involve transfer of the freehold or entering long leases up to 125 years.

The District Council has a range of duties or responsibilities including clearing litter from streets, highway verges and other areas and to ensure parks are well-maintained. We will continue to devolve some of these functions, by agreement, to parish and town councils and will provide adequate support and funding.

We welcome and will give careful consideration to proposals under the community right to challenge in the Localism Act 2011.

Local delivery of services in Wyre Forest

Communities across Wyre Forest have different needs. We recognise the principle that community-based services can best be delivered - based on local need and with strong local accountability - by councils or other local organisations.

We welcome proposals, particularly from town and parish councils, that would enhance the offer that the District Council is able to make to local communities – whether by initiatives such as funding events or planting in parks, or by taking on responsibility for assets, services or activities in a way that reduces the net cost for the District Council.

We are prepared to consider proposals particularly from town councils for the transfer of parks or green spaces to them, whether the transfer of the freehold or long leases of up to 125 years. The District Council is prepared to offer grant support, but only on the basis of a significant reduction in the net cost for the District Council. Grant agreements would ordinarily be for a period of 5 to 10 years, to give confidence that funding is guaranteed for a significant period.

We will continue to offer grants for town and parish councils or other organisations to undertake service delivery on behalf of the District Council for litter picking and emptying of litter bins. These grants are also available if town councils or other organisations wish to assume responsibility for maintaining public open space, including play areas, but without taking on an interest in the land (whether freehold or long leasehold). Local councils are often able to secure service delivery with lower overheads than the District Council and can provide an even more responsive localised service. The District Council is prepared to enter grant agreements for lengthy periods, e.g. up to 5 to 10 years, to give confidence that funding is guaranteed for a significant period.

How will we achieve this?

- Putting robust processes in place to implement the Localism Act 2011.
- Building on existing work with town and parish councils and other local organisations.
- Sharing best practice and celebrating success.

How will we know if we have been successful?

- The assets and services continue on a sufficient and financially viable footing
- Assets and services will be enhanced by the input from local organisations
- There is more local control over assets and services
- The local impact of service reductions will be minimised, savings targets will be achieved and services will continue, tailored to meet local needs and resources.

How will we deliver the Localism Strategy?

Everyone at Wyre Forest District Council has a part to play in delivering localism. This includes Councillors, Cabinet Members and officers. Officers will work closely with the Cabinet Member for Culture, Leisure, Arts and Community Safety, who is the lead for the localism agenda to support delivery of the strategy.

Principles of asset and service transfers

We recognise that town and parish councils and organisations across the district are keen to develop their activities and deliver more local services. This is their opportunity to play an even more significant role in their local community.

Wyre Forest District Council will respond to the priorities and ambitions of the local area on a collaborative basis. The District Council may raise its own proposals about asset transfers or new service delivery arrangements. However the initiative for launching a community right to challenge under the legislation rests with town and parish councils and other local organisations.

We intend to adhere to the following broad principles when responding to any such initiative:

1. A local organisation proposing a transfer of asset and services must have been in existence for a sufficient period to show that it is engaging widely in the community, managing its finances well and being inclusive and open in its approach. Town and parish councils are statutory bodies and are assumed automatically to meet this test;

2. The assets or services under consideration must be things that a town or parish council or other organisation can legally provide. In the case of town and parish councils, this means that they must be able to rely on one or more of their statutory powers; in the case of other organisations, such as charities or community interest companies, their purposes set out in their formal documentation should be sufficiently wide;
3. We will consider all requests received and will give reasons if there are any assets or services which we do not consider appropriate for transfer;
4. Proposals can include joint service delivery and management arrangements as well as a full transfer of services. They can be made by a collaboration of more than one town or parish council or other local organisations;
5. Services considered for a transfer of management must be capable of being delivered at the scale proposed, either through the town or parish council or other organisation's own resources or through a management arrangement with the District Council;
6. Proposals should demonstrate that the service will be provided at broadly the same or better standard than previously provided by the District Council.
7. The town or parish council or other local organisation will have to demonstrate a sound business case for all proposals, including the management and other resources that will be put in place – including any grant that might be required from the District Council - to demonstrate the capacity to manage the asset independently and to put the asset to good use for the community.

In respect of proposals that involve the transfer of freehold of land or granting of a long lease, the District Council may use its powers under section 123 of the Local Government Act 1972 to dispose of land at less than best value. In addition, any transfer of land consisting or forming part of an open space is subject to compliance by the District Council with the requirement in section 123 to advertise the proposed disposal and consider and any objections received.

Risk

It is recognised that the process of transferring assets or services to third parties is not without risk. The level of competence, financial stability and sustainability of third party organisations are key factors in any negotiations. It is also the case that the process can take time especially in building trust between the District Council and interested parties.

Section 106 contributions

In its role as planning authority, the District Council negotiates section 106 contributions for public open space, outdoor amenity space and children's play space. If a section 106 contribution has been allocated for use at a particular site but has not been spent or committed by the time that that land is transferred to a town council (whether the freehold or a long lease), the District Council would transfer the funding to the town council for it to ensure it is spent in accordance with the section 106 agreement.

As planning authority, the District Council continues to welcome proposals from town and parish councils for negotiating section 106 contributions arising from developments in their areas. Such contributions could be deployed in respect of improving or enhancing public open space, outdoor amenity space and children's play space on sites owned by town and parish councils or held on long leases. The sites do not have to be ones that have been transferred under the District Council's approach to localism.

WYRE FOREST DISTRICT COUNCIL

CABINET

12th September 2023

ENVIRONMENTAL ENFORCEMENT POLICY

OPEN	
CABINET MEMBER:	Councillor Ben Brookes, Cabinet Member for Operational Services
RESPONSIBLE OFFICER:	Steve Brant, Head of Community and Environment Services
CONTACT OFFICER:	Kathryn Underhill, Community and Strategic Projects Manager
APPENDICES:	Appendix One: Environmental Enforcement Policy

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to agree the Environmental Enforcement Policy and to adopt the increases in penalty charges.

2. RECOMMENDATION

Cabinet is recommended to:

- 2.1 **ADOPT the Environmental Enforcement Policy in Appendix One.**
- 2.2 **ADOPT the increases in penalty charges outlined in Table One at paragraph 5 with effect from 13 September 2023.**

3. BACKGROUND

- 3.1 The report presents an updated Environmental Enforcement Policy which sets out the Council's approach to enforcing environmental crimes. It replaces the Environmental, Education and Enforcement Strategy (January 2007).
- 3.2 The Council's existing enforcement policy has been updated to ensure it reflects the most recent legislation and powers which were introduced as a result of the Anti-Social Behaviour, Crime and Policing Act 2014. The policy outlines how we will use these and all other relevant powers in our current enforcement work, to ensure an effective and consistent approach is taken to all environmental crime across Wyre Forest.
- 3.3 While the policy provides a framework for Council employees whilst they are carrying out their day-to-day duties, it is also designed to provide an overview of the Council's approach and general operating principles to those who might be affected by its use; this would include members of the public, commercial businesses, and voluntary organisations.

- 3.4 The local environment influences our quality of life and also impacts on experience whether living, visiting, or working within the district. Whilst Wyre Forest District Council, alongside other local authority partners, has a responsibility for maintaining a clean environment for all, our communities have an integral part to play in achieving a safer and cleaner district.

4. KEY ISSUES

- 4.1 The Enforcement Policy has been considered by the Overview and Scrutiny Committee and its recommendations will be reported separately.
- 4.2 Enforcement plays a vital role in maintaining a clean and safe environment by initially providing information and advice to individuals, but also acting as a deterrent regarding their responsibilities. Where individuals and/or businesses fail to recognise and change their negative behaviour, enforcement ensures that they are made accountable for their actions, through various legislative processes.
- 4.3 The Clean Neighbourhoods and Environment Act 2005 enhanced existing powers under the Environmental Protection Act 1990 and saw the introduction of powers for local authorities to help tackle environmental crime. The Anti-Social Behaviour, Crime and Policing Act 2014 further enhanced the powers available to deal with anti-social behaviour and introduced Public Space Protection Orders (PSPOs) across a wide range of environmental areas. All of the Acts provide effective powers and tools to tackle and deal quickly with environmental issues.
- 4.4 The Prime Minister's Anti-Social Behaviour Action Plan (May 2023) stated that police and local authorities would be given the tools they need to act and restore pride in communities. A statutory instrument, the Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 No 770, came into force on 31 July and gives local authorities the ability to increase the maximum amounts for Fixed Penalty Notices. The upper limits have been increased to £1,000 for fly-tipping, £600 for breach of household waste duty of care and £500 for litter and graffiti. The Government is clear that they wish to see more fines handed out to help deter environmental crime in the first place.
- 4.5 Local authorities have the freedom to set the rates that offenders should pay, within the limits outlined above. Table One outlines the new maximum amounts proposed for adoption at a local level, which are based on the maxima in the 2023 Regulations, as well as the reduced amounts if the penalty is paid within the prescribed period. The full table of all Local Level Settings is contained on page 15 within the Enforcement Policy at Appendix One. For information, Table Two shows the current maximum and reduced amounts that apply for these environmental crimes.
- 4.6 The higher level of fines is expected to have a deterrent effect and the Council will use all appropriate measures to ensure that fine income is collected. The impact of the higher fines will be kept under review. If necessary in order to seek to change the unacceptable behaviour of those who are responsible for environmental crimes, it is open to the Cabinet to raise the reduced amounts at a future date in order to increase the deterrent effect.

5. Table One: Proposed WFDC Full and Reduced Penalty Amounts, to take effect on 13 September 2023

Description of Offence	Legislation	WFDC Full Penalty Amount	WFDC Reduced amount if paid within prescribed period
Littering	Section 87 & 88 - Environmental Protection Act 1990	£500	£150
Graffiti	Section 43 - Anti-Social Behaviour Act 2003	£500	£150
Fly Posting	Section 43 - Anti-Social Behaviour Act 2003	£500	£150
Failure to Produce Documentation	Section 34 & 34ZA - Environmental Protection Act 1990	£600	£300
Fly-Tipping	Section 33 & 33ZA - Environmental Protection Act 1990	£1000	£500

Table Two: penalty amounts prior to the changes being made as a consequence of this report – for information only

Description of Offence	Legislation	WFDC Full Penalty Amount	WFDC Reduced amount if paid within prescribed period
Littering	Section 87 & 88 - Environmental Protection Act 1990	£150	£100
Graffiti	Section 43 - Anti-Social Behaviour Act 2003	£150	£100
Fly Posting	Section 43 - Anti-Social Behaviour Act 2003	£150	£100
Failure to Produce Documentation	Section 34 & 34ZA - Environmental Protection Act 1990	£300	£200
Fly-Tipping	Section 33 & 33ZA - Environmental Protection Act 1990	£400	£300

6. FINANCIAL IMPLICATIONS

- 6.1 Preparation and adoption of the policy has no additional financial implications as it has been undertaken by staff within existing resources. The policy reflects current delivery of the enforcement service and is met within existing budgets. As part of the approved medium term financial strategy for 2023-27, the Council has provided funding to expand the enforcement team by two environmental and civil enforcement officers.
- 6.2 If behaviour of those who commit environmental crimes does not change, the higher level of fixed penalty amounts is expected to increase the contribution to the cost of environmental enforcement by approximately 50%. In 2022-23, 156 fixed penalty notices were issued, and total fine income was £16.5k.

Years	Number of FPNs	Income
2020/21	191	£17,668
2021/22	234	£28,350
2022/23	156	£16,405

7. LEGAL AND POLICY IMPLICATIONS

- 7.1 Relevant legislation is referred to in the proposed Environmental Enforcement Policy and in this report. The policy also supports the statutory requirements of Section 17 of the Crime and Disorder Act 1998: implications with regards to the duty of local authorities to consider the impact of their decisions and actions on crime and disorder in the local area.

8. EQUALITY IMPACT NEEDS ASSESSMENT

- 8.1 An Equality Impact Needs Assessment has been completed and is available on request. There are no adverse implications on any of the protected characteristics.

9. RISK MANAGEMENT

- 9.1 The policy does not change the current arrangements or standards. The higher level of fixed penalties should increase the deterrent effect and may reduce the incidence of littering, fly-tipping etc. However higher penalties may prove more difficult to collect as those responsible for environmental crimes may make more strenuous efforts to challenge or avoid them. This risk is mitigated because FPNs are issued only where there is a strong evidence base, and the Council has robust procedures in place to recover amounts owed including court action if necessary.

10. CONCLUSION

- 10.1 The Cabinet is invited to adopt the Environmental Enforcement Policy and to approve the increase level of fixed penalty notices.

11. CONSULTEES

- 11.1 Corporate Leadership Team
 11.2 Litigation Solicitor

12. BACKGROUND PAPERS

WFDC Environmental Compliance Fixed Penalty Operational Guidance
Environmental Protection Act 1990 (as amended) Clean Neighbourhoods and
Environment Act 2005
Refuse Disposal (Amenity) Act 1978
Town and Country Planning (Control of Advertisement) Regulations 1990 (as
amended)
Criminal Justice and Public Order Act 1994
Anti-Social Behaviour Act 2003 (as amended)
Anti-Social Behaviour, Crime and Policing Act 2014
Environment Act 1995

Environmental Enforcement Policy

Date: September 2023

Contents

1	Introduction	3
2	Background	4
2.1	Current enforcement	4
3	The Principles of Enforcement	4
3.1	Proportionality	4
3.2	Targeting	5
3.3	Consistency.....	5
3.4	Transparency	5
3.5	Accountability	6
4	The Purpose and Method of Enforcement	6
4.1	Investigation	7
4.2	Authorisation of Officers	7
4.3	Powers of Entry.....	7
4.4	Obstruction of Officers.....	8
5	Enforcement Options	8
5.1	Prosecution	8
5.2	Simple Cautions	9
5.3	Fixed Penalty Notice (FPN).....	10
5.4	Written Warning and Advice	10
5.5	No Action	10
6	Community Protection Notices	11
7	Seizure	11
8	Conflict of Interest	12
9	Publicity	12
10	Partnership working	12
11	The Storing and Disclosure of Information	13
12	Complaints and Appeals	14
13	Monitoring and Review	14
14	Amendments to this Policy	14
15	Appendix A - Local Level Settings	15

1 Introduction

Wyre Forest District Council is committed to maintaining a clean and safe environment for the benefit of everyone across the district. The commitment recognises the Council's responsibility to keep the streets and local environment clear of litter and deal with other local environmental quality issues.

Along with all other local authorities in England, Wyre Forest District Council has extended powers to enable enforcement of legislation intended to protect both the individual and community. This activity is set within the following legislation:

Environmental Protection Act 1990 (as amended)
Clean Neighbourhoods and Environment Act 2005
Refuse Disposal (Amenity) Act 1978
Town and Country Planning (Control of Advertisement) Regulations 1990 (as amended)
Criminal Justice and Public order Act 1994
Anti-Social Behaviour Act 2003 (as amended)
Anti-Social Behaviour, Crime and Policing Act 2014
Environment Act 1995

This document sets out the enforcement policy of Wyre Forest District Council and how the Council uses this legislation and powers to ensure an effective, consistent and clear approach to street environment enforcement. It covers offences including the following:

Littering Waste
Failure to produce authority (certificate of registration) to transport controlled waste
Failure to produce transfer notices
Community Protection Notices
Abandoned vehicles
Graffiti and fly posting
Nuisance vehicles
Public Spaces Protection Order breaches

The Council enforce a wide range of legislation that aims to protect the interests and rights of people in relation to the environment that they use.

The term "enforcement" is used in this policy to mean "actions taken by Council officers to prevent or rectify infringements of legislation". These actions include preventative work (including advice), informal warnings; and more formal actions such as the service of formal warning notices, fixed penalty notices (FPN) and prosecutions.

This policy sets out the general principles and approach which Wyre Forest District Council will follow when enforcing environmental legislation as the enforcing authority. Wyre Forest District Council regards the principle of prevention as a better means of dealing with compliance than enforcement and offers information and advice to those the Council regulates and seeks to secure compliance avoiding bureaucracy or excessive cost. Individuals and businesses ('Duty Holders') are encouraged to act responsibly and to do so in all activities that could affect the environment.

Wyre Forest District Council ensures that all appointed officers are competent and trained in the use of this policy.

2 Background

2.1 Current enforcement

The Clean Neighbourhoods and Environment Act 2005 widened the types of offences for which FPNs can be used and the persons that can issue them. This was enhanced by the Anti-Social Behaviour, Crime and Policing Act 2014.

The introduction of FPNs allows low level environmental crime in the district to be tackled, using a more cost effective and proportionate response to these offences. The FPN level is set to provide a deterrent aspect which goes towards the need to educate not just enforce.

The implementation of FPNs delivers a firm commitment made in the Corporate Plan to introduce on the spot fines for littering in our streets to help clean up Wyre Forest. It also links directly by prioritising a safe, clean and green living environment and supporting a successful local economy.

The ultimate aim is to ensure that residents and others increasingly take control of their own behaviour to the benefit of the wider community.

3 The Principles of Enforcement

Wyre Forest District Council believes in firm but fair enforcement of environmental law. This is informed by the principles of proportionality in applying the law and securing compliance; consistency of approach; targeting of enforcement action; transparency about how the Council operates and what those regulated may expect; and accountability for the Council's actions.

These principles apply both to enforcement in particular cases and to the management of enforcement activities.

3.1 Proportionality

Proportionality here means relating enforcement action taken to the risk¹ to health and the environment. Those whom the law protects and those on whom it places duties expect that action taken by Wyre Forest District Council to achieve compliance or bring businesses or individuals to account for non-compliance should be proportionate to any risks to health and the environment, or to the seriousness of any breach, which includes any actual or potential harm arising from the breach of the law.

In practice, applying the principle of proportionality means that Wyre Forest District Council will take account of how far the individual / business has fallen short of what the law requires and the extent of the risks to people arising from the breach.

Some duties may be specific and absolute. Others require action as far as is reasonably practicable. Wyre Forest District Council will apply the principle of proportionality in relation to both kinds of duty.

¹ In this policy, 'risk' (where the term is used alone) is defined broadly to include a source of possible harm, the likelihood of the harm occurring, and the severity of any harm to health and the environment.

Enforcement activities undertaken by Wyre Forest District Council will therefore reflect the level of risk to the public and the type of enforcement action will relate to the seriousness of the offence committed.

3.2 Targeting

Targeting means making sure that regulatory effort is directed primarily towards those whose activities give rise to serious and / or persistent non-compliance. Action will be primarily focused on breaches of the law or those directly responsible for the risk and who are best placed to control it.

Any enforcement action will be directed against those responsible for a breach. This may be businesses, residents or visitors to the district. Where several people / businesses have been identified in the act(s) of non-compliance, Wyre Forest District Council may take action against more than one when it is appropriate to do so in accordance with this policy.

Wyre Forest District Council will ensure that an appropriate senior officer is informed through daily reporting when officers issue warnings, fixed penalty notices, issue formal cautions or prosecute.

3.3 Consistency

Consistency of approach does not mean uniformity. It means taking a similar approach in similar circumstances to achieve similar ends.

Individuals and / or businesses found to be carrying out similar activities can expect a consistent approach from Wyre Forest District Council in the advice tendered; the use of enforcement notices; decisions on whether to prosecute; and in the response to incidents and complaints.

Wyre Forest District Council recognises that in practice consistency is not a simple matter. Officers are faced with many variables including the degree of risk, the attitude of individuals, any history of incidents or breaches involving the individual / business, previous enforcement action and the seriousness of any breach, which includes the persistence of the offence and any cumulative impact aspect.

3.4 Transparency

Transparency means helping people understand what is expected of them and what they should expect from Wyre Forest District Council. It also means making clear to businesses and individuals, not only what they have to do, but where relevant, what they should not. That means distinguishing between statutory requirements and advice or guidance about what is desirable but not compulsory.

Businesses and individuals also need to know what to expect from an Officer and what rights of complaint are open to them. This is linked directly to the policies and procedures of the Council, including the expectations placed upon Officers in the conduct of their duties. The following can be expected when an officer visits a business:

- When officers offer businesses and individuals information or advice, face to face or in writing, including any warnings, officers will tell them what to do to comply with the law and explain why. Officers will, if asked, write to confirm any advice, and to

distinguish legal requirements from best practice advice.

- In the case of fixed penalty notices the officer will discuss the notice and explain the payment method. The notice will state the offence, date and time of offence, reason for issue of FPN, and in the Officer's opinion what legislation has been breached.

3.5 Accountability

Regulators are accountable to the public for their actions and as such enforcement action is open to public scrutiny. This means that Wyre Forest District Council has accessible policies and standards including a complaints procedure.

4 The Purpose and Method of Enforcement

Wyre Forest District Council's Environmental Compliance Law Enforcement function is to ensure that the legislative requirements are met. This is achieved through a balance of proactive interventions and enforcement. The following up of complaints and service requests related to environmental requirements, and the use of enforcement to seek compliance and remedy damage. The purpose of enforcement is to:

- Ensure that individuals and businesses take action to deal immediately with failures of their duties
- Promote and achieve sustained compliance with the law,
- Ensure that those that breach legal requirements are held to account, which may include bringing alleged offenders before the courts

Wyre Forest District Council has a range of interventions at its disposal in seeking to secure compliance with the law and to ensure a proportionate response to criminal offences. Officers may offer information and advice, both face to face and in writing. This may include a warning that in the opinion of the officer, they are failing to comply with the law. Where appropriate, officers may also serve fixed penalty notices (where applicable), issue simple cautions, issue Community Protection Warnings/Notices and they may pass the matter on for prosecution.

Investigating the circumstances encountered during interventions or following incidents or complaints is essential before taking any enforcement action. In deciding what resources to devote to these investigations, Wyre Forest District Council will have regard to the principles of enforcement set out in this statement and the objectives of the Council. Each case will ultimately be assessed on its specific merits.

Wyre Forest District Council will use discretion in deciding when to investigate or what enforcement action may be appropriate. Officers will refer to this policy, and associated guidance, when determining enforcement action. Such judgements will be made in accordance with the principles of the Enforcement Concordat and the Regulators' Code under the Legislative and Regulatory Reform Act 2006.

Any proposed enforcement action relating to prosecution and simple cautions will result in completion of a Legal Review Form, and the proposed action signed off by the Senior Community and Environmental Protection Officer or Community and Strategic Projects Manager.

All officers when making enforcement decisions shall abide by this policy and guidance

issued in conjunction with it. While case law has shown that the enforcement policy such as this is “guidance”, it is accepted good practice that such policies are followed unless good cause is given why it was not. Ultimately, the spirit of the enforcement policy must be maintained, especially in terms of being consistent, transparent, and proportional.

4.1 Investigation

Wyre Forest District Council uses discretion in deciding whether incidents, complaints, or cases should be investigated. This is based on risk, potential legislative breach, and seriousness of the issue.

Investigations are undertaken to determine:

- Causes;
- Whether action has been taken or needs to be taken to prevent a recurrence and to secure compliance with the law;
- Lessons to be learnt and to influence the law and guidance;
- What response is appropriate to a breach of the law.

To maintain a proportionate response, most resources available for investigation of incidents will be devoted to the more serious circumstances. The Council recognises that it is neither possible nor necessary to investigate all issues of non-compliance with the law which are uncovered in the course of preventive intervention, or in the investigation of reported events.

In selecting which complaints or reports to investigate and in deciding the level of resources to be used, Wyre Forest District Council will take account of the following factors:

- The severity and scale of potential or actual harm to person or land;
- The seriousness of any potential breach of the law;
- Knowledge of the past relevant compliance issues;
- The enforcement priorities;
- The practicality of achieving results;
- The wider relevance of the event, including serious public concern

4.2 Authorisation of Officers

Before an officer of the Council can carry out any enforcement duties, an officer will be authorised in accordance with the council’s constitution and in accordance with legislation. Only competent officers who have appropriate qualifications or experience will be authorised to take enforcement action.

Photo cards identify the Officer and provide evidence of the powers vested in the individual. Authorisation will be issued under delegated powers contained under the Council’s Scheme of Delegation and will authorise suitably qualified / competent officers for the purposes of the Council’s enforcement functions

4.3 Powers of Entry

Officers are authorised to hold the power of entry into commercial and residential premises in line with legislative requirements. Such powers are restricted in terms of environmental legislation. Primarily such powers will be under the Environmental

Protection Act 1990 and the Environment Act 1995 and regard will be given to the Code of Practice: Powers of Entry issued by the Secretary of State under the Protection of Freedoms Act 2012, when using this power.

4.4 Obstruction of Officers

Areas of legislation enforced make it a clear offence to obstruct authorised officers in carrying out their roles. This includes offering the officer reasonable assistance in the conduct of their duties and investigations / inspections.

Section 6 and 7 of the Clean Neighbourhoods and Environment Act 2005 and section 88 (8A) and (8B) of the Environmental Protection Act 1990 make it an offence to fail to provide name and address or provide false or inaccurate name and address if an authorised officer proposes to give that person a fixed penalty notice in respect of nuisance parking or littering, respectively. These will be enforced, with Police assistance as required, to ensure that offences are dealt with at the lowest level possible.

The Council regards the obstruction of, or assaults (physical and/or verbal) on, staff whilst lawfully carrying out their duties as a serious matter. Any instances will be referred to senior managers to determine the next steps, which may lead to legal proceedings against the perpetrator. Any threat or assault will not be tolerated.

5 Enforcement Options

The main options for action are:

- a) Prosecution
- b) Simple Cautions
- c) Fixed Penalty Notice
- d) Written Warning and Advice
- e) No Action

The Council works to ensure that enforcement decisions are consistent, balanced and fair and relate to common standards both locally and nationally. Internal guidance is issued relating to these matters with the purpose of encouraging consistency.

5.1 Prosecution

Wyre Forest District Council, when deciding whether to prosecute, will have regard to the provisions of The Code for Crown Prosecutors as issued by the Director of Public Prosecutions. The Code sets out two tests that must be satisfied, commonly referred to as the 'Evidential Test' and the 'Public Interest Test'. No prosecution may go ahead unless the Council finds there is sufficient evidence to provide a realistic prospect of conviction and that prosecution would be in the public interest.

Criminal proceedings are taken against those persons responsible for the offence. Where a company is involved, it will be usual practice to prosecute the company where the offence resulted from the company's activities. However, the Council will also consider any part played in the offence by the employees of the company, including Directors, Managers and the Company Secretary. Action may also be taken against such employees (as well as the company) where it can be shown that the offence was committed with their consent or connivance or is attributable to neglect on their part. Prosecution will generally be restricted to persons who blatantly disregard the law,

refuse to achieve even the basic minimum legal requirements, often following previous contact with the Council.

Circumstances which are likely to warrant prosecution are:

- a) Where the alleged offence involves a flagrant breach of the law such that public health, safety or well-being is or has been put at risk.
- b) Where the alleged offence involves a failure by the suspected offender to correct an identified serious potential risk having been given a reasonable opportunity to comply with the lawful requirements of an authorised officer.
- c) Where the offence involves a failure to comply in full or in part with the requirements of a statutory notice.
- d) Where there is a history of related similar offences.
- e) Where the offence is likely to lead to a cumulative impact on the district if left un (e.g., cases of fly tipping that are likely to encourage others to duplicate this action)

The above is not an exhaustive list.

When circumstances have been identified which may warrant a prosecution all relevant evidence and information will be considered to ensure a consistent, fair and objective decision is made. Suspected offenders will be invited to offer an explanation before proceedings are commenced unless circumstances dictate otherwise.

Before a matter is submitted to Legal Services with recommendation to prosecute, the officer will ensure that there is relevant, substantial, and reliable evidence and that an identifiable person or company has committed an offence. There must also be a realistic prospect of conviction; a bare prima facie case is insufficient.

A Legal Review Form will be completed and signed off by a Service Manager prior to being approved.

Once the decision to submit the matter to Legal Services with recommendation to prosecute has been made the matter will be referred to Legal Services without undue delay. The referral must include a legal review form stating the reasons for bringing the prosecution. When bringing a Prosecution, the Council will always seek to recover the costs of the prosecution, this also includes the costs of the investigation.

5.2 Simple Cautions

The Simple Caution may be used as an alternative to prosecution. To be able to issue a simple caution a number of criteria must be satisfied. For a simple caution to be issued the following criteria must be satisfied:

- Sufficient evidence must be available to prove the case
- The offender must admit the offence
- It must be in the public interest to use a simple caution
- The offender must be 18 years old or over

The offender should not have received a simple caution for similar offence within the last 2 years.

The investigating officer in agreement with the service manager will determine if a

simple caution is the most appropriate form of sanction given the circumstances of the case. The individual or company concerned will be advised of the decision and requested to confirm acceptance. The officer authorised to issue simple cautions for offences will be the service manager.

A record of the simple caution will be kept on file for two years. If the offender commits a further offence, the simple caution may influence the Council's decision to proceed to prosecution.

If during the time the caution is in force the offender pleads guilty to or is found guilty of another offence the caution may be cited in the court, and this may influence the severity of the sentence that the court imposes.

The aims of a simple caution are:

- To offer a proportionate response to low level offending where the offender has admitted the offence;
- To deliver swift, simple, and effective justice that carries a deterrent effect.
- To record an individual's offences for the reference in future formal action.
- To reduce the likelihood of re-offending.
- To increase the amount of time officers spend dealing with more serious offences and reduce the amount of time officers spend completing paperwork and attending court, whilst simultaneously reducing the burden on the courts.

Reference should be made to Guidance to Simple Cautions for Adult Offenders [Simple Cautions guidance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk)

5.3 Fixed Penalty Notice (FPN)

Fixed Penalty Notices may be used as an alternative to prosecution in respect of certain offences, e.g., littering and graffiti. This option gives the offender the opportunity to discharge liability for the offence by payment of a specified amount. Criminal proceedings cannot be brought against that person for the offence to which the notice relates before the end of the period given for payment. FPNs must only be issued where there is sufficient evidence to prosecute. Failure to pay within this timeframe is not an offence, but the protection against prosecution will lapse and a prosecution may be brought in respect of the original offence.

The Council will use all appropriate measures to ensure that penalties are collected.

Further information is provided in the Council's Environmental Compliance Fixed Penalty Operational Guidance document.

5.4 Written Warning and Advice

For some contraventions the offender will be sent a firm but polite letter clearly identifying the contravention's, giving advice on how to put them right and include a deadline by which this must be done. Failure to comply could result in a notice being served.

Informal action should be considered when:

- a) Past history is good;
- b) The contravention is insufficiently serious to warrant formal action;

- c) Confidence in the individual/management;
- d) Non-compliance will not pose a significant risk to health or the environment

Such advice cannot be cited in court as a previous conviction but it may be presented in evidence.

5.5 No Action

In exceptional circumstances, contraventions may not warrant any action. This is likely to be when the cost of compliance to the offender outweighs the impact of the offence. A decision of no action may also be taken when a trader has ceased to trade. The decision to take no action will be recorded detailing the decision making process.

It is expected that, even in cases where the duty holder has remedied the breach informally, this is followed up in writing as part of the “education” process to prevent recurrence of the issue.

6 Community Protection Notices

Community protection notices (CPNs) are designed to stop a person aged 16 or over, business or organisation committing antisocial behaviour (ASB) which spoils the community's quality of life. This can include offences such as noise nuisance, eyesore rubbish on private land and antisocial behaviour.

Grounds for issuing a CPN include instances in which an individual's behaviour has a detrimental effect on the quality of life of those in the locality is unreasonable and is of a persistent nature. Before a CPN can be issued, the person, business or organisation suspected of causing the problem must be given a written warning stating that a community protection notice will be issued unless their conduct changes and ceases to have a detrimental effect on the community. The warning must also detail that a breach of a CPN is a criminal offence.

Failure to comply with the warning can lead to the issue of a community protection notice. The notice will list the following requirements:

- to stop doing something specified and/or to do some specified action
- to take reasonable steps to achieve a specified result - this will be aimed at either preventing the effect of the unacceptable conduct continuing or preventing the likelihood of it recurring.

If a recipient of a CPN fails to comply with the requirements, the council may take action to ensure that the failure is remedied. Failure to comply with a CPN can lead to a court summons and, on conviction, can result in a fine of up to Level 4, currently £2,500 for individuals, or £20,000 for businesses. A fixed penalty notice may also be issued for this behaviour (maximum £100 fine). An appeal against a CPN or its terms can be made to a magistrates' court within 21 days of issue.

7 Seizure

The Council has powers to seize a vehicle, trailer or mobile plant and their contents in certain circumstances. The Courts also have powers to order forfeiture of vehicles. Vehicles and their contents can be seized under the Control of Pollution (Amendment) Act 1989 or the Environmental Protection Act 1990.

A vehicle can be seized or forfeit:

- If it is used in fly-tipping
- If it is driven by somebody who is not registered as a waste carrier
- If it is used to transfer waste to somebody who is not registered as the waste carrier
- If it is being used at a site that is breaking the rules of an environmental permit

When a vehicle is seized, the Council are required to put details of the seizure on a public notice. This will be displayed on the first working day after the seizure has taken place and will be displayed for at least 15 days afterwards on our website or in a local newspaper. The police and the registered keeper will be notified in writing. To claim a seized vehicle you must be the legal owner of the vehicle and be able to provide the following documents to prove this:

- V5C Vehicle registration document in your name with your correct address and;
- Current certificate of motor insurance in your name with your correct address.

If we require further proof of legal ownership we would notify you within one working day. Any further proof must be received within two working days from receipt of the request. We will then notify you of a decision within three working days.

Where a vehicle has been claimed the owner will have 10 working days to collect the vehicle, unless we need to keep the vehicle for further investigation or are prosecuting the owner. If a claimed vehicle is to be released and is not collected within 10 working days, it can be sold or destroyed. If a vehicle is not claimed within 15 working days, it will be sold or destroyed. Neither option shall be taken without a prosecution taking place. If the Officer considers that these are viable for the case, the matter shall be discussed and taken forward by the Council's Legal Department.

8 Conflict of Interest

Where investigating enforcement action involving the enforcing authority itself, or it involves the activities related to an employee or Member of the Council, then the Chief Executive or Section 151 officer will be informed of serious breaches without delay or in cases where formal action is being considered. The Council's Constitution contains the Members' Code of Conduct and the Employees' Code of Conduct which cover the conduct of Members and Officers including declaration and conflicts of interest.

9 Publicity

Details of criminal convictions are public records and it is a generally accepted principle of privacy rights that this information should be accessible. Wyre Forest District Council will therefore consider making publicly available on its website information about companies and individuals who have been convicted in the previous 12 months to highlight the consequences of disregarding duties imposed by the relevant legislation.

In addition, the council will also publicise anonymised information about the number of fixed penalty notices issued in the same period.

10 Partnership working

This policy relies on strong partnership working. We aim to work with the following partners in delivering the policy:

- Kidderminster Business Improvement District

- Town and Parish Councils
- West Mercia Police

11 The Storing and Disclosure of Information

Information collected or recorded as part of the Council's enforcement activities will be securely retained in a paper and/or electronic format for a period defined by legislation or required for future reference by the service. This information will include decisions taken about the choice of enforcement options.

The identity of a person providing the Council with information about other people committing crime, will remain confidential unless prior agreement by the person is obtained, or its disclosure is authorised by law or by a court of law.

Personal data held manually or as computer records will be handled in accordance with the Data Protection Act 2018 (DPA). This information will be used in accordance with the Council's DPA registration. Exemptions to this include where information is disclosed to other agencies or used for another reason for the purposes of detecting or preventing crime. This will include the sharing of information between Council services and with the police and other enforcement agencies. Sharing of information relating to the Crime and Disorder Act will be undertaken in accordance with the appropriate information sharing protocol.

Right of access to information held by the Council will be given on request, in accordance with the Freedom of Information Act 2000 and Environmental Information regulations 2004 unless the information is already publicly available (as described in the Council's Publication Scheme). Exemptions can be found in the Act, Regulations and the Council's publication scheme.

12 Complaints

Any complaint should be raised under the Council's feedback policy "Let Us Know".

[Let us know | Wyre Forest District Council \(wyreforestdc.gov.uk\)](http://wyreforestdc.gov.uk)

For clarity, the Let Us Know process cannot be used to dispute whether or not an environmental offence was committed. It is the process where feedback or complaints about the Council's officers or administrative processes can be raised. Stage 1 will be investigated by the Line Manager. Stage 2 will be carried out by the Service Manager or other senior officer. Please note that an officer will not automatically be withdrawn from any case as a result of a customer complaint.

In the event of a history of complaints by a business / individual against an officer, the Council reserves the right to send an additional officer on future visits to ensure:

- Verification of the officer's actions; and
- Protection for the officer should the complaints be made for reasons of intimidation.

This decision will be documented in the case file as well as on the database system.

13 Appeals

There is no appeal process against the issuing of a Fixed Penalty Notice. Any dispute

relating to the issue of a Fixed Penalty Notice may mean the appellant will be invited to attend an interview under caution in accordance with the Police and Criminal Evidence Act. In the event of refusal to pay, then the matter will be considered for prosecution.

The Community & Strategic Projects Manager / Senior Community & Environmental Protection Officer shall have the authority to cancel fixed penalty notices, but only if the notice is shown to have been wrongly served.

14 Monitoring and Review

This policy will be reviewed within two years of its implementation. The review will highlight successes as well as areas for improvement and how effective the policy has been in reducing the impact on local environmental policy. Reviews will also seek to introduce where necessary any new powers granted to local authorities in managing local environmental quality. The review will include measures such as:

- Reduction in the level of fly tipping
- Improvements in resident satisfaction relating to the cleanliness of the district
- Reduction in levels of abandoned vehicles
- Review numbers of FPNs issued, cancelled and the subsequent payment rate
- Review of complaints statistics
- Evaluation of waste and recycling statistics

15 Amendments to this Policy

As may be necessary, for instance with the issuing of new guidance by Government, amendments may be made to this Enforcement Policy at any time prior to a formal review. If such amendments do not deviate away from the overall spirit, they will be attached through an amendment document rather than re-issuing of the Enforcement Policy as a whole.

The Council's Legal Section will be consulted on any amendments, prior to being introduced as part of the policy.

Description of Offence	Legislation	Full Penalty Amount	Amount If paid within 14 days
Littering	Section 87 & 88 - Environmental Protection Act 1990	£500	£150
Graffiti	Section 43 - Anti-Social Behaviour Act 2003	£500	£150
Fly Posting	Section 43 - Anti-Social Behaviour Act 2003	£500	£150
Unauthorised Distribution of Free Literature on Designated Land	Schedule 3A, Paras 1 & 7 - Environmental Protection Act 1990	£150	£100
Nuisance Parking	Section 3 & 4 - Clean Neighbourhoods Act 2005	£100	n/a
Abandoning a Vehicle	Section 2A - Refuse Disposal (Amenity) Act 1978	£200	n/a
Fly-tipping	Section 33 & 33ZA - Environmental Protection Act 1990	£1000	£500
Failure to Produce Documentation	Section 34 & 34ZA - Environmental Protection Act 1990	£600	£300
Failure to Produce Authority	Section 5 - Control of Pollution (Amendment) Act 1989	£300	£200
Industrial & Commercial Waste Receptacle Offences	Section 47 - Environmental Protection Act 1990	£100	£75
Breach of Public Spaces Protection Order	Sections 63 & 67 - Anti Social behaviour, Crime, and Policing Act 2014	£100	n/a
Failure to comply with a Community Protection Notice	Sections 48 & 52 – Anti Social behaviour, Crime, and Policing Act 2014	£100	n/a

WYRE FOREST DISTRICT COUNCIL

CABINET

12TH SEPTEMBER 2023

PROCUREMENT OF ELECTRIC VEHICLE CHARGE POINTS

CABINET MEMBER:	Cllr Dan Morehead, Cabinet Member for Economic Regeneration, Planning and the Green Agenda
RESPONSIBLE OFFICER:	Ian Miller, Chief Executive
CONTACT OFFICER:	Milan Campion, Corporate Policy Officer
APPENDIX	Appendix 1 evaluation criteria

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval to enter a procurement exercise via the CCS framework - Vehicle Charging Infrastructure Solutions - RM6213 to appoint an operator who will install, maintain and operate electric vehicle charge points at a number of public car parks and other locations in the ownership of the Council.

2. RECOMMENDATION

The Cabinet is recommended to:

- 2.1 **APPROVE** the procurement exercise, timetable and the evaluation model contained in Section 4 of this report;
- 2.2 **DELEGATE** authority to the Chief Executive in consultation with the Solicitor to the Council, Head of Resources and s151 officer and the Cabinet Member for Economic Regeneration, Planning and the Green Agenda to evaluate the submissions received from the tender process and to enter licences in respect of land and other contractual documents as appropriate;
- 2.3 **DELEGATE** authority to the Chief Executive in consultation with the Solicitor to the Council to vary the Wyre Forest District Council Off Street Parking Places Order 2023 as necessary in light of the outcome of procurement, to specify spaces that are allocated only for use by vehicles connected to a charger for the purpose of charging and to permit the issuing of a penalty notice for any vehicle that is parked in a designated space but is not connected to a charger. The delegation includes considering and dealing with any objections to the variations to the order.

3. BACKGROUND

- 3.1 The previous attempt to procure electric vehicle charge points for public car parks was not successful: that procurement was predicated on the basis that the Council

would have to pay for equipment to be installed. While proposals that were compliant with the tender documentation were received, they would not have secured sufficient coverage within the budget allocated.

- 3.2 Since the previous tendering approach was devised, a number of operators are offering a fresh model for implementation under which the operator meets the cost of installation, maintenance and operation. Generally, it is expected that the operator will want to recover its up-front investment before being in a position to pay any fees for use of the Council's land. It may thus be some years before the Council would receive any payments. These would be secured contractually through licences to use areas of the Council's land for a specified period of between 15 and 25 years, with fees to the Council to commence at a date that would be specified in the selected operator's proposal.
- 3.3 The number of charging points, the car parks in which they would be deployed and the types of chargers (slow, fast, rapid and ultra-rapid) would be commercial decisions that would be set out in the operator's proposals, based on information that the Council would provide on usage and income from car parking charges for public car parks. Proposals would also be sought in respect of car parks at nature reserves and Brinton Park, and at Wyre Forest House and the Council's offices and depot at Green Street. It is not certain that any particular location would be included in an operator's proposal. The operator will use its commercial acumen to decide on the optimal provision, bearing in mind that it has to recover the cost of installation and maintenance for the life of the agreement.
- 3.4 At the public car parks with marked bays, installation of charging points is expected to reduce the number of bays, as generally 3 spaces will be required to accommodate each "pod" of two charging points. The Council may therefore lose some income but only to the extent that some public car parks are occasionally fully occupied at present. The car parks at Bull Ring and Bridge Street will not be included within scope as they are temporary and intended for redevelopment. It is proposed to seek operators' offers on the basis of 15, 20 or 25 year terms so that the most favourable period can be selected.
- 3.5 Operators will be invited to set out as part of their proposals how long installation would take. This would include obtaining planning permission if required - there are limitations in permitted development rights in relation to size, location etc. - and securing electricity supply including putting in sub-stations (if required). For its part the Council will have to amend the car parking order to specify which spaces are allocated only for use by vehicles connected to a charger for the purpose of charging. This would be underpinned by a new offence within the car parking order so that any vehicle that was parked in a designated space but was not connected to a charger could receive a penalty notice. Users of charging points would pay for electricity used and would also have to pay for parking if liable to do so under the provisions of the car parking order. Variations to the car parking order will be required and the recommendations include an appropriate delegation to progress this, once the outcome of the procurement process is known.

4. **KEY ISSUES**

Route to Procurement

4.1 Procurement will be via the CCS framework - Vehicle Charging Infrastructure Solutions - RM6213.

4.2 The proposed timetable is as follows:

Activity	Date TBC
Issue invitation to suppliers on the framework	Before end September 2023
Anticipated Bid Return Deadline	End October 2023
Decision on preferred operator; commence finalisation of legal documentation	November 2023
Implementation	Earliest possible date in line with operator's proposal (and subject to obtaining planning permission if required, securing electricity supply etc.)

Contractor Framework

4.3 The CCS framework - Vehicle Charging Infrastructure Solutions - RM6213 is a fully PCR 2015 compliant framework notified on Find a Tender Service. The framework offers a DPS system which allows buyers to filter through suppliers in order to find suitable contractors.

Evaluation criteria and scoring methodology

4.4 **Evaluation**

The marks available, relative weightings, and total score available for each element of the assessment are as shown in the table in Appendix 1. All proposals will be evaluated on a 60/40 split in favour of quality over price ("price" in this case will be the proposed fees to be paid to the Council).

4.5 The Council will review the financial standing of any operators prior to the award of the contract.

4.6 At the sole discretion of the Council, tenderers may be invited to present their proposals at a clarification meeting and demonstrate details of their submission. The meeting may be used to validate the provisional scores for the tenderer's written submissions in relation to quality and technical merit. The Council's tender evaluation panel may therefore reduce a tenderer's provisional score for their written submissions in relation to quality where the meeting indicates that a tenderer's provisional score on the basis of their written submission cannot be

justified. Conversely, the evaluation panel may increase a tenderer's provisional score where it considers their written submissions in relation to quality did not sufficiently reflect the quality of their actual delivery proposals.

5. FINANCIAL IMPLICATIONS

- 5.1 The proposed approach is expected to generate an income for the Council during the period of an agreement with an operator. The cost of conducting the procurement and implementing an agreement is largely represented by staff time, which is covered by existing budgets. No significant additional financial implications for the Council are expected, although there may be a minor loss of car park income as a result of reduction in the number bays that would be available: this is difficult to quantify and would arise only on occasions when a car park is fully utilised.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 Implementation of electric vehicle charging points supports the Council's declaration of a climate emergency in 2019 and will assist in supporting use of electric vehicles in the district, and therefore reducing emissions in accordance with the Council's duty to monitor and improve air quality under Part IV of the Environment Act 1995 and other relevant legislation.
- 6.2 There is uncertainty about the value of consideration to be received by the Council under the contract. In order to allow for the possibility that it might exceed the threshold where prior Cabinet approval for procurement is required, this report is being brought forward to avoid any inadvertent non-compliance with the contract procedure rules.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 This report relates to the procurement of an operator to deliver charging points so there is no requirement for an Equality Impact Assessment. The fundamental principles of no discrimination and transparency relate to all procurement exercises.

8. RISK MANAGEMENT

- 8.1 By using the CCS framework - Vehicle Charging Infrastructure Solutions - RM6213 risks are reduced as Wyre Forest District Council's requirement receives exposure to pre-qualified, suitable contractors, and an operator will be procured via a compliant procurement procedure.

9. CONCLUSION

- 9.1 The Cabinet is invited to approve proceeding with procurement as set out in this report.

10. CONSULTEES

- 10.1 Corporate Leadership Team

11. BACKGROUND PAPERS

- 11.1 Provision of Electric Vehicle Charging Infrastructure – strong leader report, approved 14 November 2022

Appendix 1 Evaluation criteria and scoring methodology

A.1 Contractor's Price (Fee to be paid to the Council) 40% Weighting

Contractor to provide a price for the fee that it would pay to the Council for each charging point that would be implemented. The proposal should make clear when the fee would commence, whether from the first year when the charging point would be operational or from a subsequent year. The proposal should make clear whether the fee to be paid per charging point would vary in respect of the speed of the charging point; and whether the fee to be paid would differ for a 15, 20 or 25 year contractual term.

NB it is a pass/fail requirement that there should be no cost for the Council. The contractor would bear all the costs of implementation, operation and maintenance, including the cost of obtaining planning permission, electricity connection etc.

In order to establish the total fee that a contractor is proposing to pay, the following calculation will be performed for each of the possible contractual terms in order to establish the average proposed annual fee to be paid to the council across the term of the contract (recognising that the actual fee in any given year may well be a different figure):

$$\frac{\text{(Number of charge points x fee to be paid to council for each charge point}^{\text{Note 1}} \times \text{number of years when fee will be paid}^{\text{Note 2}})}{\text{Length of the contractual term in years}^{\text{Note 3}}}$$

Length of the contractual term in years ^{Note 3}

Note 1 This will take account of the possibility that the fee to be paid may vary depending on the speed of the charging point.

Note 2 This will be derived from the contractor's proposal in terms of when fees would start to be paid. For example, if fees would be paid at the beginning of the fourth year of a 20 year contract, this would be 17 years (20 – 3); if fees would be paid from the beginning of the eighth year of a 15 year contract, this would be 8 years (15 -7); if fees would be paid throughout a 25 year contract, this would be 25 years.

Note 3 This will be either 15, 20 or 25.

The average proposed annual fee for each proposal will be awarded a score proportionate to the highest proposed annual fee received, both calculated using the formula above – the score would be derived by applying the following formula:

score = (average proposed annual fee / highest proposed annual fee) x 40

A.2 Quality Scoring 60% Weighting

Summary Criteria	Weighting	Total Percentage
Total number of charge points proposed	40%	24%
Total number of car parks that would have some provision	20%	12%

(NB pass/fail requirement that there must be provision in at least one town centre car park in each of Bewdley, Stourport and Kidderminster)		
Experience of implementing and operating similar schemes	20%	12%
Management of the installation/works	20%	12%

More detail of the assessment process for quality is included at A.4.

A.3 For *Pass/Fail* questions, Suppliers must achieve a rating of 'Pass'; any bids receiving a 'Fail' on any question will be disqualified. For scored questions, the Authority will assess Tenderers' responses to each question against the criteria set out in the following table and will award points up to the maximum shown against each heading. Failure to achieve a rating of at least Satisfactory for any one or more questions may result in the Supplier being disqualified at the Authority's discretion.

Evaluation of Quality Criteria

A.4 All Tenders will be evaluated against the sub-quality criteria noted in Table A.2 above. Tenderers are required to provide their quality submissions by completing the relevant sections in the "Response to Quality Criteria" section of the submission.

The following matrix illustrates how responses to quality criteria will be assessed.

Score	Judgement	Interpretation
10	Exceptional	Exceptional level of understanding of the subject. An extensive and thorough response, covering every aspect in great detail and going above and beyond to show the bidders expertise.
9	Outstanding	A high level of detail and information provided across all areas. Every area of detail is covered very well and the bidder has a clear understanding of the question.
8	Very good	The response covers all areas of the question in good detail. The understanding of the question is strong and only very few aspects are not completely covered.
7	Good	The bidder has given further detail of most of the points presented in the response. All relevant areas are covered, and the bidder has a good understanding of the requirements being asked.
6	Fair	All key points are covered with detail added into some of the points to

		demonstrate the bidders ability in regard to the question.
5	Average	Response covers the whole core of the question in a basic level of detail. There is a distinct lack of expansion in the detail.
4	Below average	The response covers a majority of the requirements of the question. The detail is still very limited.
3	Poor	Half of the key points are covered in little detail.
2	Weak	Only little amounts of content, only covering a small number of relevant areas with basic information.
1	Very weak	Minimal content covered, barely reflecting any aspects of the question.
0	Non-compliant	No response submitted.

A.5 The evaluation process will consider all relevant submitted evidence and written information provided by each Tenderer, in relation to the specific requirements as set out within this ITT and the supporting documentation. There will be an initial check of all Tenders for completeness and compliance with the tendering instructions (including a check that the Tender is a “compliant Tender”). Any submissions that in the opinion of the Council do not meet the requirements set out in this ITT may be rejected as non-compliant and will not be evaluated further.