

**Open**

## **Cabinet**

## **Agenda**

**6pm  
Tuesday, 9 April 2024  
Council Chamber  
Wyre Forest House  
Finepoint Way  
Kidderminster**



## Cabinet

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

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

### **Scrutiny of Decisions of the Cabinet**

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

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

*The deadline for "calling in" Cabinet decisions is 5pm on Friday 19 April 2024.*

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](mailto:louisa.bright@wyreforestdc.gov.uk)

### **Urgent Key Decisions**

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

### **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](mailto:louisa.bright@wyreforestdc.gov.uk)

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

### **WEBCASTING NOTICE**

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

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

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

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

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

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

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

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

Wyre Forest District Council

Cabinet

Tuesday, 9 April 2024

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

| Agenda item | Subject  | Page Number |
|-------------|--|-------------|
| 1.          | <b>Apologies for Absence</b>   |             |
| 2.          | <b>Declarations of Interests by Members</b><br><br>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.<br><br>Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details. |             |
| 3.          | <b>Minutes</b><br><br>To confirm as a correct record the Minutes of the meeting held on the 13 February 2024.  | 7           |
| 4.          | <b>CALL INS</b> a verbal update will be given on any decisions which have been "called in" since the last meeting of the Cabinet.  |             |
| 5.          | <b>Items Requiring Urgent Attention</b><br><br>To consider any item which, in the opinion of the Chairman requires consideration at the meeting as a matter of urgency.  |             |
| 6.          | <b>Public Participation</b><br><br>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 Thursday 28 March 2024. (See front cover for contact details).   |             |

| 7.  |  |                     |
|-----|--|---------------------|
| 7.1 | <p style="text-align: right;"><b>Councillor D Ross</b></p> <p><b>Budget and Performance Monitoring Third Quarter 2023-24</b></p> <p>To consider a report from the Head of Resources and Section 151 Officer that briefs members on the Council's financial and other performance at the end of Quarter 3 ending 31 December 2023 and presents the current projected outturn position for the 2023-24 financial year.</p> <p><i>The appendices to this report have been circulated electronically</i></p> <p>Also to consider recommendations from the Overview &amp; Scrutiny Committee from its meeting on 7 March 2024..</p> | <p>13</p> <p>41</p> |
| 7.2 | <p><b>Risk Management – Corporate Risk Management Policy and Strategy</b></p> <p>To consider a report from the Head of Resources that presents the updated Risk Management Policy and Strategy including Risk Impact and Scoring criteria.</p>   | 42                  |

| 8.  |   |                     |
|-----|---|---------------------|
| 8.1 | <p style="text-align: right;"><b>Councillor I Hardiman</b></p> <p><b>Update to the Housing Assistance Policy 2024</b></p> <p>To consider a report from the Head of Strategic Growth to update the council's Housing Assistance Policy on the use of the Better Care Fund and other resources for the provision of disabled facilities grants (DFG) and other forms of financial assistance for property repair, adaptation and improvement and amendments in response to changes in typical costs and economic circumstances of applicants.</p> <p><i>The appendix to this report has been circulated electronically</i></p> <p>Also to consider recommendations from the Overview &amp; Scrutiny Committee from its meeting on 7 March 2024.</p> | <p>63</p> <p>69</p> |

| 9.  |   |                     |
|-----|---|---------------------|
| 9.1 | <p style="text-align: right;"><b>Councillor D Morehead</b></p> <p><b>Wyre Forest District Council Design, Amenity and Shopfronts Supplementary Planning Document</b></p> <p>To consider a report from the Head of Strategic Growth that presents the Wyre Forest District Council (WFDC) Design, Amenity and Shopfronts Supplementary Planning Document (SPD).</p> <p>Also to consider recommendations from the Overview &amp; Scrutiny Committee from its meeting on 7 March 2024.</p> | <p>70</p> <p>73</p> |

|     |   |                     |
|-----|---|---------------------|
| 9.2 | <p><b>Wyre Forest District Council Housing Supplementary Planning Document</b></p> <p>To consider a report from the Head of Strategic Growth that presents the Wyre Forest District Council (WFDC) Housing Supplementary Planning Document (SPD) following the recent consultation exercise.</p> <p><i>The appendices to this report have been circulated electronically</i></p> <p>Also to consider recommendations from the Overview &amp; Scrutiny Committee from its meeting on 7 March 2024.</p> | <p>74</p> <p>79</p> |
| 9.3 | <p><b>Stourport No.1 and No.2 Draft Character Appraisals and Management Recommendations</b></p> <p>To consider a report from the Head of Strategic Growth that presents the draft Conservation Character Appraisals and Management Recommendations for Stourport No.1 and Stourport No.2 Conservation Areas and to agree that they be consulted upon.</p> <p>Also to consider recommendations from the Overview &amp; Scrutiny Committee from its meeting on 7 March 2024.</p>                        | <p>80</p> <p>83</p> |

|     |  |  |
|-----|--|--|
| 10. | <p><b>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</b></p>  |  |
| 11. | <p><b>Exclusion of the Press and Public</b></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

|     |   |  |
|-----|---|--|
| 12. | <p><b>To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</b></p> |  |
|-----|---|--|

**WYRE FOREST DISTRICT COUNCIL**

**CABINET**

**COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER**

**13 FEBRUARY 2024 (6PM)**

---

**Present:**

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

**Observers:**

Councillors: L Carroll and F M Oborski MBE.

Observed remotely: Councillors: H E Dyke and A Sutton.

**CAB.60 Apologies for Absence**

There were no apologies for absence.

**CAB.61 Declarations of Interests by Members**

No declarations of interest were made.

**CAB.62 Minutes**

**Decision: The minutes of the Cabinet meeting held on the 20 December 2023 and the minutes of the additional meeting held on the 16 January 2024 be confirmed as a correct record and signed by the Chairman.**

**CAB.63 Call Ins**

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

**CAB.64 Items Requiring Urgent Attention**

There were no items requiring urgent attention.

**CAB.65 Public Participation**

There was no public participation.

**CAB.66 Medium Term Financial Strategy 2024-2027 and Capital Strategy 2024-2034**

A report was considered from the Head of Resources that updated Cabinet on the Medium-Term Financial Strategy (MTFS) 2024-2027 and made recommendations to Council on the proposed budget decision. The report also sought approval of the Capital Strategy for 2024-2034 including prudential indicators which set limits for non-financial investments and to fulfil the key

requirements of the DLUHC Investment Guidance. As part of the overall approval sought the report of the Head of Resources in respect of statutory duties placed on Local Authority Chief Financial Officers in relation to budget setting and monitoring was considered.

The Cabinet Member for Finance and Capital Portfolio presented the report. He thanked the Head of Resources for the comprehensive and detailed 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 in December the Cabinet considered proposals for the budget strategy for 2024-2027 including the intrinsically linked Capital Strategy 2024-2034. He added that the final Local Government Finance Settlement was published on 5 February 2024 and the report provided an updated position and a proposed budget decision for Council to consider on 21 February 2024.

The Cabinet Member further explained that the responses to the budget consultation survey had been considered by the Strategic Review Panel in January and he thanked the Liberal Democrat Group for submitting a set of alternative budget proposals.

Councillor H Dyke left the meeting at 6.20pm

The Cabinet Member said that the MTFS contained the Cabinet's spending proposals. He explained that they had been revised following careful consideration of the budget consultation responses and alternative budget proposals. He added that the ten proposals demonstrated investment to deliver actions set out in the new corporate plan. He outlined each proposal in turn.

The Leader seconded the recommendations.

**Decision: The CABINET having re-considered the Financial Strategy 2024-2027, the results of the Budget consultation exercise, alternative budget proposals and recommendations of the Strategic Review Panel RECOMMENDS TO COUNCIL that it:**

**1.1 THREE YEAR BUDGET, CAPITAL STRATEGY AND POLICY FRAMEWORK 2024-2027**

**1.1.1 APPROVES the updated Medium-Term Financial Strategy 2024-2027.**

**1.1.2 APPROVES the Cabinet Proposals – taking into account the impact on the Council's Capital and Revenue Budgets for 2024-2027 as shown in the tables in paragraphs 6.1 and 6.3 and as set out below:**

- a) provision of community leadership funding of £1,000 for each councillor across the period of the MTFS, at a cost of £33k in each year.**



- b) delivering actions set out in the new corporate plan by increasing capacity in the Civil Enforcement team at a cost of £39k in the second year. This will provide funding for one additional enforcement post in 2025-26.**
- c) delivering actions set out in the new corporate plan by increasing litter picking activity at a cost of £52k/£56k in 2024-25 and 2025-26.**
- d) capital investment of £50k for accessible play equipment, which will have a revenue cost for the borrowing of £7.5k/year.**
- e) a spend to save proposal to provide permanent capacity within the property team, at a cost of £116k/£120k/£123k to progress commercial rental income growth in line with the priority within the 2023-27 Corporate plan; cost of temporary agency resource is currently met from risk reserves; cost to be fully recouped from income growth from commercial rents.**
- f) changes to the senior management structure to provide capacity for delivery of the priorities in the corporate plan, at a cost of up to £11k/£15k/£15k.**
- g) introduction of free one hour parking at one car park in each of the three towns, Monday to Friday, 8am to 6pm. This builds on the arrangements put in place in Bewdley in November as a consequence of the long-term traffic works. This is anticipated to cost £51k/£54k/£57k.**
- h) to introduce web casting of meetings of Overview and Scrutiny Committee at a cost of £1k in each year to allow maximum access for the public and in order to be fully open and transparent.**
- i) to explore and develop a commercial proposal to bring long term empty homes back into use to increase housing supply and help meet housing demand; and support an allocation from the Innovation Fund of up to £10k to fund the feasibility study.**
- j) to hold a public engagement event with businesses, residents and stakeholders at Wyre Forest House for a State of the Area debate.**

**1.1.3 APPROVES the fees and charges in line with this Strategy, and the impact on the Council's Revenue Budget for 2024-2027, as shown in Appendix 3.**

**1.1.4 APPROVES the Council's updated Capital Strategy:**

- a) **Approval of the Capital Strategy 2024-2034 set out in Appendix 1 of the December Cabinet report and the updated, associated Quantitative Indicators set out in Appendix 2C of the report**
  - b) **Approval of variations to the Capital Programme and Vehicle, Equipment and Systems Renewals Schedule as set out in Appendices 2A and 2B, of the report (which updates Appendix 1 of the Capital Strategy report to December 2023 Cabinet)**
  - c) **Approval of the limits for gross debt for non-treasury investments compared to net service expenditure and for commercial income as a percentage of net service expenditure as set out in Appendix 2C of the report.**
- 1.1.5 APPROVES that any Final Accounts savings arising from 2023-2024, together with surplus Earmarked Reserves, be allocated by the Head of Resources in consultation with the Cabinet Member for Finance and Capital Portfolio.**
- 1.1.6 The General Fund Revenue Budget be APPROVED including all updates from the position in December 2023 as set out in the report.**
- 1.2 COUNCIL TAX AND BUSINESS RATES**
- 1.2.1 That Council Tax is increased by the higher limit specified by the Government of 3% and:**
- a. **SETS the Council Tax for Wyre Forest District Council on a Band D Property at £243.29 for 2024-2025 which represents an increase of 3% on Council Tax from 2023-2024.**
  - b. **ENDORSES the provisional Council Tax on a Band D Property in 2025-2026 of £250.58 and £258.09 in 2026-2027, being increases of 3%.**
- 1.2.2 NOTES the Head of Resources (as Chief Financial Officer) opinion on the budget proposals, recommended by the Cabinet in the report, as detailed in Appendix 4 of the report.**
- 1.3 The Cabinet APPROVED:**
- 1.3.1 **Delegated authority is given to the Head of Resources, in consultation with the Cabinet Member for Finance and Capital portfolio, to make any appropriate adjustments to the General Fund Revenue Budget recommended under paragraph 1.1.6 above, as a result of any further notifications from Central Government.**

**1.4 The Cabinet NOTED in line with the recommendations of the Strategic Review Panel:**

**1.4.1 The Alternative budget proposals as detailed within Appendix 5 of the report, further noting that updated versions as appropriate will be provided for Full Council on the 21st February 2024.**

**CAB.67 Wyre Forest District Council Local Development Scheme**

A report was considered from the Head of Strategic Growth that presented the updated Wyre Forest District Council Local Development Scheme (LDS).

The Cabinet Member for Economic Regeneration, Planning and the Green Agenda presented the report. He gave a summary of the background and key issues detailed in the report and formally moved the recommendations for approval.

He explained that Local Planning Authorities were required to produce a LDS under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). He said the LDS must specify the documents which make up the Local Development Documents (LDDs) for the area.

The Cabinet Member added that for Wyre Forest the Development Plan Documents are the Local Plan and any Supplementary Planning Documents (SPDs). The LDS sets out the timetable for the production of the LDDs which will be produced by the authority over a three-year period (2023-2026).

In conclusion he said adoption of the LDS would meet the statutory requirement under the Act and it was necessary to introduce or update policy documents to reflect current national and local policy.

The Leader seconded the recommendations.

The Vice-Chairman of the Overview and Scrutiny Committee, Councillor F Oborski MBE presented the recommendations from its meeting on 11 January 2024. She thanked the Officers for an excellent report.

**Decision: In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 11 January 2024:**

**The Cabinet AGREED the adoption of the revised Local Development Scheme.**

**CAB.68 Review of Statement of Community Involvement**

A report was considered from the Head of Strategic Growth that presented the draft Wyre Forest District Council Statement of Community Involvement (SCI) and sought agreement that it be consulted upon.

The Cabinet Member for Economic Regeneration, Planning and the Green

Agenda presented the report. He gave a summary of the background and key issues detailed in the report and formally moved the recommendations for approval.

He explained that the Council's first SCI was produced in May 2006 and updated in February 2013 as there had been a number of changes to planning policy and legislation. He said these were introduced through the Localism Act 2011 and the National Planning Policy Framework in March 2012. The SCI was partially updated in 2020 in response to updated government regulations (April 2020) as a result of the Covid-19 (Coronavirus) pandemic. He added that under the Planning and Compulsory Purchase Act 2004 (as amended), Local Authorities were required to review their SCI every 5 years.

The Cabinet Member further explained that although not formally required, it was considered good practice to go out to consultation and therefore it was proposed that a six week consultation period be held between 19 February and 2 April 2024. He added that following the consultation period, a final version of the revised SCI would be considered by the Overview and Scrutiny Committee with a view to it being adopted by Cabinet in summer 2024.

The Leader seconded the recommendations.

Councillor F Oborski MBE presented the recommendations from the Overview and Scrutiny Committee meeting on 11 January 2024.

**Decision: In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 11 January 2024:**

**The Cabinet AGREED that a six week public consultation on the revised draft Statement of Community Involvement be undertaken.**

There being no further business, the meeting closed at 6.34pm.

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

**WYRE FOREST DISTRICT COUNCIL**

**CABINET**

**9<sup>TH</sup> APRIL 2024**

**Budget and Performance Monitoring Third Quarter 2023-24**

| <b>OPEN</b>                 |   |
|-----------------------------|---|
| <b>CABINET MEMBER:</b>      | Councillor D Ross,<br>Cabinet Member for Finance and Capital<br>Portfolio   |
| <b>RESPONSIBLE OFFICER:</b> | Head of Resources and s151 Officer  |
| <b>CONTACT OFFICERS:</b>    | Helen Ogram<br><a href="mailto:Helen.Ogram@wyreforestdc.gov.uk">Helen.Ogram@wyreforestdc.gov.uk</a><br>Kath Pearsall<br><a href="mailto:Kathryn.pearsall@wyreforestdc.gov.uk">Kathryn.pearsall@wyreforestdc.gov.uk</a><br>Lisa Hutchinson<br><a href="mailto:Lisa.Hutchinson@wyreforestdc.gov.uk">Lisa.Hutchinson@wyreforestdc.gov.uk</a><br>Lucy Wright<br><a href="mailto:Lucy.wright@wyreforestdc.gov.uk">Lucy.wright@wyreforestdc.gov.uk</a>  |
| <b>APPENDICES:</b>          | Appendix 1A - Wyre Forest District<br>Council Revenue Budget Requirements<br>Appendix 1B - Revenue Budget<br>projections - Estimated Outturn<br>Variances at Quarter 3<br>Appendix 2 - Capital Programme<br>Appendix 3 - Budget Risk Matrix<br>Appendix 4 - Analysis of Outstanding Debt<br>Appendix 5 - C&E Commercial Income<br>analysis<br>Appendix 6 - How we are doing performance<br>reports<br><i>The appendices to this report have been<br/>circulated electronically and a public<br/>inspection copy is available on request.<br/>(See front cover for details.)</i> |

**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 3 ending 31<sup>st</sup> December 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 **£152k** better than the position forecast in the 2024-27 Medium Term Financial Strategy (MTFS).

**Capital** – the approved Capital Programme for 2023-24 is £30.933m. The forecast

slippage to future years at Quarter 3 is currently anticipated to be circa £10.160m.

- 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. The 2023-24 Wyre Forest Forward target of £177,000 has been fully achieved in the current year but further transformation savings are focussed on the waste service.
- 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, virements 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.**
- 2.3 **The recommendation from the Overview and Scrutiny Committee from its meeting on 7<sup>th</sup> March.**

## **3. BACKGROUND**

- 3.1 Budget projections are reviewed regularly and reported to Overview and Scrutiny Committee and Cabinet on a quarterly basis. The 2023-24 Revised Budget was approved as part of the 2024-27 Medium Term Financial Strategy (MTFS) by Council on 21<sup>st</sup> February 2024. Performance is measured against the Revised Budget presented within the 2024-27 Strategy (Appendix 1). The current forecast shows a net underspend against the Revised Budget of £152k.
- 3.2 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 continue to be refined.
- 3.3 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.
- 3.4 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.
- 3.5 Year-to-date monitoring shows that in year income from business rates payers will be inline with the position previously estimated with no noticeable increase in empty reliefs. The Worcester Street properties being demolished as part of the regeneration of Kidderminster have been removed from the rating list by the VOA, but this was built into the original estimate.

- 3.6 Collection rates at the end of the third quarter are consistent with those achieved last year for Council Tax. The collection rates for business rates are behind those reported for the same period last year but consistent with previous years and are being closely monitored. The MTFS takes a prudent assessment of growth above baseline, this position is being closely monitored and assumptions revised, as necessary. The position in relation to the 2023-24 year-end provisions for appeals cannot be estimated with accuracy at this time as a large number of appeals have been processed by the VOA, so this could result in variances. The existing provision is not expected to be sufficient to meet the cost of refunds and an in year adjustment to the appeals provision has been made when calculating the estimated year end position reported on the NDR1 return. The adjustment is carried forward to future years and is reflected in the 2024-27 MTFS.
- 3.7 The 2024-27 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.
- 3.8 The best value theme, centred around use of resources in the consultation draft of 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.
- 3.9 A revised Capital Strategy 2024-34 was approved by Council on 21<sup>st</sup> February 2024. The revised Strategy covers all capital expenditure and sets out reporting and planning for financial risk implications in relation to non-treasury investments.

#### **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 the current projected outturn position with variances against the budget approved by Council on 21<sup>st</sup> February 2024. 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:

**Table 1: Quarter 3 Revenue Budget variances and Estimated Outturn 2023-24**

| SERVICE REPORTING GROUP                      | Original Budget | Q2 Outturn Projection | Q2 Variance | Revised Budget | Quarter 3 Outturn Projection | Variance Outturn to Revised | Variance/ Change in assumptions to Q2 |
|--|-----------------|-----------------------|-------------|----------------|------------------------------|-----------------------------|---------------------------------------|
|  | £000            | £000                  | £000        | £000           | £000                         | £000                        | £000                                  |
| Chief Executive and Solicitor to the Council | 2,219           | 2,824                 | 605         | 2,865          | 2,874                        | 9                           | 50                                    |
| Community and Environment                    | 5,482           | 5,600                 | 118         | 5,434          | 5,338                        | (96)                        | (262)                                 |
| Economic Development and Regeneration        | 249             | 586                   | 337         | 563            | 531                          | (32)                        | (55)                                  |
| Resources                                    | 2,448           | 2,338                 | (110)       | 2,295          | 2,275                        | (20)                        | (63)                                  |
| Revenues Benefits and Customer Services      | 1,390           | 1,452                 | 62          | 1,444          | 1,444                        | 0                           | (8)                                   |
| Strategic Growth                             | 2,064           | 2,112                 | 48          | 2,287          | 2,274                        | (13)                        | 162                                   |
| Contribution from General Risk Reserve (Pay) |                 | (150)                 | (150)       |                |                              |                             | 150                                   |
| <b>Services Total</b>                        | <b>13,852</b>   | <b>14,762</b>         | <b>910</b>  | <b>14,888</b>  | <b>14,736</b>                | <b>(152)</b>                | <b>(26)</b>                           |
| Investment Income                            | (750)           | (1,330)               | (580)       | (1,810)        | (1,810)                      | 0                           | 580                                   |
| Capital Account (net of use of EMR for FHSF) | 585             | 585                   | 0           | 235            | 235                          | 0                           | 0                                     |
| <b>NET SERVICE TOTALS</b>                    | <b>13,687</b>   | <b>14,017</b>         | <b>330</b>  | <b>13,313</b>  | <b>13,161</b>                | <b>(152)</b>                | <b>554</b>                            |

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 17<sup>th</sup> July 2023 by £5.738m. The funding for the additional expenditure includes £2.950m direct revenue financing, shown against the Capital account above. This expenditure is largely being met by transfers from Earmarked Reserves.

The assessment of variances is based on a wide range of assumptions, and the forecasts will continue to be refined and reset.

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

**Table 2: Quarter 3 Capital Spend and Draft Slippage 2023-24**

| 2023-24 Capital Programme                            | Updated Capital Programme 2023-24 (including slippage from 2022-23)<br>£ | Q3 Capital Outturn 2023-24<br>£ | Revised 2023-24 Capital Programme<br>£ | Draft Outturn at Q3<br>£ | Draft Slippage/ Reprogramming for future years<br>£ |
|--|--|---------------------------------|--|--------------------------|---|
| Community and Environmental Services                 | 2,818,780  | 40,597                          | 214,800                                | 120,600                  | 94,200  |
| Resources and Revenues, Benefits & Customer Services | 502,480  | 29,265                          | 502,480                                | 502,480                  | 0   |
| Strategic Growth                                     | 14,534,310   | 3,169,263                       | 7,860,140                              | 5,458,910                | 2,401,230   |
| Economic Development & Regeneration                  | 41,653,400   | 5,424,485                       | 21,236,170                             | 14,091,630               | 7,144,540   |
| Chief Executive and Solicitor to the Council         | 413,610  | 0                               | 0                                      | 0                        | 0   |
| Vehicle, Equipment and Systems Renewal Schedule      | 1,119,720  | 223,873                         | 1,119,720                              | 599,720                  | 520,000   |
| <b>Total</b>   | <b>61,042,300</b>  | <b>8,887,483</b>                | <b>30,933,310</b>                      | <b>20,773,340</b>        | <b>10,159,970</b>                                   |

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 the Major Capital projects update at section 8, the How are we doing performance section and 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.

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



## 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 table below provides key information relating to the latest estimated outturn position. It takes into account the impact of new and emerging cost pressures and the Quarter 3 Budgetary Control projections presented in this report.
- 5.2 The tables below present the reserves position with the current (quarter 3) projected outturn for 2023-24.

**Table 3: Reserves statement adjusted for Quarter 3 Estimated Outturn**

| <b>Reserves Statement</b>          | <b>Revised<br/>2023-24<br/>£</b> | <b>2024-25<br/>£</b> | <b>2025-26<br/>£</b> | <b>2026-27<br/>£</b> |
|------------------------------------|----------------------------------|----------------------|----------------------|----------------------|
| Reserves as at 1st April           | 3,468,050                        | 3,835,110            | 3,493,240            | 2,542,810            |
| Contribution to/(from) Reserves    | 215,060                          | (341,870)            | (950,430)            | (1,536,750)          |
| 2023-24 Projected Outturn variance | 152,000                          |                      |                      |                      |
|                                    |                                  |                      |                      |                      |
| Reserves as at 31st March          | <b>3,835,110</b>                 | <b>3,493,240</b>     | <b>2,542,810</b>     | <b>1,006,060</b>     |

- 5.3 The Council's expenditure plans exceed its funding position. Each year of the 2024-27 MTFS is balanced by a contribution from reserves. The reserves position is reported after consideration of current savings targets and income growth projections. In the absence of additional income, further savings and efficiency measures or additional Government funding, the Council will exhaust its general fund balances in 2027-28 and will be unable to set a balanced 3 year budget beyond this year. The Cabinet and officers are working towards implementing further savings and efficiency measures and exploring additional income generation proposals.

### **Earmarked Reserves**

- 5.4 The Council's earmarked reserves held at 1<sup>st</sup> April 2023 totalled £13.193m. The balance includes Business Rates reserves held in respect of the time lag inherent within the current Business Rates Retention (BRR) system.
- 5.5 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 £1.311m. (reported after the allocation for FHSF £692k).

**Table 4: Earmarked Reserves latest balances**

| Earmarked Reserves      | Reserves<br>b/f at<br>01/04/23 | Spend to<br>31/01/24 | New<br>Reserves<br>Added | Commitments<br>outstanding | Balance<br>available |
|-------------------------|--------------------------------|----------------------|--------------------------|----------------------------|----------------------|
|                         | £000                           | £000                 | £000                     | £000                       | £000                 |
| External Funding        | 2,318                          | 367                  | 0                        | 1,028                      | 923                  |
| Shared Service          | 468                            | 29                   | 0                        | 101                        | 337                  |
| WFDC Budget             | 3,683                          | 53                   | (15)                     | 621                        | 3,025                |
| Innovation Fund         | 1,178                          | 33                   | 0                        | 673                        | 472                  |
| General Risks           | 2,299                          | 0                    | 0                        | 988                        | 1,311                |
| <b>Sub Total</b>        | <b>9,945</b>                   | <b>482</b>           | <b>(15)</b>              | <b>3,410</b>               | <b>6,069</b>         |
| Covid Reserves          | 52                             | 0                    | 0                        | 52                         | 0                    |
| Business Rates (timing) | 1,796                          | 0                    | 0                        | 1,424                      | 372                  |
| Business Rates (risk)   | 1,400                          | 0                    | 0                        | 1,400                      | 0                    |
| <b>Total</b>            | <b>13,193</b>                  | <b>482</b>           | <b>(15)</b>              | <b>6,286</b>               | <b>6,440</b>         |

- 5.6 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 reserve to support the economic development schemes in Kidderminster, that support regeneration, was considered acceptable due to business rates growth that can be expected to be generated from the completed schemes, strong furtherance of Council key priorities 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 recurring operational expenditure would put the financial viability of the Council at risk.

## 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 current and previously reported budget pressures and savings. Further detail is provided in Appendix 1B

**Table 5: Quarter 3 estimate of major revenue variances compared to approved budget**

| Estimate of major variances compared to approved budget assumptions | Variance to Original Budget |                | Q3 Variance to Revised Budget |
|---|-----------------------------|----------------|-------------------------------|
|   | Reported at Quarter 2       | Revised Budget |                               |
|   | £000                        | £000           | £000                          |
| General inflation   | 93                          | 84             | (14)                          |
| Pay inflation (net of vacancy savings)                              | 150                         | 177            | (31)                          |
| Other Cost Pressures net of budget savings                          | 430                         | 254            | (94)                          |
| Insurance renewal   | 45                          | 45             | 0                             |
| Localism savings target   | 200                         | 200            | 0                             |
| Income shortfall net of income growth                               | 167                         | 300            | (13)                          |
| <b>Total Service Variances</b>                                      | <b>1,085</b>                | <b>1,060</b>   | <b>(152)</b>                  |
| Revenue impact of capital programme slippage                        |                             | (362)          |                               |
| Investment Income (net of ringfenced sums)                          | (580)                       | (1,047)        |                               |
| <b>Total Service Variances</b>                                      | <b>505</b>                  | <b>(349)</b>   | <b>(152)</b>                  |
| Contribution from Property EMR                                      | (25)                        | (25)           |                               |
| Transfer from general risk reserve re pay                           | (150)                       |                |                               |
| <b>Total Variances</b>  | <b>330</b>                  | <b>(374)</b>   | <b>(152)</b>                  |

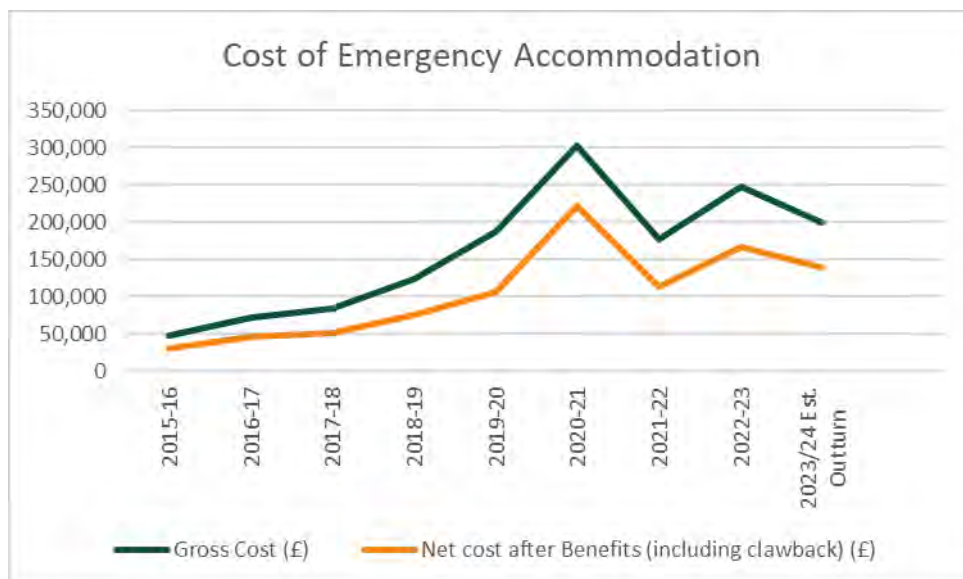
### 6.3 Demand led cost pressures

#### Homelessness Support – Emergency Accommodation

Since 2015/16 there has been significant and sustained growth in the numbers of people needing to be accommodated in temporary accommodation due to homelessness. During 2023-24 there have been record numbers of households accommodated.

Some elements of the statutory homeless services are funded through Homelessness Prevention Grant and other discretionary funding available for crisis interventions which is ring fenced for specific purposes. This funding is insufficient to meet the full cost of the service and the balance is met from general grants and local taxation.

The cost of emergency accommodation provision has increased fourfold since 2015-16, with the estimated cost in 2023-24 being circa £200k.



Homelessness provision was identified as an emerging cost pressure in the Quarter 1 and Quarter 2 performance reports. Challenging market conditions, instability in the private rented sector, increases in complexity of need and changes to homelessness legislation are all key drivers for ongoing and sustained demand for homeless services and emergency accommodation. Limited social housing supply and affordability and availability issues within the private rented sector continue to present significant barriers

to helping move people to more permanent accommodation.

Where there is insufficient capacity in council owned or commissioned accommodation, the service uses private sector temporary accommodation. Meeting demand in this way is costly as the council is unable to recover all of the Housing Benefit (HB) due to housing subsidy clawback provisions. Indeed HB for temporary accommodation is set artificially low at 90% of local housing allowance rates for January 2011, which ignores 13 years of inflation in rents. Hotels and Bed and Breakfasts are also not exclusive to the Council so there is a mix of members of the public and other council placements also occupying the property. If demand outstrips supply, then the Council must look for other more costly and/or out of district placements.

The Housing Advice Team (HAT) engage in two workstreams that collectively can reduce the need to place households and reduce the time spent in Emergency Accommodation:

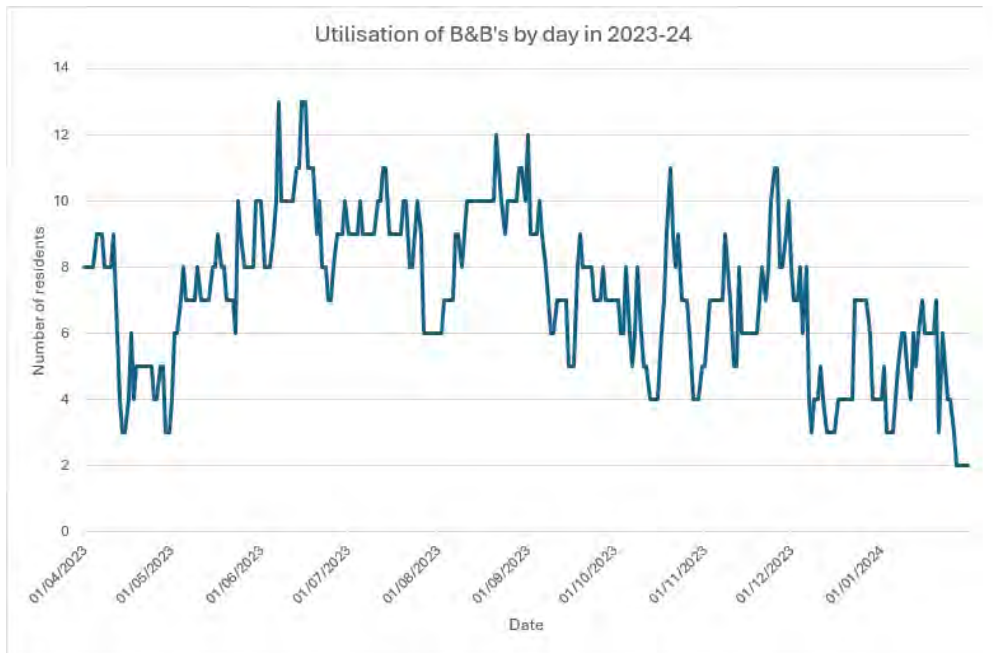
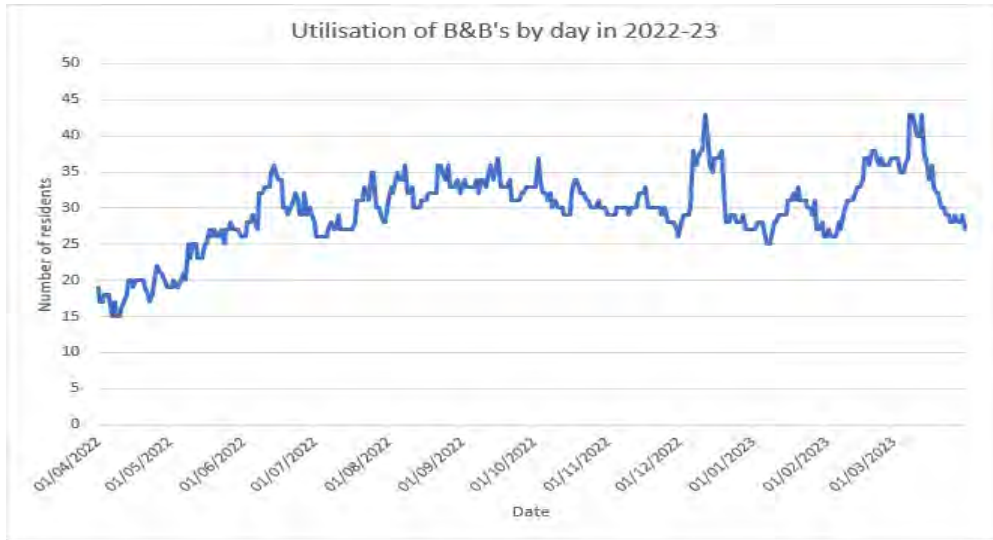
- Support and interventions to prevent homelessness occurring.
- Working with those where we have a duty to provide temporary accommodation to find more permanent solutions to prevent blockages.

This is supported by the wider Strategic Growth team whose work compliments that of the HAT through:

- Commissioning partners that also support the reduction of homeless approaches or provide alternative temporary accommodation
- Working with the private rented sector to provide accommodation through rent bonds or private sector leasing
- Bringing units of council owned property back into use as an alternative form of temporary accommodation
- Through the enabling role, developing accommodation through partnerships with Registered Providers and s106 agreements with Developers including for supported housing.

The Council has ambitious plans to increase supply through private sector leasing, delivery of a social letting agency and through an on-going programme of building temporary accommodation capacity through acquisition, development and conversion. Work has commenced on the purpose built temporary accommodation at Castle Road in Kidderminster, along with refurbishment of council owned property at two locations in Stourport. The whole team are jointly revising the bed and breakfast reduction plan to continue to reduce the costs of emergency provision before Castle Road comes online. These activities collectively will reduce use of private sector emergency provision and help to close the funding gap.

The graphs below show data relating to emergency housing placements. The levels in 2023-24 are much reduced illustrating the success of the reduction plan.



The Council has been successful in being awarded the following funding:

- Rough Sleeper Initiative 5 - £970,670 over three years (including three shared posts)
- Rough Sleeper Accommodation Programme - £87,000 over three years

However, there are significant recruitment and retention challenges within the Housing and Support sector and the team has experienced a high turnover of staff over the last 12 months. Carrying vacancies reduces capacity and the number of interventions /households that can be supported and reduces ability to manage demand.

## 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. In general, income has recovered well but 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 table and graphs below. Overall, performance is expected to be marginally ahead of the target approved by Council in February.

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

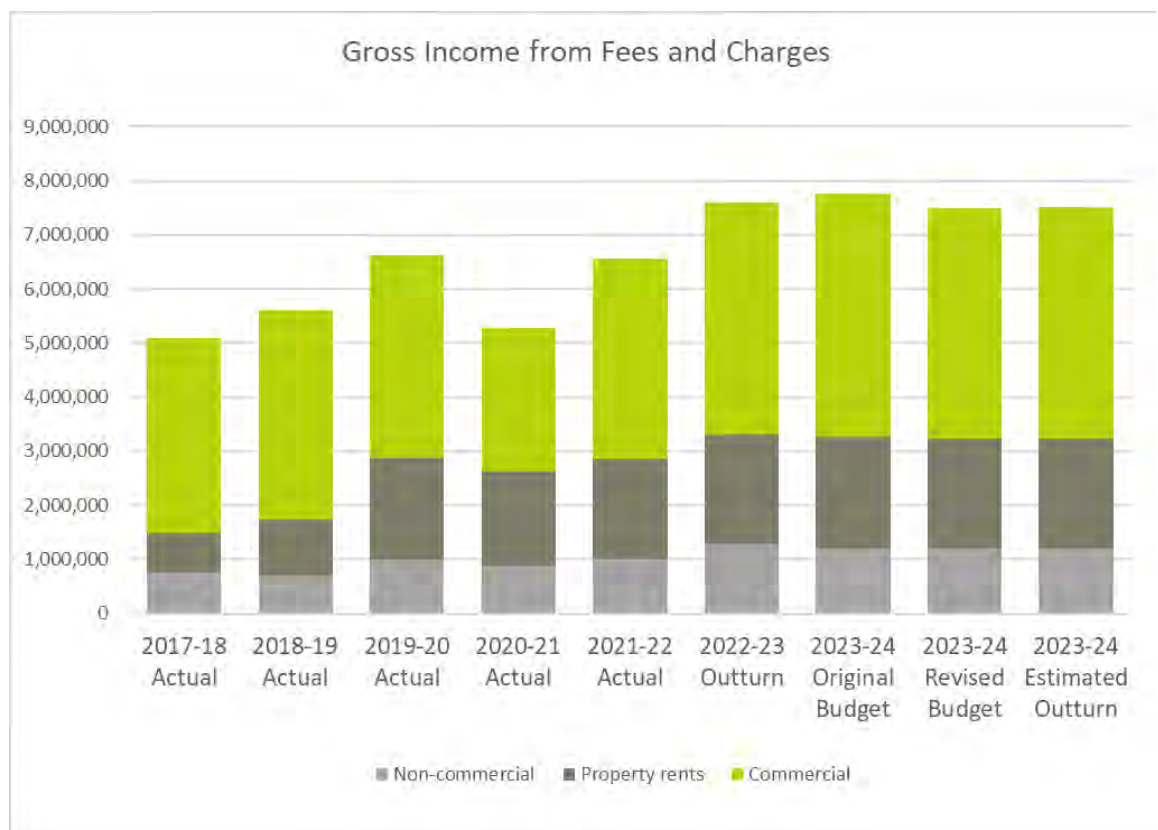
**Table 6: Quarter 3 External Income variances and Estimated Outturn 2023-24**

| SOURCE OF INCOME  | 2022-23 Outturn   | 2023-24 Original Budget | Estimated Outturn at Quarter 2 | 2023-24 Revised Budget | 2023-24 Estimated Outturn at Quarter 3 | Projected Outturn Variance at Q3 | % Variance |
|---|-------------------|-------------------------|--------------------------------|------------------------|--|----------------------------------|------------|
|   | £                 | £                       | £                              |                        |  |                                  |            |
| <b>Commercial Strategy</b>                              |                   |                         |                                |                        |  |                                  |            |
| Bulky Waste and external contracts for sweeping         | -120,650          | -144,500                | -116,700                       | -128,300               | -120,000                               | 8,300                            | -6%        |
| Cemetery  | -71,363           | -55,420                 | -55,420                        | -55,420                | -55,420                                | 0                                |            |
| Garage, driver training, Tree Gang, Grounds Maintenance | -205,123          | -366,660                | -232,530                       | -187,040               | -190,090                               | -3,050                           | 1%         |
| Green Waste   | -525,884          | -500,000                | -550,000                       | -570,000               | -570,000                               | 0                                | 0%         |
| Land Charges  | -77,965           | -88,720                 | -88,720                        | -72,500                | -72,500                                | 0                                |            |
| Leisure Centre  | -434,131          | -478,130                | -502,560                       | -504,370               | -504,370                               | 0                                | 0%         |
| Parking and Enforcement                                 | -1,527,335        | -1,506,190              | -1,462,823                     | -1,368,120             | -1,370,720                             | -2,600                           | 0%         |
| Parks and Green Spaces (including Highway Verges)       | -106,455          | -92,640                 | -116,700                       | -129,970               | -138,430                               | -8,460                           | 9%         |
| Property Rental (incl CPF)                              | -1,773,769        | -1,811,300              | -1,814,777                     | -1,709,870             | -1,707,870                             | 2,000                            | 0%         |
| Property Rental WFH                                     | -246,904          | -259,240                | -320,900                       | -324,730               | -324,730                               | 0                                | 0%         |
| Trade Waste   | -856,424          | -978,800                | -840,000                       | -881,800               | -895,000                               | -13,200                          | 1%         |
| Various   | -369,683          | -296,600                | 95,800                         | -366,440               | -366,440                               | 0                                | 0%         |
| <b>Total Commercial Strategy Income</b>                 | <b>-6,315,684</b> | <b>-6,578,200</b>       | <b>-6,005,330</b>              | <b>-6,298,560</b>      | <b>-6,315,570</b>                      | <b>-17,010</b>                   | <b>0%</b>  |
| <b>Regulatory and Other</b>                             |                   |                         |                                |                        |  |                                  |            |
| Licensing   | -233,069          | -203,350                | -234,890                       | -191,270               | -191,270                               | 0                                |            |
| Planning  | -543,219          | -531,050                | -530,390                       | -541,050               | -541,050                               | 0                                |            |
| Building Control  | -232,832          | -191,710                | -191,500                       | -191,710               | -191,710                               | 0                                |            |
| Other Income  | -266,987          | -262,600                | -262,600                       | -263,260               | -263,260                               | 0                                |            |
| <b>Total Regulatory and Other Income</b>                | <b>-1,276,107</b> | <b>-1,188,710</b>       | <b>-1,219,380</b>              | <b>-1,187,290</b>      | <b>-1,187,290</b>                      | <b>0</b>                         |            |
| <b>TOTAL INCOME</b>                                     | <b>-7,591,791</b> | <b>-7,766,910</b>       | <b>-7,224,710</b>              | <b>-7,485,850</b>      | <b>-7,502,860</b>                      | <b>-17,010</b>                   |            |

Income is shown as a negative (-), and income growth is shown as a negative (-) variation

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

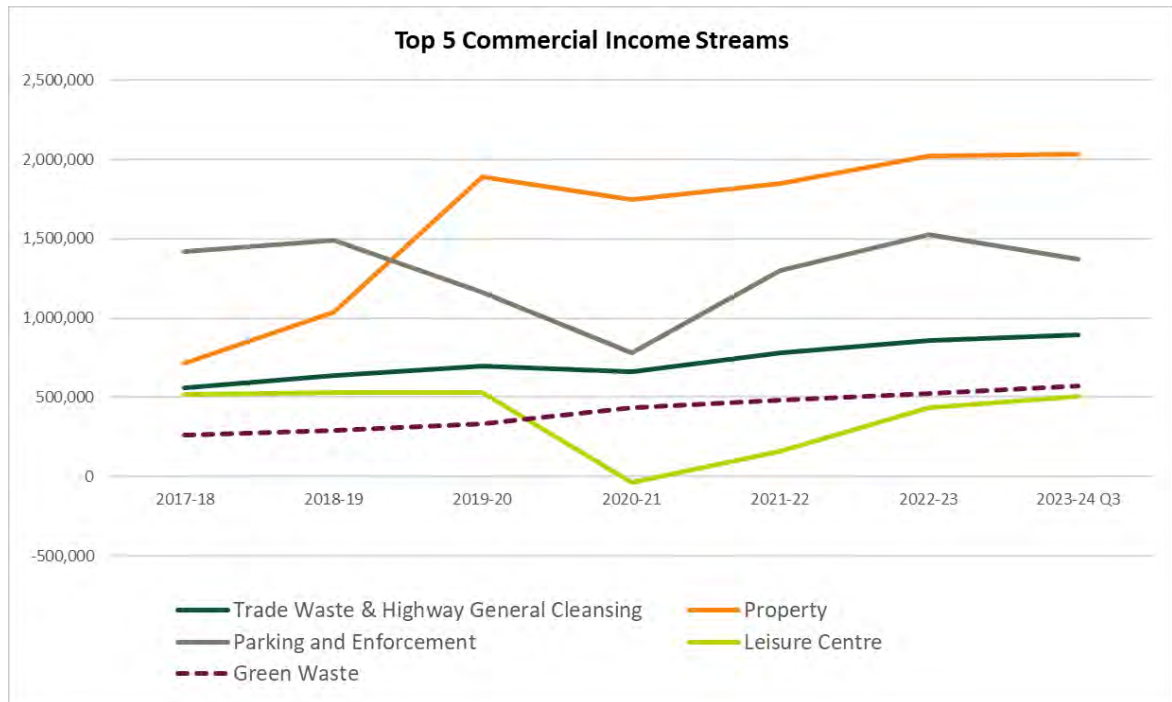
**Summary Income Performance 2017-18 to 2023-24**



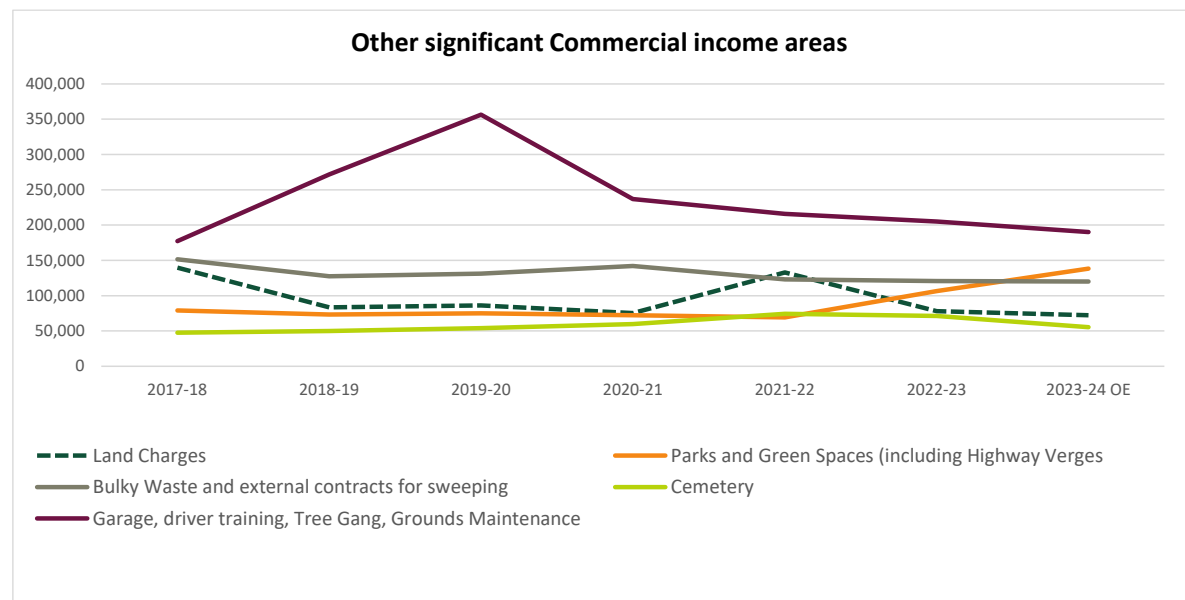


- 7.4 The graphs below detail performance for the income streams that fall under the Commercial Strategy.

#### Gross Commercial Income 2017-18 to 2023-24 – Top 5



#### Gross Commercial Income 2017-18 to 2023-24 – 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 35% below that achieved in 2019-20 on a cash basis (ignoring the time value of money). Further detail on commercial income performance is contained in Appendix 5. The viability of all commercial income activity covered by the strategy is being examined by the Commercial Programme Board. The Board considers not only gross income performance but also the net return to the Council after marginal costs are considered.

- 7.6 The leisure management contract has returned to the pre-pandemic position. However, the risk of increases to the cost of utility bills is borne by the Council and recent price increases has reduced the net income due to the council under the management agreement. The income shown in the graph reflects current estimates of the energy benchmarking liability.
- 7.7 The Council's income collection position and current levels of arrears at the end of Quarter 3 is presented in Appendix 4.
- 7.8 **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.
- 7.9 The intended project outputs of the acquisitions and developments under the strategy, related to full-time equivalent jobs either created, safeguarded or facilitated through the investment activity. The intended outputs were variously vacancy rates of commercial premises, occupancy rates of units or work spaces, business investment and count of active enterprises.
- 7.10 The table below summaries the current projection of the revenue impact of the Capital Portfolio Fund in 2023-24. The Quarter 3 outturn projection shows that the target included within the original budget will not be achieved, this budget pressure has been addressed in the approved Revised budget. Final rents agreed at review were below levels originally assumed and the Council's share of service charge expenditure arising from common areas, caps, voids and essential health and safety compliance work is expected to exceed the budget envelope in 2023-24, due to a large extent to the impact of inflation. The cost of property management are significantly higher than assumed in the original budget due to shortages in the labour market and the requirement to use agency resource. The pandemic resulted in vacant office accommodation proving more difficult to relet, leading to long void periods, and market rents being suppressed. There continues to be churn in leases due to natural breaks and expiries.

**Table 7: Capital Portfolio Fund Strategy – Quarter 3 Financial Performance summary**

| Property Portfolio Fund                           |                                       | 2024-27 MTFS            |                                    |                                   |                                  |               |
|---|---------------------------------------|-------------------------|------------------------------------|-----------------------------------|----------------------------------|---------------|
|   |                                       | 2022-23<br>Outturn<br>£ | 2023-24<br>Original<br>Budget<br>£ | 2023-24<br>Revised<br>Budget<br>£ | Q3<br>Outturn<br>projection<br>£ | Variance<br>£ |
| Net Impact on Council Tax after Statutory Charges |                                       |                         |                                    |                                   |                                  |               |
| R276  | High Street/Worcester Street*         | 4,118                   | (12,300)                           | 46,280                            | 46,280                           | 0             |
| R277  | Stratford Court**                     | 15,779                  | (187,970)                          | (1,570)                           | (1,570)                          | 0             |
| R278  | Buntsford Gate                        | 62,306                  | 82,780                             | 91,470                            | 91,470                           | 0             |
| R279  | Forest House                          | 31,700                  | 31,700                             | 38,260                            | 40,260                           | 2,000         |
| R280  | Riverside***                          | (10,209)                | (15,120)                           | (8,590)                           | (8,590)                          | 0             |
| R281  | Goldthorn Road                        | (127,238)               | (110,520)                          | (96,960)                          | (96,960)                         | 0             |
| R282  | Unity Park                            | 27,691                  | (24,110)                           | 2,260                             | 2,260                            | 0             |
| R275  | Property Portfolio Fund Admin account | 0                       | 0                                  | 65,000                            | 65,000                           | 0             |
| Total   |                                       | 4,147                   | (235,540)                          | 136,150                           | 138,150                          | 2,000         |

\* Vacant units (£31k) and Service Charge liability (20k)

\*\* Service Charge liability for approx £30,000 re Buckingham Group to be charged against bad debt

\*\*\* Riverside roof access £22,970.64 to be funded from Property Risk Reserve

- 7.11 **Capital Portfolio Fund Debt** - The total overdue rent debt at 31<sup>st</sup> December 2023 was £22,580, a 53% improvement on the balance outstanding at 30<sup>th</sup> September (£48k). This represents 1.8% of the overall balance collected each year. The majority

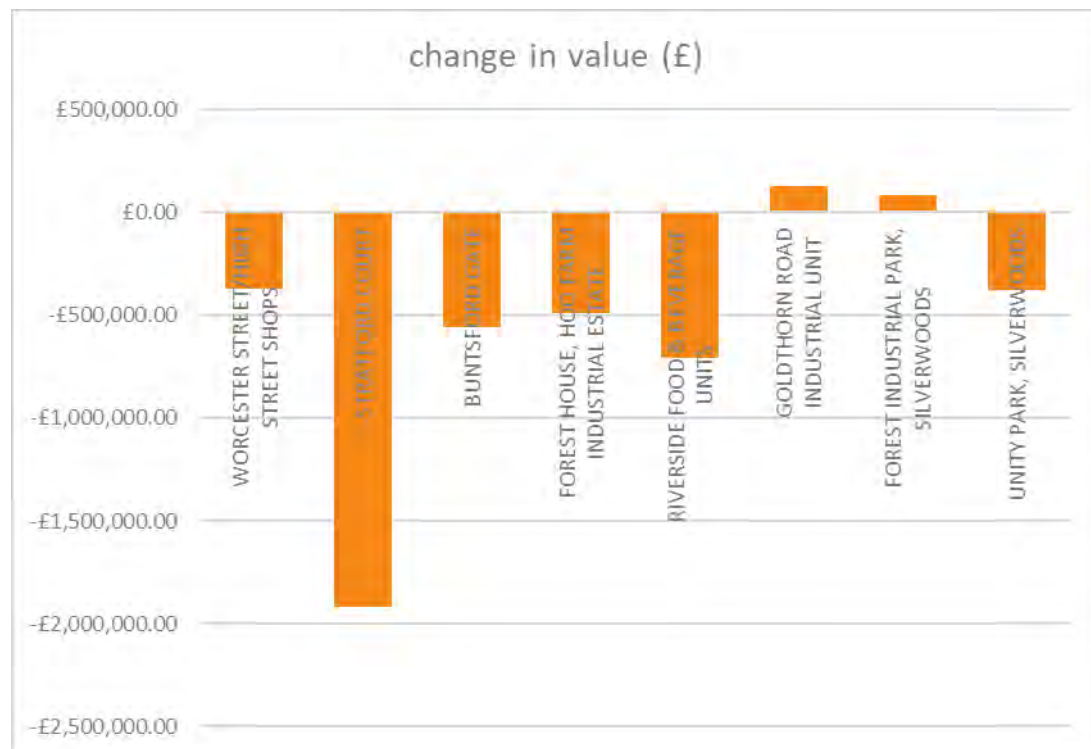


of the arrears is in the 9 to 12 months category and is being actively managed. There is a further £15k outstanding in respect of electricity recharges at Stratford Court.

### 7.12 Change in Capital value

According to CBRE figures all-property capital values have fallen by 20% since July 2022. It is expected that economic difficulties over the next 12 months will continue to affect the UK's commercial property sector. The overall reduction in the value of properties purchased under the Capital portfolio fund strategy, since acquisition, is 21%. The cumulative impairment shown in the Council's accounts is £4.2m, but it should be noted that under regulations impairment is neutralised by a transfer to the capital adjustment account and does not fall as a charge to be met by tax payers. Any loss is only realised on disposal of the assets. Due to the cyclical nature of the value of property assets and the link between value and weighted average lease length, the holding period between the date of acquisition and date of disposal is always likely to be a minimum of 5 years. The assets were acquired to meet operational objectives and not for capital appreciation. Capital values continue to be monitored.

#### Change in Capital Value for Capital Portfolio Fund properties at 31<sup>st</sup> December 2023



### 7.13 Current Vacancy levels/Voids

There continues to be a churn in leases due to natural breaks and expiries, but overall occupancy, at 92% is high. The refurbishment and splitting of the first floor unit at Buntsford Gate has been met favourably by the market and it is anticipated that the units will be let during quarter 4 2023-24.

## Occupancy Rates for Capital Portfolio Fund properties at 31<sup>st</sup> December 2023



**7.14 Investment Income** – The statutory guidance on local government investments requires the Council to adopt a prudent investment policy that puts security – protecting the capital sums invested and liquidity – ensuring the funds invested are available for expenditure when needed, ahead of considerations of yield. The Treasury team seeks to achieve optimal performance (yield) within these constraints. During the quarter the Council achieved an average in-house return of 5.43% on average cash balances of £58.7m, producing gross interest receivable during the quarter of £796k. The Treasury team are very proactive in managing our daily cash balances and achieved a return of 0.32% above the model benchmark performance calculated by our Treasury Advisors, and 0.35% above the Governments Debt Management Office overnight rates, this equates to an additional £29k investment income this quarter, circa £189k for the full year. The estimated outturn of £2.7m is in-line with the 2023-24 revised budget in the 2024-27 MTFS (before ring fencing to the grant funded capital projects) and £1.950m ahead of the Original Budget approved in February 2023.

## 8. CAPITAL DETAIL - Major Capital projects

This section of the report provides an update on the significant schemes in the Capital Programme in 2023-24, highlighting the latest forecast of spend for the financial year. Council approved the Capital programme allocations at its meeting on 21st February 2024. The governance arrangements for the FHSF and LUF include separate programme boards to provide assurance on deliverability of these important schemes.

### 8.1 Future High Street Fund

The programme continues the Council's strategy to re-balance the town on its west/east axis to improve outcomes for the eastern side of the town. The project includes complete refurbishment of the former Magistrates' Court on Worcester Street as a new creative and innovation hub and creation of a new urban park in the heart of Kidderminster town centre to improve the appearance, access and connection of Worcester Street with Bromsgrove Street and links to the wider Lionfields development site and ultimately to the railway station as the town's key transport hub.

**Project Outputs** – creation of temporary jobs, full time permanent jobs and safeguarding permanent jobs, clearance of a brownfield site, creation of new public realm and new pedestrian paths.

**Project Outcomes** include improvement in air quality and carbon dioxide reduction, improved pedestrian flow and increased patronage of the public transport system.

The programme contributes to Corporate Priority One – Economic Growth and Regeneration and Corporate Priority Three – A Clean, Safe and Green place to Live, Work and Visit.

The total approved capital allocation for the project is £27,498,330 (of which £1.25m is dependent on a viable business case and currently not being progressed). The programme is funded from Future High Street Fund grant and other capital grants (Brown Field Land Release Fund and LEP Revolving Infrastructure Fund) and a combination of external loan finance, and direct financing from revenue (applying various revenue earmarked reserves).

### Risk Assessment

The principal programme risks are key delivery dates being missed resulting in external funding being withheld and cost over runs. The risks are mitigated by robust programme management and close working with DLUHC. An extension of time has been granted – extending the delivery deadline to 31<sup>st</sup> March 2025. A revenue risk contingency is held in addition to risk contingencies built into the cost plans. A programme specific board meets every 6 weeks to monitor and review progress, discuss issues, risks and action, if appropriate, and to consider any change requests with onward recommendation for approval. The risk is on the Corporate Risk Register and monitored as a key Strategic Risk.

### Connectivity Project (Public Realm)

Planning permission for the project was secured in December 2023 and demolition of the Worcester Street properties was completed in January 2024. The construction contract is scheduled to be awarded by the end of February 2024. Work on site expected to commence in March 2024 and completed by December 2024.

**Table 8: Quarter 3 Financial Performance summary (FHSF Connectivity Project)**

|                                      | Prior Years<br>£ | 2023-24<br>£ | 2024-25<br>£ | 2025-26<br>£ | Total<br>£ |
|--------------------------------------|------------------|--------------|--------------|--------------|------------|
| <b>Capital Programme (2024-2034)</b> | 3,561,620        | 2,371,790    | 4,409,920    |              | 10,343,330 |
| <b>Quarter 3 Outturn Projections</b> |                  |              |              |              |            |
| Acquisitions                         | 2,408,914        |              |              |              | 2,408,914  |
| Prelims and Pre construction         | 1,152,706        |              |              |              | 1,152,706  |
| Construction                         |                  | 431,499      | 2,902,065    |              | 3,333,564  |
| Other                                |                  | 1,940,291    | 599,265      |              | 2,539,556  |
| Risk/Other Contingency               |                  |              | 908,590      |              | 908,590    |
| <b>Total</b>                         | 3,561,620        | 2,371,790    | 4,409,920    | 0            | 10,343,330 |
| <b>Estimated Slippage at Q3</b>      |                  | 0            |              |              |            |

## Creative Hub (Former Magistrates Court)

Contractors are on site; work is expected to be complete by December 2024.

**Table 9: Quarter 3 Financial Performance summary (FHSF Creative Hub)**

|                                      | Prior Years<br>£ | 2023-24<br>£ | 2024-25<br>£ | 2025-26<br>£ | Total<br>£ |
|--------------------------------------|------------------|--------------|--------------|--------------|------------|
| <b>Capital Programme (2024-2034)</b> | 2,123,640        | 11,193,100   | 2,588,260    |              | 15,905,000 |
| <b>Quarter 3 Outturn Projections</b> |                  |              |              |              |            |
| Prelims and Pre construction         | 2,123,640        | 192,600      |              |              | 2,316,240  |
| Construction                         |                  | 6,150,890    | 4,000,000    |              | 10,150,890 |
| Other                                |                  | 849,610      | 2,390,341    |              | 3,239,951  |
| Risk/Other Contingency               |                  |              | 197,919      |              | 197,919    |
| Total                                | 2,123,640        | 7,193,100    | 6,588,260    | 0            | 15,905,000 |
| <b>Estimated Slippage at Q3</b>      |                  | 4,000,000    |              |              |            |

## 8.2 Levelling up Fund

The Levelling up 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. Wyre Forest was a category one priority area for the LUF, the highest level of need. Kidderminster town centre was identified as a key area in need of regeneration due to high vacancy rates and lack of flexibility and vibrancy in existing uses which had led to a lack of economic opportunities. The LUF programme will directly provide new jobs, both at the regenerated Piano Building and to serve events within the Town Hall, in addition to providing additional economic activity through increased footfall and businesses within the town centre. Whilst contributing directly to delivering economic activity for the wider town centre, the largest mechanism for change will come through the combined impact on the sense of place for the town centre. The combined investment in cultural heritage and the visitor economy will provide visible change at the heart of the town centre, building on previous committed projects by WFDC and DLUHC to reverse the trend for declining socio-economic outcomes in the town. The combined projects are expected to deliver the following outcomes – change in pedestrian flow, change in cycle flow and number of visitors/audience members to cultural events. The programme contributes to Corporate Priority One – Economic Growth and Regeneration.

The programme consists of three projects:

- **Canal Towpath** - improvement of the existing canal towpath to improve the leisure offer of the town centre in combination with match funding from the Emergency Active Travel Fund. The project was delivered on time and within budget. Actual spend £231,148.
- **Kidderminster Town Hall** - the repair of the existing Town Hall building, alongside the redevelopment of floorspace within the Town Hall to provide restored and regenerated spaces – programme delivered by Kidderminster Town Council, LUF funding to be passported. Contractors have been appointed and work has commenced on site on. Works are expected to be completed by Spring 2025.
- **Piano Building** – acquisition of the building and enabling works for the development of Food and Beverage units and commercial floorspace. Acquisition of the building complete 12<sup>th</sup> February 2024. The works contract

will be advertised before the end of April 2024 and contractor appointed by end of June. Completion scheduled for 31<sup>st</sup> March 2025.

The total cost of the three projects is £18.4m, the LUF grant allocation is £17.9m, the balance of funding is being met by Kidderminster Town Council.

### **Risk Assessment**

The principal programme risks are key delivery dates being missed resulting in external funding being withheld and cost over runs. The risks are mitigated by robust programme management and close working with DLUHCs Discovery team. A revenue risk contingency is held in addition to risk contingencies built into the cost plans. A programme specific board meets every 6 weeks to monitor and review progress, discuss issues, risks and action if appropriate and to consider any change requests with recommendation for approval as appropriate. The risk is on the Corporate Risk Register and monitored as a key Strategic Risk.

**Table 10: Quarter 3 Financial Performance summary (LUF Piano Building)**

|   | <b>Prior Years<br/>£</b> | <b>2023-24<br/>£</b> |
|---|--------------------------|----------------------|
| <b>Capital Programme (2024-2034)</b>                | 62,300                   | 3,160,000            |
| <b>Quarter 3 Outturn Projections</b>                |                          |                      |
| Acquisition including fees                          |                          | 3,010,000            |
| Prelims and Pre construction                        |                          | 100,000              |
| Construction including risk and other project costs | 62,300                   | 50,000               |
| Total   | 62,300                   | 3,160,000            |
| <b>Estimated Slippage at Q3</b>                     |                          | 0                    |

Full project budget and costings will be disclosed following procurement and contract award.

### **8.3 Temporary Accommodation - Castle Road**

The Castle Road Housing scheme for temporary accommodation will deliver 20 units, including 6 disabled adapted units, to increase supply and reduce reliance on emergency bed and breakfast or hotel accommodation. When complete the site will provide temporary accommodation for homeless people whilst the council works with them to secure a more permanent home. The programme contributes to Corporate Priority Three – A Clean, Safe and Green place to Live, Work and Visit.

The approved capital allocation for the project is £3,860,220. The programme is funded from a combination of external loan finance, application of capital receipts from the Evergreen Investment Fund, S106 contributions and various revenue earmarked reserves. The adaptive units are being delivered with funding from the Better Care Fund.

The construction contract has been awarded and work has commenced on site. The expected programme duration is 55 weeks, with completion expected in the spring of 2025.

### **Risk Assessment**

The principal programme risk is cost overrun. The risk is mitigated by robust programme management and contractual terms (a fixed price design and build contract). A revenue risk contingency is held in addition to risk contingencies built into the cost plans. A programme board meets every 6 weeks to monitor and review progress, discuss issues, risks and action if appropriate and to consider any change requests with recommendation for approval as appropriate.

**Table 11: Quarter 3 Financial Performance summary (Castle Road)**

|                                      | Prior Years<br>£ | 2023-24<br>£   | 2024-25<br>£     | 2025-26<br>£ | Total<br>£       |
|--------------------------------------|------------------|----------------|------------------|--------------|------------------|
| <b>Capital Programme (2024-2034)</b> | 139,070          | 721,140        | 3,000,000        |              | 3,860,210        |
| <b>Quarter 3 Outturn Projections</b> |                  |                |                  |              |                  |
| Prelims and Pre construction         |                  | 91,600         |                  |              | 91,600           |
| Construction                         |                  | 432,940        | 3,000,000        |              | 3,432,940        |
| Other                                | 139,070          | 171,600        |                  |              | 310,670          |
| Risk/Other Contingency               |                  | 25,000         |                  |              | 25,000           |
| <b>Total</b>                         | <b>139,070</b>   | <b>721,140</b> | <b>3,000,000</b> | <b>0</b>     | <b>3,860,210</b> |
| <b>Estimated Slippage at Q3</b>      |                  | 0              |                  |              |                  |

#### 8.4 Brinton Park Heritage Lottery Fund Scheme

A programme of major improvements including a new café and the re-instatement of an historical ornamental pool funded from the National Lottery Community Fund (Heritage Lottery Fund) following the successful award of grant in September 2020. The restoration will help reinstate the 130 year old park's original Victorian Landscape design.

The following project outputs were identified as part of the bid (TBC):

- Public realm improvement
- Public amenities created
- Existing parks/green space improved
- New pedestrian paths
- Trainees gaining certificates

#### Project Outcomes identified

Heritage will be:

- better managed;
- in better condition;
- better interpreted and explained;
- identified/recorded

People will have:

- developed skills;
- volunteered time;
- learnt about heritage.

Communities:

- the local area/community will be a better place to work, live or visit;
- environmental impacts will be reduced;
- more people and a wider range of people will have engaged with heritage.

The programme contributes to Corporate Priority Three – A Clean, Safe and Green place to Live, Work and Visit.

The approved capital allocation for the project is £2,600,000. The programme is funded from a combination of HLF grant, S106 contributions and various revenue earmarked reserves.

The construction contract is due to be advertised in early March 2024. Work is expected to commence in June 2024 and will be completed in 12-14 months, with completion expected in the autumn of 2025.

### Risk Assessment

The principal programme risk is a cost overrun. The risk is mitigated by robust programme management and contractual terms (a fixed price design and build contract). A programme board will be established to monitor and review progress, discuss issues, risks and action if appropriate and to consider any change requests with recommendation for approval as appropriate.

**Table 12: Quarter 3 Financial Performance summary (HLF - Brinton Park)**

|                                      | Prior Years<br>£ | 2023-24<br>£ | 2024-25<br>£ | 2025-26<br>£ | Total<br>£ |
|--------------------------------------|------------------|--------------|--------------|--------------|------------|
| <b>Capital Programme (2024-2034)</b> | 182,800          | 39,000       | 2,138,200    | 240,000      | 2,600,000  |
| <b>Quarter 3 Outturn Projections</b> |                  |              |              |              |            |
| Prelims and Pre construction         | 182,800          | 22,000       | 17,000       |              | 221,800    |
| Construction                         |                  |              | 2,138,200    | 240,000      | 2,378,200  |
| Other                                |                  |              |              |              | 0          |
| Risk/Other Contingency               |                  |              |              |              | 0          |
| Total                                | 182,800          | 22,000       | 2,155,200    | 240,000      | 2,600,000  |
| <b>Estimated Slippage at Q3</b>      |                  | 17,000       |              |              |            |

### 8.5 Capital Slippage

The following capital schemes have been reviewed and reprogrammed into future years to align with forecast programme delivery.

**Table 13: Capital Programme 2024-2034 Estimated Slippage at Quarter 3**

| 2023-24 Capital Programme<br>Estimated Slippage at Q3             | Draft<br>Slippage<br>£000 | Percentage<br>of in year<br>Budget<br>% | Comments<br>£   |
|---|---------------------------|---|---|
| <b>Community and Environmental Services</b>                       |                           |   |   |
| Brinton Park +B6:B25HLF Scheme<br>(subject to successful HLF bid) | 17                        | <b>43.6%</b>                            | Value engineering has delayed project. Procurement anticipated to commence shortly. Majority of the budget already slipped to 2024-25. Balance of 2023-24 budget likely to slip into 2024-25. |
| Innovation Fund Capital   | 50                        | <b>50.0%</b>                            | Digital Weighing System for commercial waste RCVs currently being evaluated. Delivery and installation now expected 2024-25.  |
| Stouport Riverside  | 27                        | <b>52.1%</b>                            | Upgrading play equipment, pathways and introducing additional trees commenced but will not be complete by 31st March  |
| <b>Strategic Growth</b>   |                           |   |   |
| Better Care Fund (BCF) including<br>Disabled Facilities Grants    | 250                       | <b>14.3%</b>                            | Likely spend around £1.5m if all projects and grants complete.  |
| Flood Relief  | 28                        | <b>100.0%</b>                           | Potential projects identified but timescales are dependent upon partner agencies including Environment Agency and Severn Trent Water.   |
| Future Investment Evergreen Fund<br>(unallocated balance)         | 500                       | <b>45.6%</b>                            | Balance to be slipped to fund future schemes  |
| Capital Projects Fund   | 1,000                     | <b>100.0%</b>                           | Scheme anticipated to slip as no business cases are currently proposed.   |
| Raven Street Conversion   | 28                        | <b>33.3%</b>                            | Due to delays with contractors being able to start on site, actual slippage could possibly be 50% at year end.  |
| BCF Energy Efficiency   | 200                       | <b>50.0%</b>                            | Scheme ongoing. This fund supplements and provides an alternative to government capital funding where it cannot be applied or homes need additional support.                                  |
| BCF Disabled Adapted Units  | 240                       | <b>100.0%</b>                           | The grant will be paid in the new financial year once planning permission has been granted (possibly May 2024)  |
| Innovation Fund Capital   | 105                       | <b>100.0%</b>                           | Allocation towards Bridge Street redevelopment project. Likely to be slip into 2024-25 as scoping work relating to scheme options is in progress.   |
| Acquisition of Land at Horsefair,<br>Kidderminster                | 50                        | <b>100.0%</b>                           | Start of project delayed as Registered Provider not able to undertake work required for pre-application until March.  |
| <b>Economic Development &amp; Regeneration</b>                    |                           |   |   |
| FHSF - Creative Hub (former<br>Magistrates Court)                 | 4,000                     | <b>35.7%</b>                            | Council has submitted request for funding deadline extension to September 2024(contractual commitment). Practical completion scheduled for December 2024.                                     |
| Capital Portfolio Fund  | 3,025                     | <b>100.0%</b>                           | Scheme anticipated to slip as no business cases are currently proposed.   |
| UK Shared Prosperity Fund   | 119                       | <b>41.5%</b>                            | Various projects underway, some will slip into next financial year.   |
| <b>Vehicle, Equipment and Systems Renewal Schedule</b>            |                           |   |   |
| Vehicles & Equipment & Systems<br>Renewal Schedule                | 520                       | <b>46.4%</b>                            | Procurement is progressing on various scheduled renewals. Anticipated to be some slippage due to procurement lead times.  |
| <b>Total</b>  | <b>10,160</b>             | <b>32.8%</b>                            |   |

## 9. WYRE FOREST FORWARD SAVINGS PROGRAMME AND LOCALISM TARGETS

- 9.1 The 2024-27 MTFS projects a funding gap in 2026-27 of over £2m any new cost pressures 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.
- 9.2 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 2024-27 MTFS also include the



ambition 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.

- 9.3 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. There is a renewed focus for the 2024-27 MTFS on generating higher levels of commercial income. In the absence of additional income, further savings and efficiency measures or additional Government funding, current projections indicate that the Council will exhaust its general balances at the end of the current MTFS in 2027-28. The current estimates continue to be refined and reviewed as part of on-going detailed work being undertaken by the Finance Team in conjunction with service managers.
- 9.4 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.
- 9.5 The approved targets in the 2024-27 MTFS are summarised in the table below. Progress has been made in 2023-24 towards achieving the target with items of a recurring nature, but the savings target for 2023-24 has largely been achieved from one-off increases achieved by treasury management operations. Further recurring transformation savings are dependent on collaborations or redesigns of operational services, principally domestic and commercial waste collection. A review of 2022-23 final account savings was undertaken during Quarter 2 to capture and record any recurring efficiencies, but there were no material items arising to contribute to the target. It is essential that work continues to achieve reductions in the cost of service delivery.

**Table 14: Quarter 3 Financial Performance summary Wyre Forest Forward Savings**

| Wyre Forest Forward Savings summary           | 2023-24<br>£000 | 2024-25<br>£000 | 2025-26<br>£000 | 2026-27<br>£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           |
| <b>Savings Target at 01/04/2023</b>           | <b>177</b>      | <b>388</b>      | <b>358</b>      | <b>341</b>      |
| MTFS 2024-27 Amendment                        |                 | <b>-228</b>     | <b>-118</b>     | <b>-41</b>      |
| <b>Savings achieved 2023-24</b>               |                 | 160             | 240             | 300             |
| Strategic Growth Service reviews              | 13              | 17              | 18              | 18              |
| Investment Income performance above benchmark | 164             |                 |                 |                 |
|   | 177             | 17              | 18              | 18              |
| MTFS 2024-27 Amendment                        |                 | 211             | 100             | 23              |
| <b>Total 2023-24 movements</b>                | <b>177</b>      | <b>228</b>      | <b>118</b>      | <b>41</b>       |
| <b>Total WFF Savings not yet achieved</b>     | <b>0</b>        | <b>160</b>      | <b>240</b>      | <b>300</b>      |

*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

- 9.6 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 target was realigned with policy in the 2024-27 MTFS. Details are provided below:

**Table 15: Quarter 3 Financial Performance summary Localism Savings**

| LOCALISM PARTNERSHIP SAVINGS                   | 2023-24<br>£000 | 2024-25<br>£000 | 2025-26<br>£000 | 2026-27<br>£000 |
|--|-----------------|-----------------|-----------------|-----------------|
| Savings Target                                 | 525             | 700             | 700             | 700             |
| Savings achieved at 31/03/2023                 | (317)           | (324)           | (377)           | (377)           |
| <b>Balance b/f 2022-23</b>                     | <b>208</b>      | <b>376</b>      | <b>323</b>      | <b>323</b>      |
| <b>Savings Target at 1st April 2023</b>        | <b>208</b>      | <b>376</b>      | <b>323</b>      | <b>323</b>      |
| MTFS 2024-27 Amendment                         | 208             | 336             | 263             | 243             |
| <b>Total 2023-24 movements</b>                 | <b>208</b>      | <b>336</b>      | <b>263</b>      | <b>243</b>      |
| <b>Total Localism Savings not yet achieved</b> | <b>0</b>        | <b>40</b>       | <b>60</b>       | <b>80</b>       |

## 10 SUPPLEMENTARY ESTIMATES AND VIREMENTS

- 10.1 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 transferring from one approved budget cost centre to another (the maximum extra expenditure may not exceed £20,000) or by supplementary estimate, subject to specified conditions as setout in the Financial Regulations – 6.7 and 6.8.
- 10.2 A request has been received from the Head of Communities and Environment for two virements between budgets within the capital Equipment, Vehicles and Systems Renewals Schedule.
- Virement of £15,300 to fund purchase of a flail mower, originally scheduled to be replaced in 2024-25. Funded from underspend on replacing AV273 and AV274 (x2 ride on mowers/small flail).
  - Virement of £6,540 to fund overspend of replacing AV277 (large chipper). Funded from underspend on replacing AV295 (chipper).

## 11 REVENUE DETAIL – Central Items Business Rates and Council Tax

- 11.1 **Council Tax** - The level of discounts and awards, together with collection rates, and write-offs are being closely monitored. Previous monitoring reports have highlighted the risk that assumed growth in the tax base might not be achieved in year due to the slow down in the housing market leading to sites being built out at a slower rate than assumed and greater eligibility to discounts. The taxbase calculation for 2024-25 showed that this risk has crystallised and a deficit is expected on the collection fund in 2023-24. This deficit (£100k) is an adjustment to Council Tax income in 2024-25 and is reflected in the 2024-27 MTFS.
- 11.2 **Business Rates** – Officers continue to liaise closely with the Valuation Office Agency to monitor developments in the sector and the progress of check, challenge and appeal applications. The council holds a provision for appeals for the 2010 list

and the 2017 list. The refunds arising as a result of 2010 appeals has exceeded the provision held adjustments will be calculated at year end and will be met from business rates income in 2024-25 and 2025-26 and is reflected in the 2024-27 MTFS. The 2010 list is now closed. Appeals against the 2017 valuation list are currently in line with expectations. The overall impact of transactions in the collection fund will continue to be monitored to assess the impact on the council's MTFS.

### **11.3 Collection Rates**

**Council Tax:** As at 30<sup>th</sup> September 2023, Council Tax in year collection rates were at 57.47% compared to 57.84% in the previous year. The latest position at 31<sup>st</sup> December 2023 shows an improved position 85.22% which is closer to the 85.32% achieved in the previous year.

**Business Rates:** At the end of Q3 2023-24, collection rates for NNDR are behind those achieved last year, at 80.01% compared to 88.98% last year. However, current year collection rates compare favourably with years prior to 2022-23. This is largely due to the varying business rates reliefs that have been applied/or removed throughout the year such as Covid19 Additional Relief Fund and Retail, Hospitality and Leisure Relief. It will only be at the end of the financial year that the accurate collection rates will be determined.

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.

## 12 HOW ARE WE DOING PERFORMANCE SUMMARY

- 12.1 The Council monitors performance and progress towards achieving the priorities set out in the Corporate Plan 2023 – 2027.
- 12.2 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. The Corporate Plan 2023-27 was approved by Council on 20<sup>th</sup> September 2023.
- 12.3 The Council has a number of processes in place to monitor our performance including:
- Corporate Plan Actions
  - Corporate Risks and associated actions
  - Leading Measures – looking forward at future outcomes
  - Lagging Measures – looking back to see whether improvement actions achieved the outcomes or outputs expected
- 12.4 This report provides a strategic overview of the performance for quarter three (1<sup>st</sup> October to 31<sup>st</sup> December 2023) and focusses on the activities and achievements that support our priorities in the Corporate Plan that was approved by full Council in September 2023.

### Quarter 3 - Performance Highlights

**Priority**  
**Economic growth & regeneration**

 Introduced free parking in Bewdley

 Received £725,000 funding for Kidderminster Town Centre connectivity project

 Started work on 8a Bridge Street, Stourport

 Invested over £500,000 UKSP funding into business support

 Invested over £100,000 into skills support for economically inactive individuals

 Work on Kidderminster Town Hall commenced

**Priority**  
**Securing financial sustainability for services that local communities value**

 Signed off and published statement of accounts – only 1% of all council's achieved this

 Created a Commercial Programme Board to oversee all commercial activities and projects

 Launched a public consultation on the Council's financial strategy and proposals

**Priority**  
**A clean, safe and green place to live, work and visit**

 125 new builds completed – 46 were affordable

 Planning approved for 210 properties

 Housing advice given to 2,527 households

 £80,000 given to 19 households to improve energy efficiency

 Recruited new Civil Enforcement Officer

 Completed LED lighting in council car parks

Progress against the 2023-27 Corporate Plan priorities and our strategic actions is summarised below.

## **12.5 Corporate Priority One - Economic growth and regeneration**

We will:

- Regenerate central Kidderminster including completion of Future High Streets and Levelling Up Fund projects.
- Redevelop former Crown House site, Lionfields and other brownfield sites we own – mainly for housing.
- Progress the redevelopment of Bridge Street site, Stourport.
- Work with High Streets Task Force to develop and implement a vision for the regeneration of central Stourport.
- Work with partners to improve skill levels and make sure they are the skills employers need.
- Make sure business support services are available to help businesses grow.

### **Key Activities in Quarter Three:**

- Introduced 1 hour free parking in Bewdley to support businesses in the town while the flood defence work is being undertaken.
- Introduced free parking in all car parks between 3pm – 6pm throughout December.
- Received £725,000 from the government's Brownfield Land Release Fund for the ongoing connectivity project in Kidderminster town centre to improve the appearance, access and connection of Worcester Street with Bromsgrove Street and links to the wider Lionfields development site.
- Commenced work on refurbishing the first floor of Bridge Street and obtained quotes for works to the ground floor.
- Discharged planning conditions on Raven Street and revised contract to enable works to commence on Raven Street.
- Finalised exchange contract for sale of land at Clensmore Drive.
- Commenced work with Gately Hamer on compulsory purchasing land at Radford Avenue.
- Invested over £500k of UKSP funding into business support, advice, guidance and grants through our partnerships with Worcestershire growth hub and County wide initiatives to drive start up activity, innovations, net zero goals and general business growth.
- Invested over £100k into skills support for the economically inactive and hard to reach individuals within the community through our partnerships with Unity.
- Supporting 18 projects within the UK shared prosperity fund to address local issues around communities and place, supporting local business and people & skills, with over a £1,500,000 planned to be invested in the next 12-18 months.
- Kidderminster Town Council signed Kidderminster Town Hall construction contract and work commenced.
- Planning Approval for Worcester Street Connectivity Project.

## **12.6 Corporate Priority Two - Securing financial sustainability for services the local communities value**

We will:

- Increase net income from our commercial activities.
- Increase the visits to our nature reserves and make them more accessible.
- Complete the redevelopment of Brinton Park, funded by the National Lottery Heritage Fund.
- Investigate options for developers to make bio-diversity contributions on alternative sites.

**Key Activities in Quarter Three:**

- Statement of accounts was signed off and published – one of only a small number of councils in the country to achieve this deadline putting us in the top 1% of all local authorities.
- Created a Commercial Programme Board to oversee all commercial activities and projects.
- Core business units developed for each commercial activity unit together with individual business plans.
- Launched a public consultation on the Council's financial strategy and budget proposals.
- Business plan submitted for "Wyre Forest Wild Project" to develop commercial opportunities within the Nature Reserves, open up accessibility, develop connectivity, and prepare groundwork for commercial development of the Bio-Diversity regulations.
- Our Rangers and Landscape/Maintenance teams created an improved, disability friendly boardwalk at Moorhall Nature Reserve in Stourport.
- An additional value engineering exercise undertaken with HLF – Project outcomes remain to Increase heritage value on site / Improve people outcomes / Drive improvements for the community.

**12.7 Corporate Priority Three - A clean, safe and green place to live, work and visit**

We will:

- Secure housing growth through the local plan.
- Invest more in tackling environmental crime and illegal parking.
- Invest more on clearing litter, particularly in summer months.
- Work with town councils and community groups to improve parks and open spaces.
- Help provide more cultural events.
- Increase the amount of temporary accommodation available by providing a new housing scheme.
- Produce and implement a carbon reduction plan for the district and for the council.
- Help people make their homes more energy efficient.
- Install electric charging points in car parks in all three towns.

**Key Activities in Quarter Three:**

- Held online forum for landlords and letting agencies to share best practice and promote energy grant funding opportunities.
- Launched 'Adopt a Street', including an interactive website, to give extra support to people to help keep their streets and parks free of litter - 78 people have signed up with 105 streets adopted.
- 125 new build units completed of which 46 were affordable units.
- Completed public consultation on Housing Supplementary Planning Document.
- Approved 7 planning applications for housing totalling 210 dwellings.
- Provided housing advice to 2,527 households.
- Discharged pre-commencement planning conditions at Castle Road Temporary Accommodation.
- Produced and began implementation of the Climate Change and Carbon Reduction Plan in relation to the electric vehicle chargepoints and solar farm.
- Provided 37 housing improvement interventions to have a positive impact on the household.
- Provided £79,729 assistance to 19 households to improve energy efficiency.
- Spent £207,000 on hardship/welfare support assistance.

- New Civil Enforcement Officer started in November 2023. Further recruitment will take place in Quarter 4.
- The successful conclusion of the PCC funded fly tipping project with environmental crime cameras which the team have available for use.
- Ongoing collaboration with partners to maximise recycling rates and reduce residual waste.
- Continued analysis of waste types to inform the design of future service provision.
- Completed LED lighting in council car parks.
- Secured funding of £32,000 from West Mercia PCC for community safety projects.
- Commissioned Kidderminster & District Youth Trust to provide a detached youth team to prevent anti-social behaviour.
- Deployed mobile CCTV cameras in anti-social behaviour hot spot areas.
- North Worcestershire Project Team has been set up for Safer Streets 5 which will see additional mobile CCTV cameras being purchased and community action days focused on anti-social behaviour and neighbourhood crime.

### **Organisational Health**

- 12.8 Organisational Health - includes information on turnover of staff, sickness absence, organisational health related investment areas and other performance measures requested by committee. There has continued to be a focus on investing in organisational health related areas, for example ICT infrastructure, implementing the new OD strategy 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 IMPACT ASSESSMENTS**

- 14.1 Equality, Climate Change and Health and Wellbeing Impact assessments will be undertaken as appropriate as part of reviews of service delivery arrangements and implementation of new models. This is a financial and performance monitoring report, there are no proposals in this report that require an 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. 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 in March.

**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 31<sup>st</sup> December 2024. Appendix 6 provides detailed information on performance to supplement the summary in section 11.
- 16.2 The estimates and assumptions included in this report will continue to be updated and refined as more information becomes available.

**17 CONSULTEES**

Corporate Leadership Team  
Cabinet  
Service Managers

**18 BACKGROUND PAPERS**

Budget setting papers Council 22<sup>nd</sup> February 2024  
Medium Term Financial Strategy 2024-27

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                                      | 2023/24                |                       | 2024/25                  |                |                   | 2025/26                  |                  |                   | 2026/27                  |                  |                   |
|--|------------------------|-----------------------|--------------------------|----------------|-------------------|--------------------------|------------------|-------------------|--------------------------|------------------|-------------------|
|  | Original Estimate<br>£ | Revised Estimate<br>£ | At Nov.23<br>Prices<br>£ | Inflation<br>£ | TOTAL<br>£        | At Nov.23<br>Prices<br>£ | Inflation<br>£   | TOTAL<br>£        | At Nov.23<br>Prices<br>£ | Inflation<br>£   | TOTAL<br>£        |
| CHIEF EXECUTIVE AND SOLICITOR TO THE COUNCIL | 2,218,860              | 2,865,280             | 2,304,870                | 91,170         | 2,396,040         | 2,161,830                | 167,130          | 2,328,960         | 2,098,260                | 246,550          | 2,344,810         |
| COMMUNITY AND ENVIRONMENT                    | 5,482,310              | 5,433,920             | 5,906,640                | 302,800        | 6,209,440         | 5,959,140                | 549,720          | 6,508,860         | 5,876,140                | 804,160          | 6,680,300         |
| ECONOMIC DEVELOPMENT & REGENERATION          | 248,950                | 563,470               | 574,070                  | 42,080         | 616,150           | 450,890                  | 77,410           | 528,300           | 441,470                  | 115,100          | 556,570           |
| RESOURCES                                    | 2,448,120              | 2,294,550             | 2,169,340                | 20,450         | 2,189,790         | 2,065,940                | 38,680           | 2,104,620         | 1,974,420                | 82,440           | 2,056,860         |
| REVENUES, BENEFITS & CUSTOMER SERVICES       | 1,389,990              | 1,444,330             | 1,524,990                | 78,850         | 1,603,840         | 1,556,220                | 140,890          | 1,697,110         | 1,568,730                | 205,030          | 1,773,760         |
| STRATEGIC GROWTH                             | 2,063,770              | 2,287,220             | 2,063,240                | 100,540        | 2,163,780         | 1,980,550                | 169,740          | 2,150,290         | 1,822,960                | 245,460          | 2,068,420         |
| LESS: CAPITAL ACCOUNT                        | 13,852,000             | 14,888,770            | 14,543,150               | 635,890        | 15,179,040        | 14,174,570               | 1,143,570        | 15,318,140        | 13,781,980               | 1,698,740        | 15,480,720        |
| INTEREST RECEIVED                            | 585,490                | 234,650               | 533,950                  | 5,200          | 539,150           | 956,390                  | 9,360            | 965,750           | 1,011,030                | 13,450           | 1,024,480         |
|  | (750,000)              | (1,810,000)           | (1,425,000)              | 0              | (1,425,000)       | (952,000)                | 0                | (952,000)         | (780,000)                | 0                | (780,000)         |
| <b>TOTAL NET EXPENDITURE ON SERVICES</b>     | <b>13,687,490</b>      | <b>13,313,420</b>     | <b>13,652,100</b>        | <b>641,090</b> | <b>14,293,190</b> | <b>14,178,960</b>        | <b>1,152,930</b> | <b>15,331,890</b> | <b>14,013,010</b>        | <b>1,712,190</b> | <b>15,725,200</b> |
| LESS: CONTRIBUTION (FROM) TO RESERVES        | (159,010)              | 215,060               |                          |                | (341,870)         |                          |                  | (950,680)         |                          |                  | (1,536,750)       |
| <b>NET BUDGET REQUIREMENT</b>                | <b>13,528,480</b>      | <b>13,528,480</b>     |                          |                | <b>13,951,320</b> |                          |                  | <b>14,381,210</b> |                          |                  | <b>14,188,450</b> |
| LESS: REVENUE SUPPORT GRANT                  | (150,380)              | (150,380)             |                          |                | (160,340)         |                          |                  | (160,000)         |                          |                  | 356,000           |
| BUSINESS RATES INCOME                        | (3,442,050)            | (3,442,050)           |                          |                | (3,655,460)       |                          |                  | (4,841,680)       |                          |                  | (4,397,000)       |
| BUSINESS RATES GROWTH                        | (950,200)              | (950,200)             |                          |                | (753,010)         |                          |                  | 0                 |                          |                  | 0                 |
| FUNDING GUARANTEE                            | (425,370)              | (425,370)             |                          |                | (687,120)         |                          |                  | (490,410)         |                          |                  | 0                 |
| COLLECTION FUND (SURPLUS)/DEFICIT            | 0                      | 0                     |                          |                | 100,830           |                          |                  | 0                 |                          |                  | 0                 |
| NEW HOMES BONUS                              | (240,030)              | (240,030)             |                          |                | (285,060)         |                          |                  | 0                 |                          |                  | 0                 |
| TRANSITIONAL FUNDING (assumption)            | 0                      | 0                     |                          |                | 0                 |                          |                  | 0                 |                          |                  | (881,500)         |
| SERVICES GRANT                               | (114,990)              | (114,990)             |                          |                | (19,850)          |                          |                  | (18,090)          |                          |                  | 0                 |
| <b>GENERAL EXPENSES -</b>                    |                        |                       |                          |                |                   |                          |                  |                   |                          |                  |                   |
| COUNCIL TAX INCOME                           | <b>8,205,460</b>       | <b>8,205,460</b>      |                          |                | <b>8,491,310</b>  |                          |                  | <b>8,871,030</b>  |                          |                  | <b>9,265,950</b>  |
| <b>COUNCIL TAX LEVY</b>                      |                        | <b>236.21</b>         |                          |                | <b>243.29</b>     |                          |                  | <b>250.58</b>     |                          |                  | <b>258.09</b>     |
| <b>COUNCIL TAX BASE</b>                      |                        | <b>34,738</b>         |                          |                | <b>34,902</b>     |                          |                  | <b>35,402</b>     |                          |                  | <b>35,902</b>     |

Revenue projections - Estimated Outturn Variances (Quarter 3)

| Service Area   | Revised Budget to Projected Outturn |                  |                  |                  |
|--|-------------------------------------|------------------|------------------|------------------|
|  | Cost Pressure                       | Income shortfall | Cost Reduction   | Income Growth    |
|  | £                                   | £                | £                | £                |
| <b>Chief Executive and Solicitor to the Council</b>              |                                     |                  |                  |                  |
| Pay - vacancy assumption unachieved                              | 9,000                               |                  |                  |                  |
| <b>Community and Environment</b>                                 |                                     |                  |                  |                  |
| Skip Delivery and Collection - Waste Transfer Station            |                                     |                  | (5,000)          |                  |
| Income (Miscellaneous) - Rental of parks space from events       |                                     |                  |                  | (7,000)          |
| Tipping Charges - Less waste tonnage and more recycling          |                                     |                  | (35,000)         |                  |
| Other Site Maintenance - Car Parks                               |                                     |                  | (10,000)         |                  |
| Parking Fees - Car Parks General                                 |                                     |                  |                  | (1,000)          |
| Parking Season Tickets - Car Parks General                       |                                     | 15,000           |                  |                  |
| Parking Fines (Off Street) - Car Parks General                   |                                     |                  |                  | (10,000)         |
| Parking Fines (On Street) - Enforcement                          |                                     |                  |                  | (7,500)          |
| Contracted Waste Collection - Bulky Waste Collections            |                                     | 14,000           |                  |                  |
| Street Cleansing   |                                     |                  |                  | (6,000)          |
| Grounds Maintenance - Direct Materials                           |                                     |                  | (5,000)          |                  |
| Grounds Maintenance - Direct Materials - External Works          |                                     |                  | (10,000)         |                  |
| Driver Training - Fees and Charges (Training and Courses)        |                                     | 5,000            |                  |                  |
| Landscaping Services - Direct Materials - External Works         |                                     |                  | (20,000)         |                  |
| Depot Management - Publicity and Promotion                       |                                     |                  | (5,000)          |                  |
| Museum Activities  |                                     |                  |                  | (6,000)          |
| Nature Reserves (External Grant-English Nature)                  |                                     |                  |                  | (2,000)          |
| <b>Economic Development and Regeneration</b>                     |                                     |                  |                  |                  |
| Capital portfolio Fund   |                                     | 2,000            |                  |                  |
| Reduction cost of gas WFH  |                                     |                  | (14,000)         |                  |
| Unfilled vacant posts - proportion relating to WFDC              |                                     |                  | (30,860)         |                  |
| Agency cover - appointed in January to cover Estates Surveyor    | 19,950                              |                  |                  |                  |
| Other properties   |                                     |                  |                  | (9,000)          |
| <b>Resources</b>   |                                     |                  |                  |                  |
| ICT vacant post  |                                     |                  | (20,000)         |                  |
| <b>Revenues Benefits and Customer Services - Nil this period</b> |                                     |                  |                  |                  |
| <b>Strategic Growth</b>  |                                     |                  |                  |                  |
| Senior Housing Project Officer - Funded from Earmarked Reserve   |                                     |                  | (13,000)         |                  |
| <b>TOTAL VARIANCES</b>   | <b>28,950</b>                       | <b>36,000</b>    | <b>(167,860)</b> | <b>(48,500)</b>  |
| Pay (Net)  |                                     |                  | (34,910)         |                  |
| Cost Pressure  |                                     |                  |                  |                  |
| Income shortfall   |                                     | 36,000           |                  |                  |
| Cost Reduction   |                                     |                  | (104,000)        |                  |
| Income Growth  |                                     |                  |                  | (48,500)         |
| <b>TOTAL VARIANCES</b>   | <b>0</b>                            | <b>36,000</b>    | <b>(138,910)</b> | <b>(48,500)</b>  |
| <b>OVERALL VARIANCE</b>  |                                     |                  |                  | <b>(151,410)</b> |

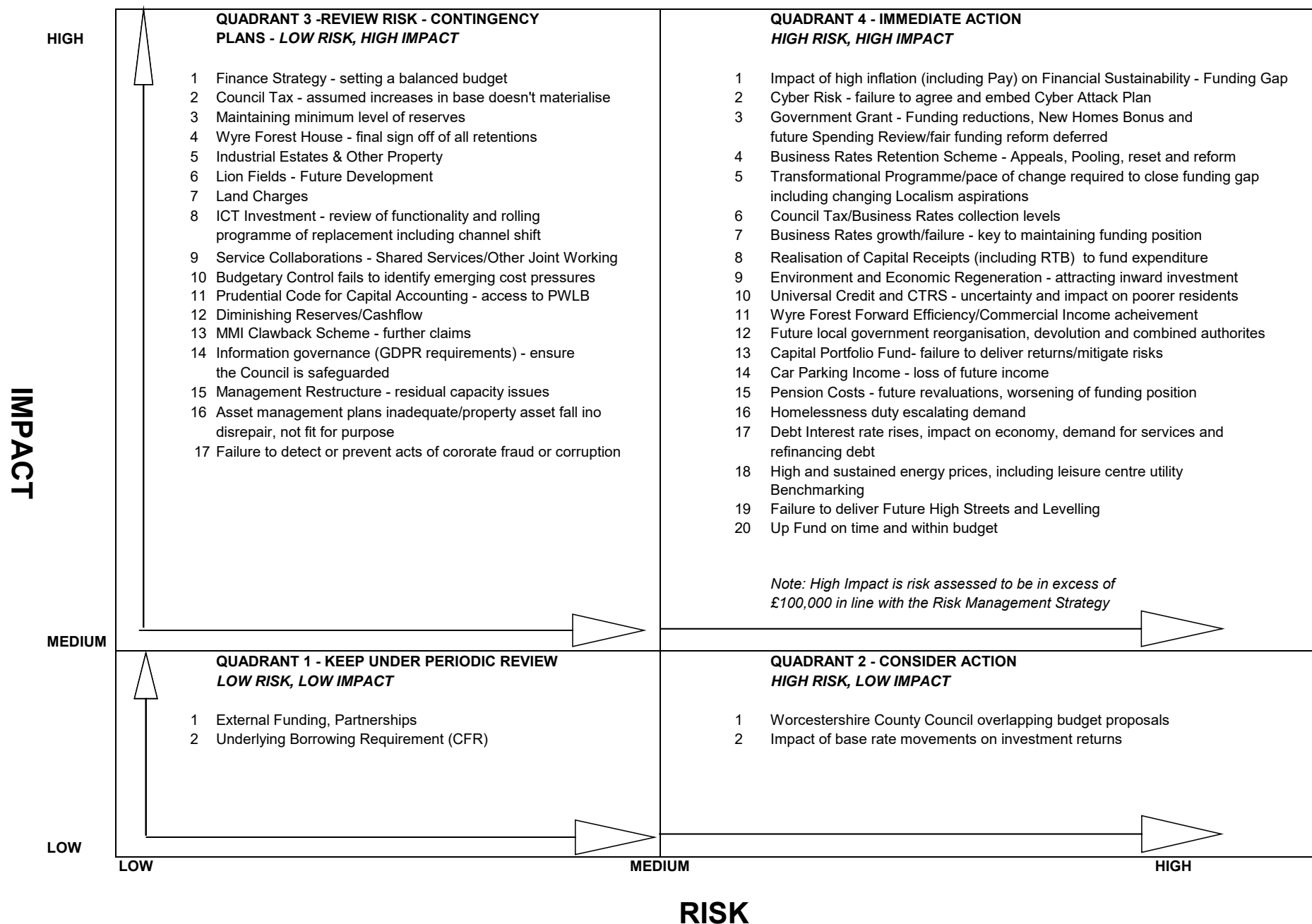
**Capital Programme 2023-24 (Revised Budget)**  
**Quarter 3 Position**

|  | 2023-24<br>Original<br>Budget<br>£ | 2023-24<br>Revised Budget<br>£ | 2023-24<br>Q3 Actual<br>Expenditure<br>£ | 2023-24<br>Draft Slippage at<br>Q3<br>£ | Progress Notes at Q3  |
|--|------------------------------------|--------------------------------|--|---|---|
| <b>COMMITTED EXPENDITURE</b>   |                                    |                                |  |   |   |
| <b>COMMUNITY AND ENVIRONMENTAL SERVICES</b>                                      |                                    |                                |  |   |   |
| Parking Facilities: Improvements to Car Parks                                    | 29,530                             | 23,600                         | 23,594                                   | 0                                       | Works scheduled for 2023-24 now complete.   |
| Brinton Park HLF Scheme (subject to successful HLF bid)                          | 1,931,190                          | 39,000                         | 17,003                                   | 17,000                                  | Project is currently predicted over budget. Officers are value engineering procurement within budget. Procurement anticipated to commence shortly. Majority of the budget has been slipped to 2024-25. Balance of 2023-24 budget likely to slip into 2024-25. |
| Innovation Fund Capital*   | 185,000                            | 100,000                        | 0  | 50,000                                  | Tender submissions of digital weighing system for commercial waste RCVs currently being evaluated.  |
| Stouport Riverside   | 0                                  | 52,200                         | 0  | 27,200                                  | Work has begun on upgrading play equipment, pathways and introducing additional trees.  |
| *Subject to Business Cases & approval by the Cabinet/CLT                         |                                    |                                |  |   |   |
| <b>SUB TOTAL</b>   | <b>2,145,720</b>                   | <b>214,800</b>                 | <b>40,597</b>                            | <b>94,200</b>                           |   |
| <b>STRATEGIC GROWTH</b>  |                                    |                                |  |   |   |
| Housing Strategy:<br>Better Care Fund (BCF) including Disabled Facilities Grants | 2,000,000                          | 1,750,000                      | 766,353                                  | 250,000                                 | Likely spend around £1.5m if all projects and grants complete.  |
| Housing Fund   | 876,000                            | 1,045,920                      | 898,034                                  | 0                                       | All property purchases completed and now letting works to properties to bring that up to relevant fitness standard. Anticipate full spend by end of Q4.   |
| Flood Relief   | 28,410                             | 28,410                         | 0  | 28,410                                  | 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                            | 150,000                        | 111,905                                  | 0                                       | Likely to achieve £150k spend and remaining fund re-profiled over next two years.   |
| Future Investment Evergreen Fund (unallocated balance)*                          | 890,470                            | 1,096,830                      | 446,085                                  | 500,000                                 | Other schemes to be brought forward - large proportion of budget anticipated to slip to next financial year.  |
| Capital Projects Fund*   | 3,500,000                          | 1,000,000                      | 0  | 1,000,000                               | Scheme anticipated to slip as no business cases are currently proposed.   |
| Castle Road Development  | 2,000,000                          | 721,140                        | 349,077                                  | 0                                       | Works to site likely to commence beginning of February so likely payments of £300k before financial year end. To be confirmed after cost plan received.   |
| Raven Street Conversion  | 0                                  | 84,700                         | 0  | 28,230                                  | Due to delays with contractors being able to start on site, actual slippage could possibly be 50% at year end.  |
| BCF Energy Efficiency  | 0                                  | 400,000                        | 182,200                                  | 200,000                                 | Scheme ongoing. This fund supplements and provides an alternative to government capital funding where it cannot be applied or homes need additional support.  |
| BCF Disabled Adapted Units   | 0                                  | 240,000                        | 0  | 240,000                                 | The grant will be paid in the new financial year once planning permission has been granted (possibly May 2024)  |
| Electric Vehicle Chargepoints  | 0                                  | 271,000                        | 0  | 0                                       | Scheme being funded via an alternative method - removed from Capital Programme.   |
| Local Authority Delivery Scheme Phase 3 (LADS3)                                  | 0                                  | 432,750                        | 392,812                                  | 0                                       | Scheme complete.  |
| Home Upgrade Grant (HUGS1)   | 0                                  | 22,800                         | 22,797                                   | 0                                       | Scheme complete.  |

**Capital Programme 2023-24 (Revised Budget)**  
**Quarter 3 Position**

|   | 2023-24              | 2023-24             | 2023-24                    | 2023-24                   | Progress Notes at Q3   |
|---|----------------------|---------------------|----------------------------|---------------------------|--|
|   | Original Budget<br>£ | Revised Budget<br>£ | Q3 Actual Expenditure<br>£ | Draft Slippage at Q3<br>£ |  |
| Home Upgrade Grant (HUGS2)  | 0                    | 462,000             | 0                          | 0                         | Scheme in delivery phase. Current constraints do not allow unspent funds to be slipped into 2024-25 however this is under review with funder. There is a new £693,000 budget for this scheme for 2024-25 regardless of slippage allowance Q4 to see expenditure which is dependant on funder approval.<br>Allocation towards Bridge Street redevelopment project. Likely to be slip into 2024-25 as scoping work relating to scheme options is in progress.<br>Start of project delayed as Registered Provider not able to undertake work required for pre-application until March.  |
| Innovation Fund Capital*  | 0                    | 105,000             | 0                          | 105,000                   |  |
| Acquisition of Land at Horsefair, Kidderminster   | 49,590               | 49,590              | 0                          | 49,590                    |  |
| * Subject to Business Cases & Due Diligence   |                      |                     |                            |                           |  |
| SUB TOTAL   | 9,634,700            | 7,860,140           | 3,169,263                  | 2,401,230                 |  |
| ECONOMIC DEVELOPMENT AND REGENERATION   |                      |                     |                            |                           |  |
| FHSF - Public Realm (Worcester St, Oxford St & Crown House)   | 249,390              | 2,371,790           | 1,254,208                  | 0                         | Project delivery in progress - demolition phase 95% complete and demolition practical completion and site hand back scheduled for 31st January 2024. Construction tender in progress and appointment of the principal contractor (construction) scheduled for 26th February 2024. RIBA Stage 5 Construction phase due to commence 27th February 2024 and practical completion scheduled for November 2024.<br>0 Towpath project complete. Town Hall project has appointed main works contractor, onsite works due to commence early January, updated cash flow forecast showing project spend to June 2025. Piano Building RIBA Stage 1 Report submitted December 2024, Cabinet decision regarding purchase of Building and appointment of project design team due mid-January 2024, early programme shows project completion by funding deadline March 2025.<br>Council has submitted request for funding deadline extension to September 2024. Practical completion scheduled for December 2024. |
| Levelling Up Fund**   | 5,517,050            | 4,358,510           | 387,768                    | 0                         |  |
| FHSF - Creative Hub (former Magistrates Court)**  | 9,502,530            | 11,193,100          | 3,717,759                  | 4,000,000                 |  |
| Capital Portfolio Fund*   | 6,050,830            | 3,025,410           | 0                          | 3,025,410                 |  |
| UK Shared Prosperity Fund*  | 178,890              | 287,360             | 64,750                     | 119,130                   | Various projects underway, some will slip into next financial year.  |
| *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           | 21,236,170          | 5,424,485                  | 7,144,540                 |  |
| RESOURCES & REVENUES, BENEFITS AND CUSTOMER SERVICES  |                      |                     |                            |                           |  |
| ICT Strategy  | 250,000              | 502,480             | 29,265                     | 0                         | Various ICT projects progressing as per reports to ICT Strategy Board including digital first projects for various types of bookings, and depot projects including system for weighing waste and security projects.  |
| SUB TOTAL   | 250,000              | 502,480             | 29,265                     | 0                         |  |
| VEHICLE, EQUIPMENT & SYSTEMS RENEWAL SCHEDULE   |                      |                     |                            |                           |  |
| Vehicles & Equipment & Systems Renewal Schedule   | 1,012,040            | 1,119,720           | 223,873                    | 520,000                   | Procurement is progressing on various scheduled renewals. Anticipated to be some slippage due to procurement lead times.   |
| SUB TOTAL   | 1,012,040            | 1,119,720           | 223,873                    | 520,000                   |  |
| TOTAL COMMITTED EXPENDITURE   | 34,541,150           | 30,933,310          | 8,887,483                  | 10,159,970                |  |

# BUDGET RISK MATRIX 2024-27



## Agenda Item No. 7.1 Appendix 4 – Analysis of Outstanding Debt

### WYRE FOREST DISTRICT COUNCIL

#### Budget Monitoring Third Quarter 2023-24

#### ANALYSIS OF OUTSTANDING DEBT

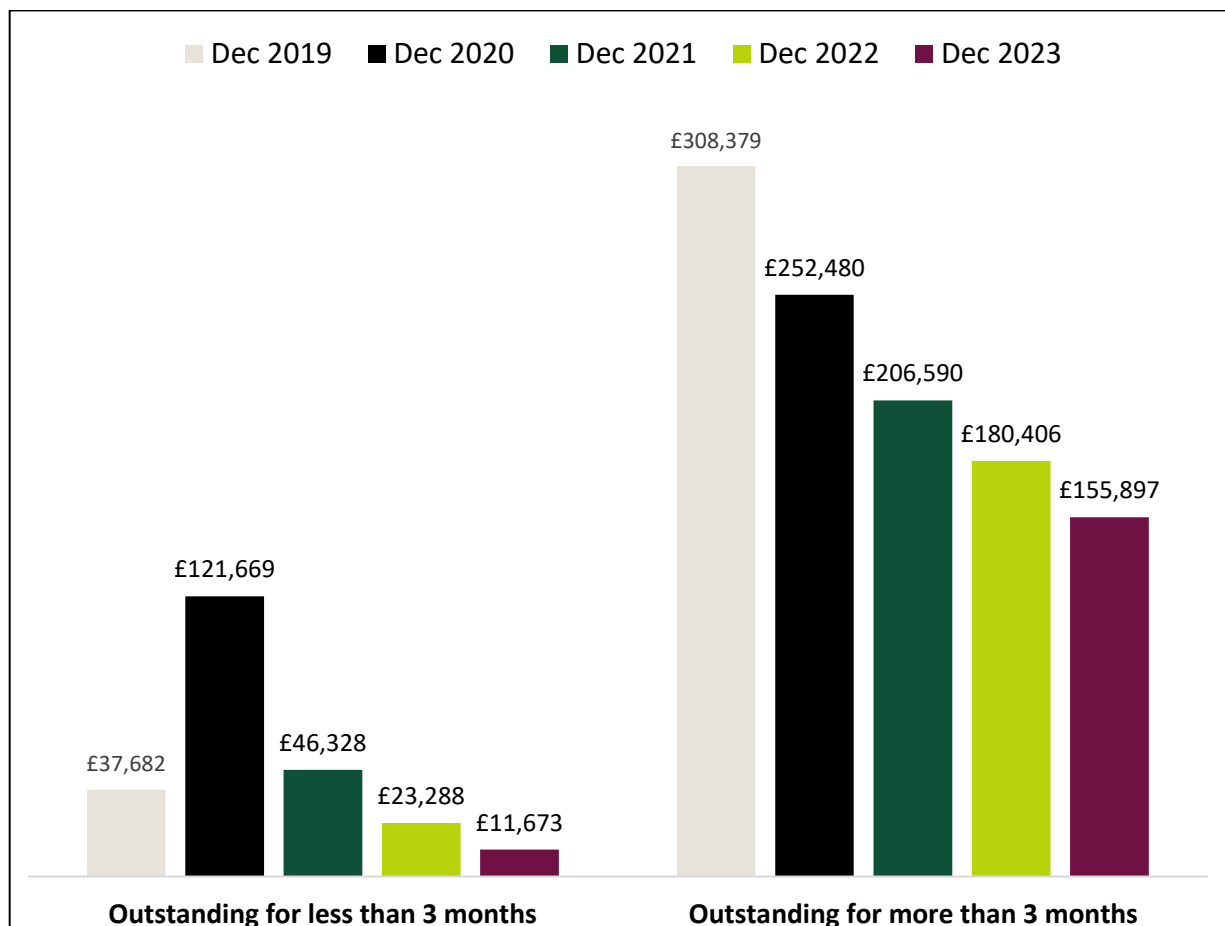
This appendix details the Council's income collection position at the end of Quarter 3 (31<sup>st</sup> December 2023).

##### 1.1. **Housing Benefit Overpayment Recovery**

Where customers have a change in their circumstances and we are later made aware of this, any Housing Benefit that has been overpaid is due for repayment. A change in circumstances transfers the customer to Universal Credit and the overpayment is recovered via a customer invoice. Customers who remain on Housing Benefit and have received an overpayment, have a deduction from their on-going benefit.

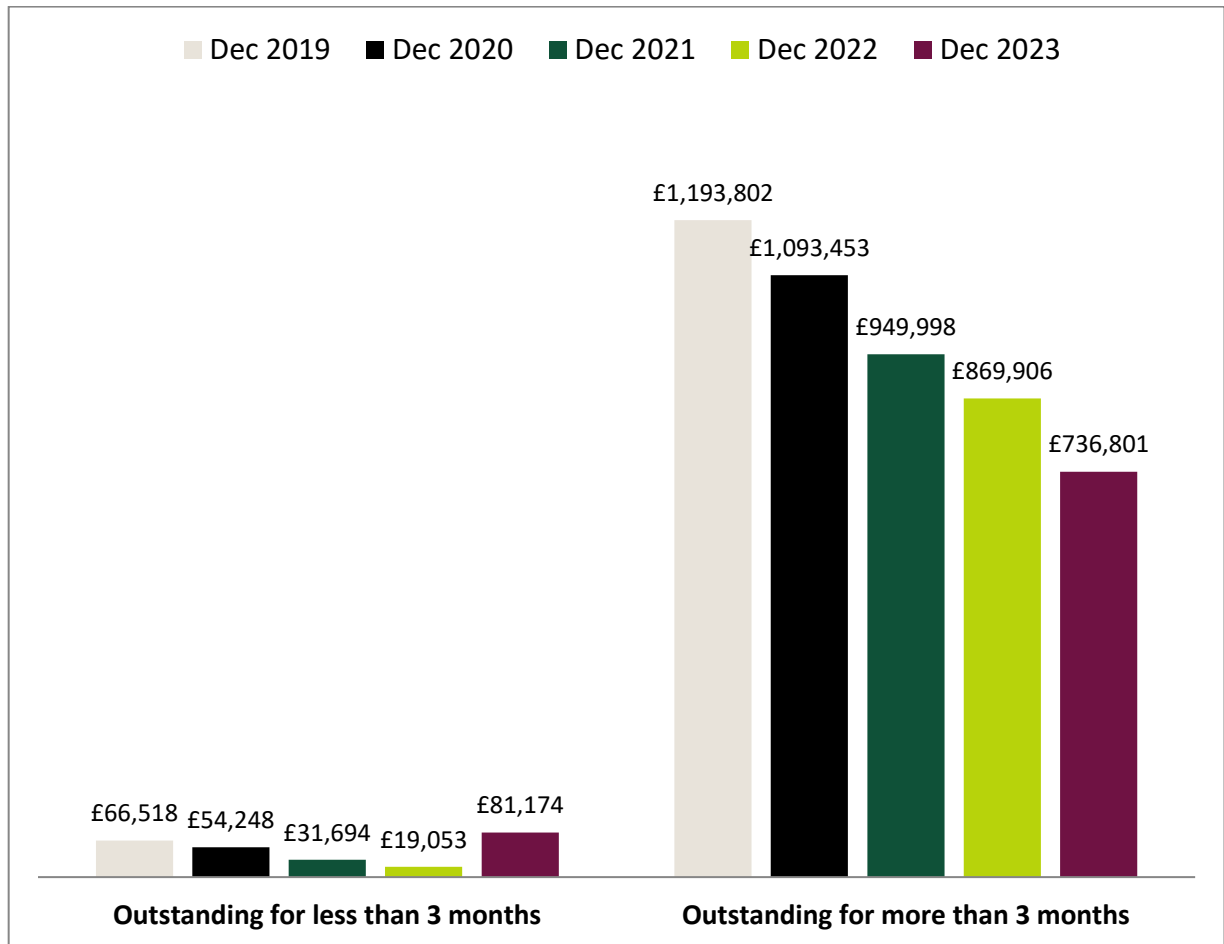
The position relating to Housing Benefit overpayment is shown in the next two graphs:

#### Recovery by On-going Benefit



## Agenda Item No. 7.1 Appendix 4 – Analysis of Outstanding Debt

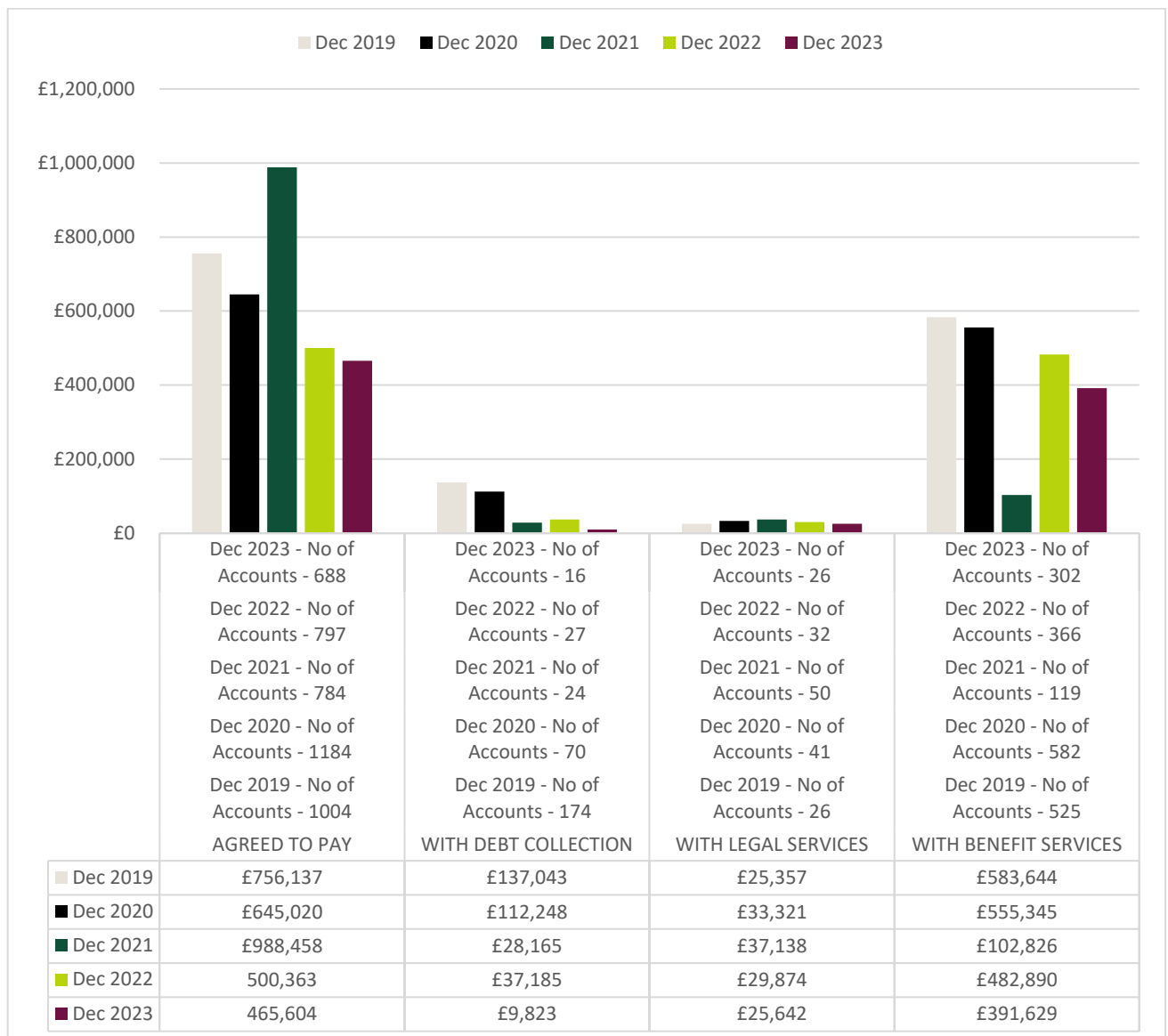
### Recovery by Customer Invoice



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. As at December 2023 debts of £573.73 have been recovered at a cost of £86.06 (2022-23 debts of £901.67 at a cost of £135.25). The number of accounts, the value outstanding and how this will be collected is shown in the following graph:

## Agenda Item No. 7.1 Appendix 4 – Analysis of Outstanding Debt

### Value and Number of Housing Benefit Overpayments Accounts and Status



The total debt outstanding at 31<sup>st</sup> December 2023 is £985,545 which represents a 10% decrease over the balance outstanding at the end of Quarter 3 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 is 1,016 (1,195 in 2022-23) a decrease of 163 cases. Cases referred to an external debt collection agency have decreased to 16 (27 in 2022-23).

The introduction of Universal Credit in November 2018 has reduced the number of customers claiming Housing Benefit and the occurrence of overpayment and its collection via on-going benefit. Collection of overpayments via customer invoice has seen an increase in overdue debt as has the collection of debt from customers on Universal Credit through the Department for Work and Pensions (DWP) and our own collection.



## Agenda Item No. 7.1 Appendix 4 – Analysis of Outstanding Debt

### 1.2. Sundry/ Property Debt

The total debt outstanding at 31<sup>st</sup> December (including debt within payment terms) was £1,372,400 (Sundry Debt £809,692 Property Debt £562,708) which represents a 47% decrease over the balance outstanding at the end of Quarter 3 2022 of £2,567,096 (Sundry Debt £2,049,878 Property Debt £517,218).

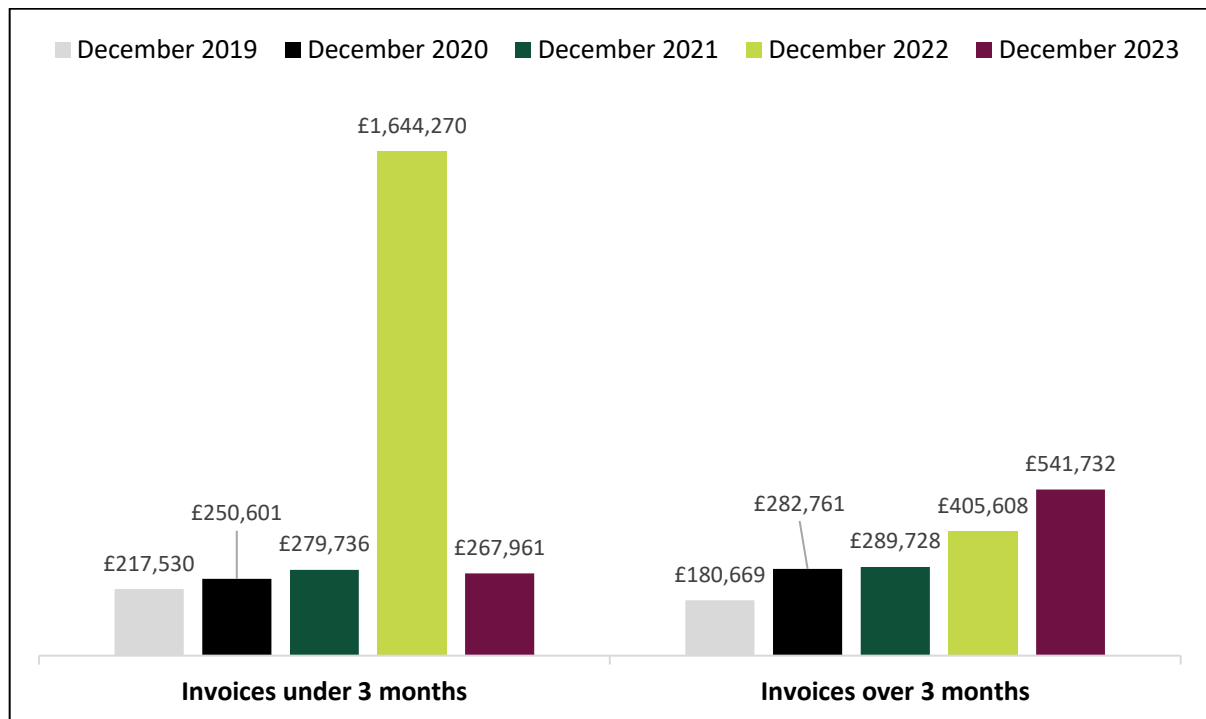
Arrears over 3 months have continued to increase and there has been an increase in the 2022-23 Quarter 3 overdue debt (more than 3 months old) (2020 £413,300, 2021 £448,500, 2022 £602,000, 2023 £759,000).

| Invoices overdue<br>(older than 3 months) | Quarter 3<br>2020<br>£ | Quarter 3<br>2021<br>£ | Quarter 3<br>2022<br>£ | Quarter 3<br>2023<br>£ | Movement<br>£ |
|---|------------------------|------------------------|------------------------|------------------------|---------------|
| Sundry Invoice                            | 282,800                | 289,700                | 405,700                | 542,000                | 136,300       |
| Property Invoices                         | 130,500                | 158,700                | 196,300                | 217,000                | 20,700        |
| Total Invoices                            | 413,300                | 448,400                | 602,000                | 759,000                | 157,000       |

1.3. The overdue debts over 3 months old over previous years had remain low due to the introduction of a revised approach to the management of accounts in arrears. The pandemic saw the Council suspended the recovery of debt during the first 2 months 2020-21.

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

### Sundry Debtors



The exceptional balance in debts for December 2022 outstanding for less than 3 months was due to 3 invoices:

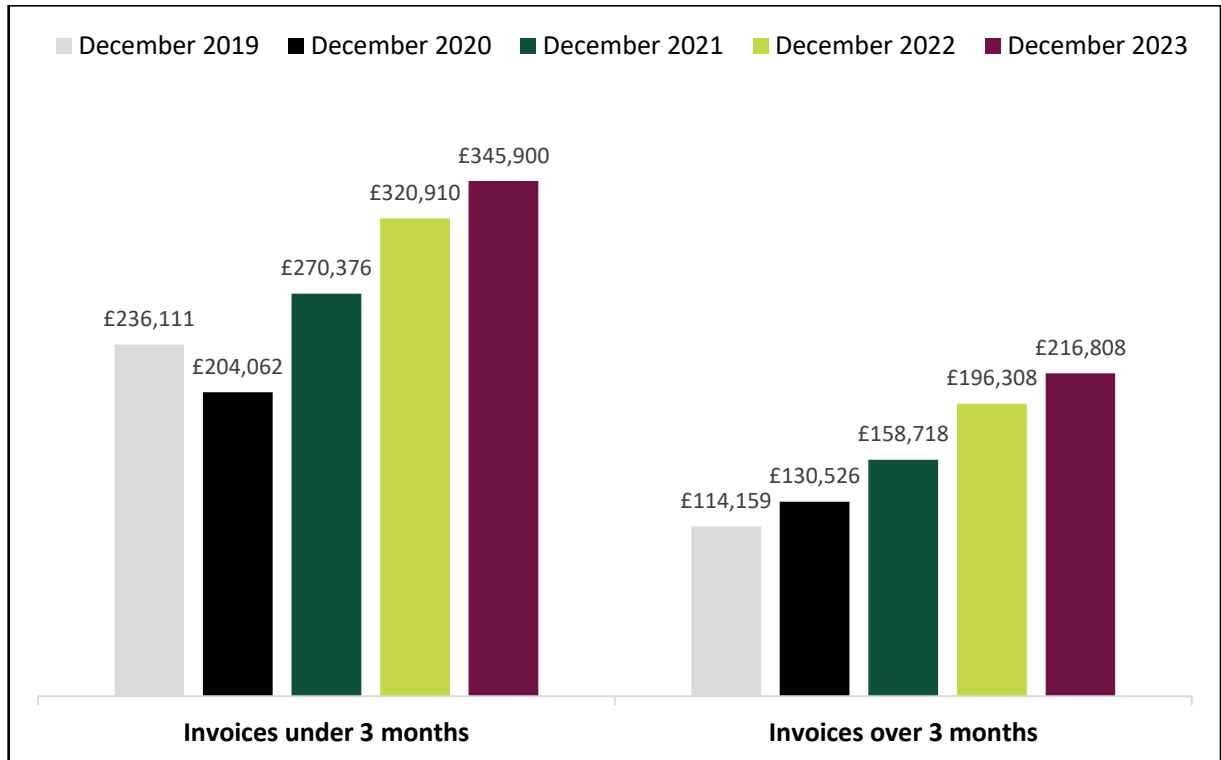
- Wyre Forest Leisure Centre - Management fees and additional work - £933,000 – queries raised by Places for People Leisure Management have been resolved and payment was made in Quarter 4.

## Agenda Item No. 7.1 Appendix 4 – Analysis of Outstanding Debt

- Worcestershire County Council – Grass cutting - £90,000.
- Worcestershire County Council totalling £285,000 for Betaden project have now been paid.

The increase for December 2023, over 3 months largely relates to garden/commercial waste.

### Property Invoices and Debt















## Agenda Item No. 7.1 Appendix 4

| <u>C&amp;E Income</u>                         | 2022-23<br>Actual (P9) | 2022-23<br>Actual Year-<br>end | 2023-24<br>Actual (P9) | 2023-24<br>Revised<br>Budget | Forecast          | This Year vs<br>Last Year (P9) | Revised vs<br>Forecast |
|---|------------------------|--------------------------------|------------------------|------------------------------|-------------------|--------------------------------|------------------------|
| <b>Car Parks and Enforcement</b>              |                        |                                |                        |                              |                   |                                |                        |
| Car parking (coin and pay-by-phone)           | £943,313               | £1,191,709                     | £886,213               | £1,130,000                   | £1,130,600        | -£57,100                       | £600                   |
| Car park season tickets and resident parking  | £140,167               | £176,042                       | £116,751               | £131,000                     | £116,000          | -£23,416                       | -£15,000               |
| PCNs (off-street)                             | £20,924                | £26,693                        | £28,646                | £25,000                      | £35,000           | £7,721                         | £10,000                |
| PCNs (on-street)                              | £79,008                | £110,418                       | £57,148                | £65,500                      | £72,500           | -£21,861                       | £7,000                 |
| Weavers Wharf management fee                  | £86,808                | £173,140                       | £1                     | £188,730                     | £188,730          | -£86,807                       | £0                     |
| FPNs and misc. enforcement income             | £11,010                | £16,405                        | £4,150                 | £15,000                      | £5,000            | -£6,860                        | -£10,000               |
| Aldi rent, rental space and misc.             | £1,235                 | £11,619                        | £11,152                | £11,620                      | £11,620           | £9,917                         | £0                     |
| <b>Total</b>                                  | <b>£1,282,467</b>      | <b>£1,706,026</b>              | <b>£1,104,060</b>      | <b>£1,566,850</b>            | <b>£1,559,450</b> | <b>-£178,406</b>               | <b>-£7,400</b>         |
| <b>Wyre Forest Leisure Centre</b>             |                        |                                |                        |                              |                   |                                |                        |
| Management contract                           | £620,184               | £620,184                       | £322,148               | £644,300                     | £644,300          | £322,148                       | £0                     |
| <b>Total</b>                                  | <b>£620,184</b>        | <b>£620,184</b>                | <b>£322,148</b>        | <b>£644,300</b>              | <b>£644,300</b>   | <b>£322,148</b>                | <b>£0</b>              |
| <b>Waste</b>                                  |                        |                                |                        |                              |                   |                                |                        |
| Business waste                                | £600,594               | £839,341                       | £630,866               | £865,000                     | £865,000          | £30,272                        | £0                     |
| Garden waste                                  | £577,981               | £525,884                       | £640,777               | £570,000                     | £570,000          | £62,796                        | £0                     |
| Waste transfer station                        | £8,400                 | £17,083                        | £12,030                | £16,800                      | £16,800           | £3,630                         | £0                     |
| Developers bins and domestic replacements     | £42,548                | £47,484                        | £28,379                | £30,000                      | £30,000           | -£14,170                       | £0                     |
| <b>Total</b>                                  | <b>£1,229,523</b>      | <b>£1,429,792</b>              | <b>£1,312,052</b>      | <b>£1,481,800</b>            | <b>£1,481,800</b> | <b>£82,529</b>                 | <b>£0</b>              |
| <b>Garage</b>                                 |                        |                                |                        |                              |                   |                                |                        |
| MOTs and servicing                            | £16,175                | £21,206                        | £2,213                 | £2,130                       | £2,130            | -£13,962                       | £0                     |
| Taxi charges                                  | £6,968                 | £12,678                        | £4,987                 | £21,000                      | £12,460           | -£1,980                        | -£8,540                |
| <b>Total</b>                                  | <b>£23,142</b>         | <b>£33,884</b>                 | <b>£7,200</b>          | <b>£23,130</b>               | <b>£14,590</b>    | <b>-£15,943</b>                | <b>-£8,540</b>         |
| <b>Driver Training</b>                        |                        |                                |                        |                              |                   |                                |                        |
| Training                                      | £9,824                 | £11,219                        | £0                     | £10,000                      | £4,500            | -£9,824                        | -£5,500                |
| <b>Total</b>                                  | <b>£9,824</b>          | <b>£11,219</b>                 | <b>£0</b>              | <b>£10,000</b>               | <b>£4,500</b>     | <b>-£9,824</b>                 | <b>-£5,500</b>         |
| <b>Arboricultural and Grounds Maintenance</b> |                        |                                |                        |                              |                   |                                |                        |
| Tree gang                                     | £32,897                | £64,410                        | £42,551                | £55,000                      | £55,000           | £9,654                         | £0                     |
| Grounds maintenance                           | £5,189                 | £75,427                        | £24,027                | £76,000                      | £76,000           | £18,838                        | £0                     |
| Landscaping                                   | £4,386                 | £11,945                        | £12,621                | £20,000                      | £20,000           | £8,235                         | £0                     |
| Advertising                                   | £23,898                | £18,886                        | £19,031                | £20,000                      | £20,000           | -£4,867                        | £0                     |
| <b>Total</b>                                  | <b>£66,370</b>         | <b>£170,667</b>                | <b>£98,229</b>         | <b>£171,000</b>              | <b>£171,000</b>   | <b>£31,859</b>                 | <b>£0</b>              |
| <b>Parks and Green Spaces</b>                 |                        |                                |                        |                              |                   |                                |                        |
| Grass cutting - verges                        | £75,000                | £75,000                        | £125,000               | £125,000                     | £125,000          | £50,000                        | £0                     |
| Parks licences and rentals                    | £6,799                 | £14,348                        | £10,199                | £13,590                      | £13,590           | £3,400                         | £0                     |
| Rangers and nature reserves                   | £38                    | £54                            | -£162                  | -£160                        | -£160             | -£200                          | £0                     |
| <b>Total</b>                                  | <b>£81,836</b>         | <b>£89,402</b>                 | <b>£135,036</b>        | <b>£138,430</b>              | <b>£138,430</b>   | <b>£53,200</b>                 | <b>£0</b>              |
| <b>Street Cleansing</b>                       |                        |                                |                        |                              |                   |                                |                        |
| Bulky waste                                   | £42,473                | £56,315                        | £39,861                | £64,000                      | £50,000           | -£2,612                        | -£14,000               |
| Street cleansing external                     | £29,927                | £64,335                        | £23,176                | £64,300                      | £70,000           | -£6,750                        | £5,700                 |
| <b>Total</b>                                  | <b>£72,399</b>         | <b>£120,650</b>                | <b>£63,037</b>         | <b>£128,300</b>              | <b>£120,000</b>   | <b>-£9,362</b>                 | <b>-£8,300</b>         |
| <b>Bewdley Museum</b>                         |                        |                                |                        |                              |                   |                                |                        |
| Shop income                                   | £60,588                | £66,126                        | £62,228                | £62,000                      | £63,000           | £1,640                         | £1,000                 |
| Educational visits                            | £10,580                | £12,597                        | £16,760                | £20,000                      | £18,000           | £6,180                         | -£2,000                |
| Museum activities                             | £25,679                | £26,804                        | £22,431                | £20,000                      | £22,500           | -£3,248                        | £2,500                 |
| Weddings                                      | £15,159                | £10,619                        | £15,462                | £12,000                      | £15,500           | £303                           | £3,500                 |
| Property and rents                            | £23,450                | £30,521                        | £24,383                | £26,780                      | £27,000           | £933                           | £220                   |
| Misc fees and income                          | £9,891                 | £10,821                        | £4,685                 | £8,800                       | £8,800            | -£5,206                        | £0                     |
| Guildhall                                     | £495                   | £660                           | £495                   | £660                         | £660              | £0                             | £0                     |
| <b>Total</b>                                  | <b>£145,842</b>        | <b>£158,148</b>                | <b>£146,444</b>        | <b>£150,240</b>              | <b>£155,460</b>   | <b>£602</b>                    | <b>£5,220</b>          |
| <b>Cemetery</b>                               |                        |                                |                        |                              |                   |                                |                        |
| Burial fees                                   | £54,816                | £71,363                        | £48,676                | £55,420                      | £55,420           | -£6,140                        | £0                     |
| <b>Total</b>                                  | <b>£54,816</b>         | <b>£71,363</b>                 | <b>£48,676</b>         | <b>£55,420</b>               | <b>£55,420</b>    | <b>-£6,140</b>                 | <b>£0</b>              |
| <b>Other</b>                                  |                        |                                |                        |                              |                   |                                |                        |
| Green street depot rents                      | £3,375                 | £4,500                         | £1,500                 | £2,000                       | £2,000            | -£1,875                        | £0                     |
| <b>Total</b>                                  | <b>£3,375</b>          | <b>£4,500</b>                  | <b>£1,500</b>          | <b>£2,000</b>                | <b>£2,000</b>     | <b>-£1,875</b>                 | <b>£0</b>              |
| <b>Grand Total</b>                            | <b>£3,589,778</b>      | <b>£4,415,836</b>              | <b>£3,238,382</b>      | <b>£4,371,470</b>            | <b>£4,346,950</b> | <b>£268,788</b>                | <b>-£24,520</b>        |

### Q3 Performance Update





#### Actions that underpin our corporate plan priorities

| Corporate Plan Action  | Q3 Update  | Status   |
|--|--|--|
| <b>Economic Development and Regeneration</b>   |  |  |
| Regenerate central Kidderminster including completion of Future High Streets and Levelling Up Fund projects. | <p><b>Future High Streets Fund:</b><br/>The demolition of the former Woolworths and Mega Value buildings is on track for completion by January 2024. Planning permission was secured in December 2023 and work is due to start in Spring 2024.<br/>Work continues on the former Magistrates Court.</p> <p><b>Levelling Up Fund:</b><br/>Work has commenced on Kidderminster Town Hall.<br/>It is expected that the Piano building will be acquired in Q4.</p>  | <br><br><br><br><br><br><br><br><br><br>   |
| Redevelop former Crown House site, Lionfields and other brownfield sites we own – mainly for housing.        | <p><b>Lionfields Phase One:</b><br/>Invitation to the tender for the feasibility study issued in December 2023. The appointment of the successful firm in early February 2024. The completion of the feasibility study 2024.</p> <p><b>Radford Avenue:</b><br/>Work is ongoing and the next stage of the project is to negotiate rights with neighbouring properties in Q1 2024/25.</p> <p><b>Clensmore Street:</b><br/>Heads of terms have been agreed and a planning application and exchange of contracts is due to take place in Q4.</p> <p><b>Raven Street Refurbishment:</b><br/>Procurement for works is due to take place in Q4 with work starting on site by the end of Q4.</p> <p><b>Crown House:</b><br/>Procurement underway with the aim of work commencing Q1 2024/25 and feasibility study completed by Q2 2024/25.</p> | <br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br><br> |
| Progress the redevelopment of Bridge Street site, Stourport.   | Work is underway and the first floor refurbishment is due to complete Q4. Work is required to explore options for developing the site with a report target date of summer 2024.  |   |

|  |  |   |
|--|--|---|
| Work with High Streets Task Force to develop and implement a vision for the regeneration of central Stourport. | 3 meetings and 1 site visit were held with High Streets Task Force experts in Q3. Workshop held with Stourport Town Council.   |    |
| Work with partners to improve skill levels and make sure they are the skills employers need.                   | <p>A host of projects is due to begin to deliver much needed skills support, training and advice to the district. The following UKSPF Projects have been approved for 2024/25;</p> <ul style="list-style-type: none"> <li>• Community Prospects - £119k – March 2024</li> <li>• Upskill Worcestershire - £152k – March 2025</li> <li>• Professional Skills for the Workforce - £14k – March 2025</li> <li>• Building Brighter Futures - £150k – March 2025</li> <li>• Careers Worcestershire - £225k – March 2025</li> </ul> |    |
| Make sure business support services are available to help businesses grow.                                     | <p>A wide range of business support initiatives for the district is being provided from our UKSPF Provision. These are:</p> <ul style="list-style-type: none"> <li>• Worcs Growth Hub (one stop shop for all business support offers) - £196k 2023-March 2025</li> <li>• WCC Business support programmes (includes Start up, innovate, net zero and enterprise projects) - £577k 2023- Mar 2025</li> <li>• BetaDen (Hi Tech business incubator) - £86k – Mar 24</li> </ul>   |    |
| <b>Securing financial sustainability for services that local communities value</b>                             |  |   |
| Increase net income from our commercial activities.  | <p>Commercial Programme Board has been established to review each area of commercial activity. Commercial Strategy to be developed in Q4.</p> <p>Individual Business plans prepared for C&amp;E commercial activities. Work underway to improve understanding of cost drivers and net return from activities.</p> <p>New income targets introduced following approval of the 2024-27 MTFS at Council in February.</p>  |   |
| Increase the visits to our nature reserves and make them more accessible.                                      | The outline business case has been completed and project work continues. It is expected that the business case will be completed Q1 2024/25 and authority to proceed obtained in Q2 2024/25.   |  |

## Agenda Item No. 7.1 APPENDIX 6

|  |   |   |
|--|---|---|
|  | Work is underway to develop the accessibility of our nature reserves. A plan for each reserve is due Q1 2024/25.  |   |
| Complete the redevelopment of Brinton Park, funded by the National Lottery Heritage Fund.    | Project work continues and revised project approval was obtained in Q3. The next stage is procurement before work can commence hopefully in Q2 2024/25.   | ▶ |
| Investigate options for developers to make bio-diversity contributions on alternative sites. | The outline business case for bio-diversity net gain project was developed in Q3 together with the mapping of the land.   | ▶ |
| <b>A clean, safe and green place to live, work and visit</b>                                 |   |   |
| Secure housing growth through the local plan.  | Consultation for a Housing SPD is now closed. Ongoing work on other SPDs to complete Summer 2024.<br><br>There were 32 affordable new builds completed by open market and affordable housing in Q3.   | ▶ |
| Invest more in tackling environmental crime and illegal parking.                             | <b>Tackling illegal parking:</b><br>Discussions held with WCC regarding resource partnering and free parking initiative was rolled out in Q3.<br><b>Tackling environmental crime:</b><br>A new environmental enforcement policy was adopted in Q3 and resource has now also been increased to tackle environmental crime. | ▶ |
| Invest more on clearing litter, particularly in summer months.                               | <b>Review Litter Clearing Resources:</b><br>Review of efficiencies undertaken with better ways of work identified and implemented. For example, route optimisation for all cleansing and mechanical sweeping teams.   | ▶ |
| Work with town councils and community groups to improve parks and open spaces.               | A development plan for each park is underway with a target date for completion of Q1 2024/25  | ▶ |
| Help provide more cultural events.   | An annual programme of events is due to be developed for Q4 2023/24 and ongoing budget to be agreed.  | ▶ |

|   |  |   |
|---|--|---|
| Increase the amount of temporary accommodation available by providing a new housing scheme. | <b>Development of Castle Road, Kidderminster:</b><br>A project board has been established to report progress. Work to begin on site Q4 with estimated completion date March 2025   |  |
| Produce and implement a carbon reduction plan for the district and for the council.         | <b>Solar farm:</b><br>A consultant was appointed, and negotiations for private wire commenced. Development of feasibility study is due April 2024.<br><br><b>Canopies project:</b><br>Investigative work is due for completion in Q4 2023/24 |  |
| Help people make their homes more energy efficient.   | HUGS2 – completion date March 2025. Work in progress   |  |
| Install electric charging points in car parks in all three towns.                           | Contract awarded to Flowbird, December 2023. Programme of roll out to all WFDC car parks expected in first three quarters of 2024/25.  |  |

**TABLE TWO - measures/actions that support the delivery of the corporate plan priorities**

(Note – new measures are indicated by \*)

| Corporate Plan Priority   | Corporate Action                            | Measure  | Update/notes  |
|---|---|--|---|
| Securing financial sustainability for services that local communities value | Monitor council tax base to increase income | Council Tax Reduction Scheme expenditure as % of gross property charge *<br><i>aim is to keep the % as low as possible</i> | 9.27%<br>New measure – <i>this compares to 9.09% in Jan 22/23</i> |
|   |   | Council tax exemptions as % of gross property charge *<br><i>aim is to keep the % as low as possible</i>                   | 2.49%<br>New measure – <i>this compares to 2.30% in Jan 22/23</i> |
|   |   | Council tax discounts as % of gross property charge *<br><i>aim is to keep the % as low as possible</i>                    | 8.34%<br>New measure – <i>this compares to 8.10% in Jan 22/23</i> |

## Agenda Item No. 7.1 APPENDIX 6

|   |   |   |   |
|---|---|---|---|
| Securing financial sustainability for services that local communities value | Monitor customer contacts to improve service provision  | Number of customer contacts via hub (phone, email & visit) *  | 10,271  |
|   |   | % customer contacts that are of value *   | 81%   |
| A clean, safe and green place to live, work and visit                       | Assisting people in housing need  | Number of people presenting themselves in need of housing advice  | 2,527 in Q3   |
| A clean, safe and green place to live, work and visit                       | Number of residents who experience a positive health outcome because of housing improvement intervention. | Residents who experienced a positive health outcome as a consequence of a housing improvements intervention | 89 in Q3  |
| A clean, safe and green place to live, work and visit                       | Support provided to low-income households   | Amount spent on hardship/welfare support  | £204,170 in Q3<br><i>This compares to £36,526 in Q3 22/23</i>     |
|   |   | Number of households in receipt of Council Tax Reduction Scheme *   | 7,726<br><i>This compares to 7,900 in Q3 22/23</i>                |
|   |   | Number of households in receipt of Housing Benefit *  | 3,534<br><i>This compares to 3,789 in Q3 22/23</i>                |
| A clean, safe and green place to live, work and visit                       | Contribute to making the district a clean, safe and green place to live, work and visit                   | Number of fly-tipping incidents   | 244<br><i>This compares to 107 incidents in Q3 22/23</i>          |
|   |   | Number of Fixed Penalty Notices issued  | 11<br><i>This compares to 42 that were issued in Q3 22/23</i>     |
|   |   | Number of Penalty Charge Notices issued   | 853<br><i>This compares to 1,321 that were issued in Q3 22/23</i> |
|   |   | Number of visitors to Bewdley Museum  | 47,879  |
|   |   | Number of visitors to Wyre Forest Leisure Centre  | 144,266<br><i>This compares to 135,516 visitors in Q3 22/23</i>   |



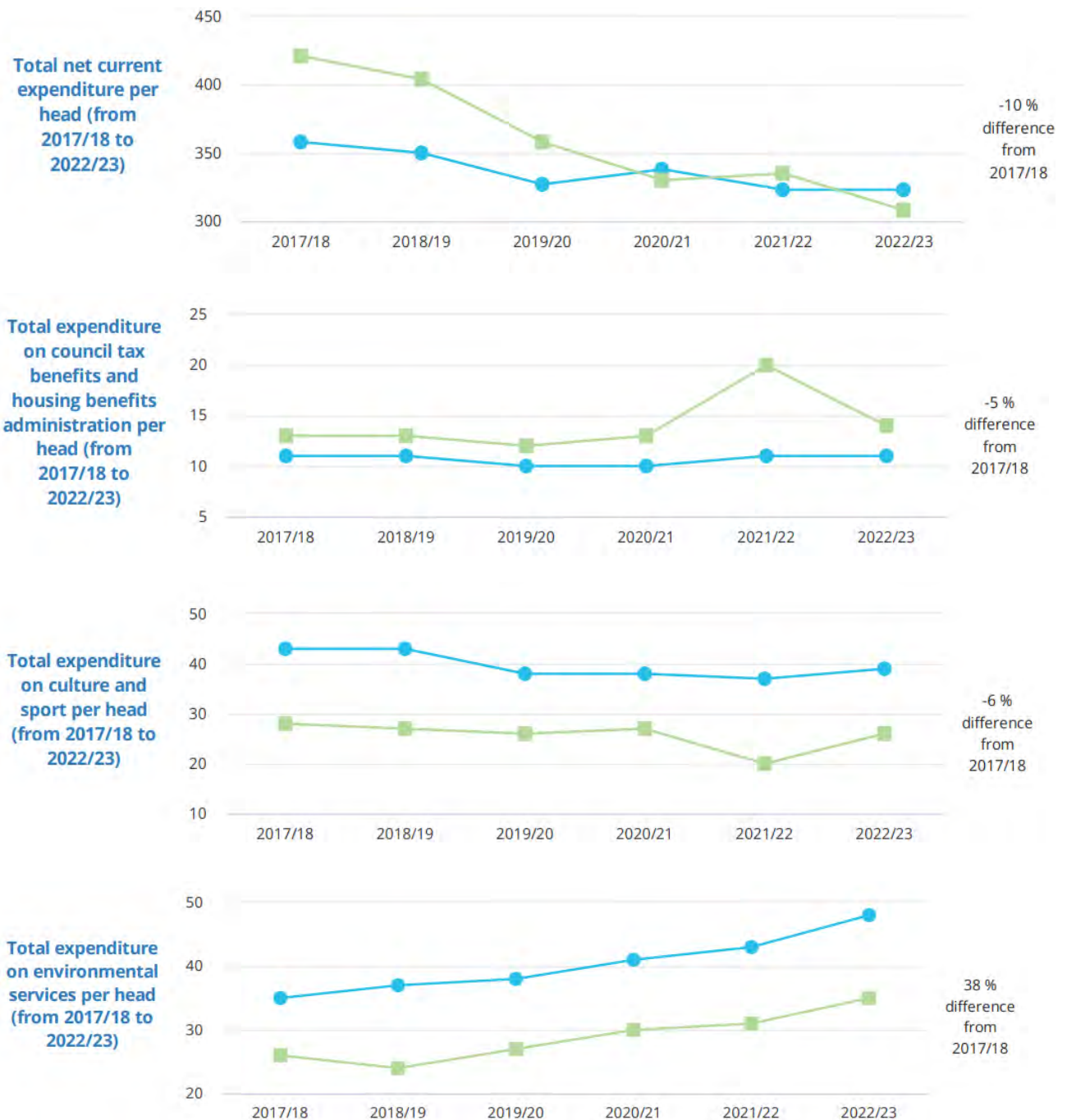
**Agenda Item No. 7.1 APPENDIX 6**

|   |  | Number of new trees planted *  | 0 in Q3<br>New measure |
|---|--|--|------------------------|
| A clean, safe and green place to live, work and visit | Develop partnership working to improve community safety/reduce crime | Q3 update:<br>A 4-year community safety partnership plan will commence in Q1 2024/25   |                        |
| Economic development and regeneration                 | UK Shared Prosperity Fund  | Q3 Update:<br>ReWyre Board approved the project allocation for the community and place and supporting local business investment priorities. It will finalise the approvals for the people and skills investment priority in Q4 2024 last quarter |                        |

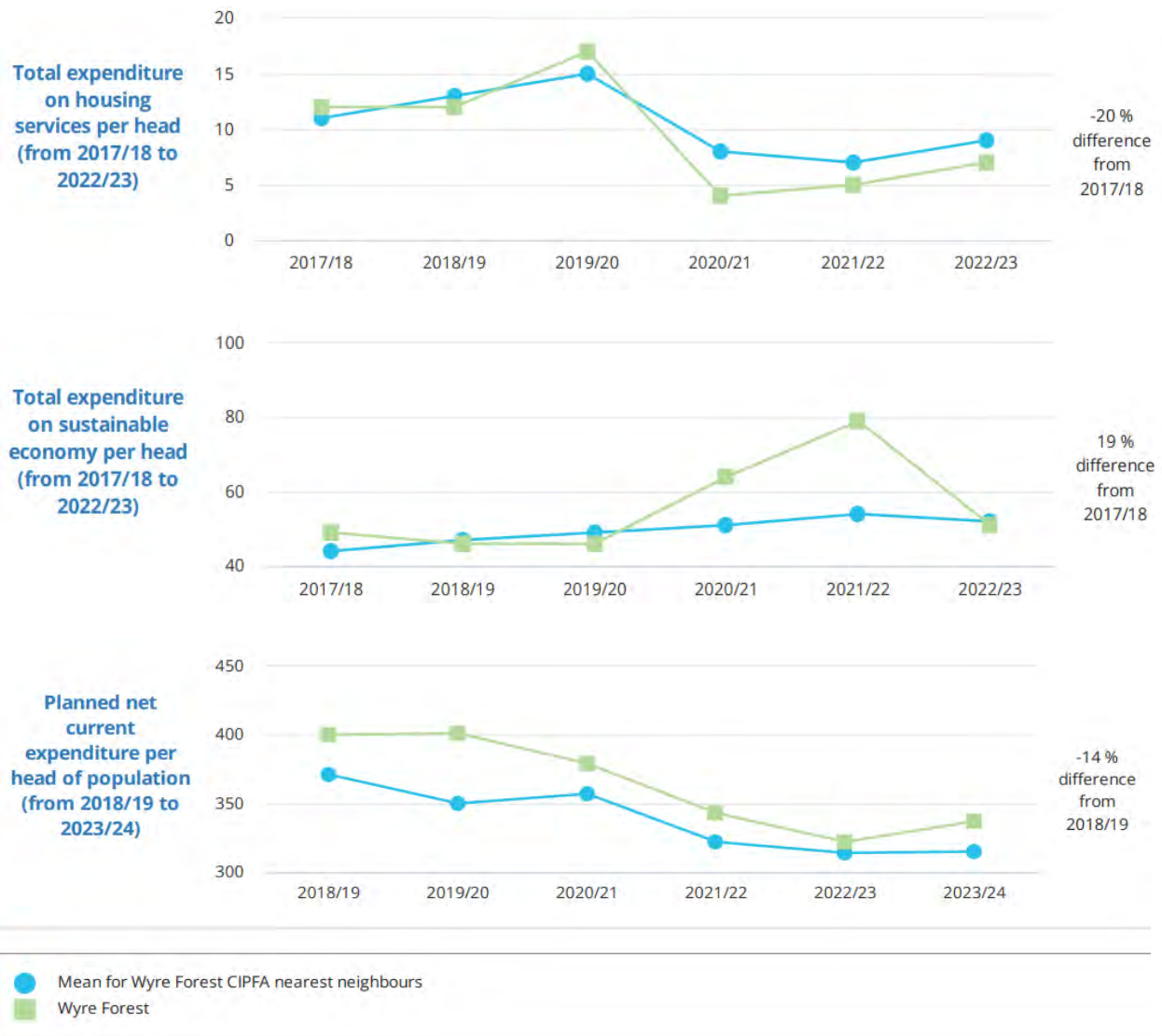
## Agenda Item No. 7.1 APPENDIX 6

The following charts from LGInform give an overview of the authority's **spend on its services** expressed **per head of total population**. Most of the expenditure data comes from the latest Final Revenue Outturn return which is for 2022-23 – the data is available, and will be reported, only once a year. However the planned net current expenditure comes from different sources and is for the current financial year 2023-24.. Where possible, historical spend data is adjusted for inflation using GDP deflator factors to allow a more accurate comparison of spend over time in real terms.

Overall expenditure, whether actual or planned, has moved closer to the average for all district councils. Some areas of service expenditure by WFDC are significantly lower than the district average (culture and sport, environmental services) while other areas are generally in line with or slightly ahead of the average.



## Agenda Item No. 7.1 APPENDIX 6

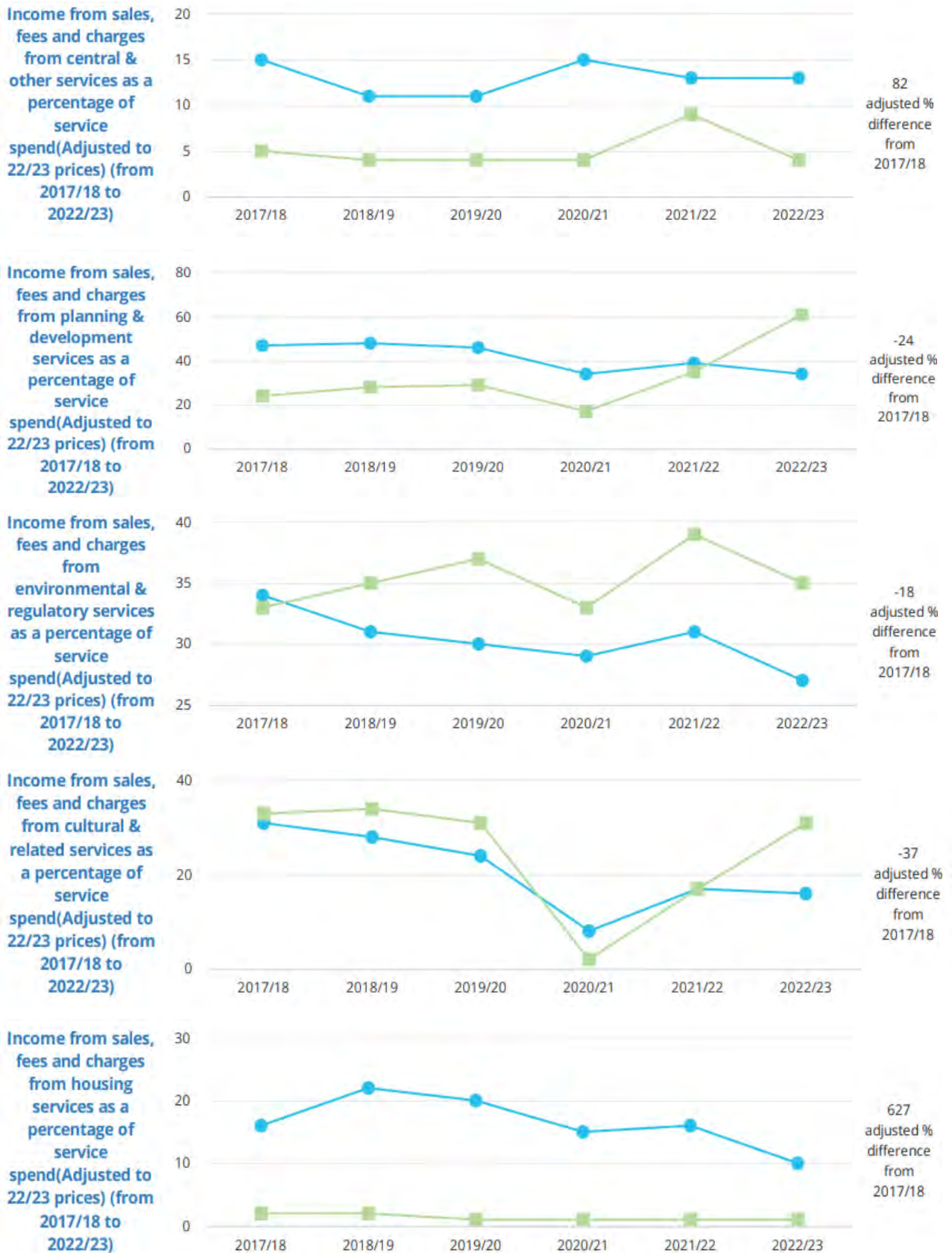


The following charts relate to **income and charges** and are compared using CIPFA “nearest neighbours”, rather than all districts. The comparator group is districts that are most similar to Wyre Forest in terms of demography, deprivation etc. They are Amber Valley, Bassetlaw, Broxtowe, Cannock Chase, East Lindsey, Erewash, Fenland, Folkestone & Hyde, Gedling, High Peak, Newark & Sherwood, Newcastle-Under-Lyme, South Kesteven and Wyre Borough.

Because of the relatively low level of WFDC service expenditure in some areas such as culture and sport and environmental services, the higher proportion of spend represented by income from sales, fees and charges does not map across to higher absolute amounts of income.

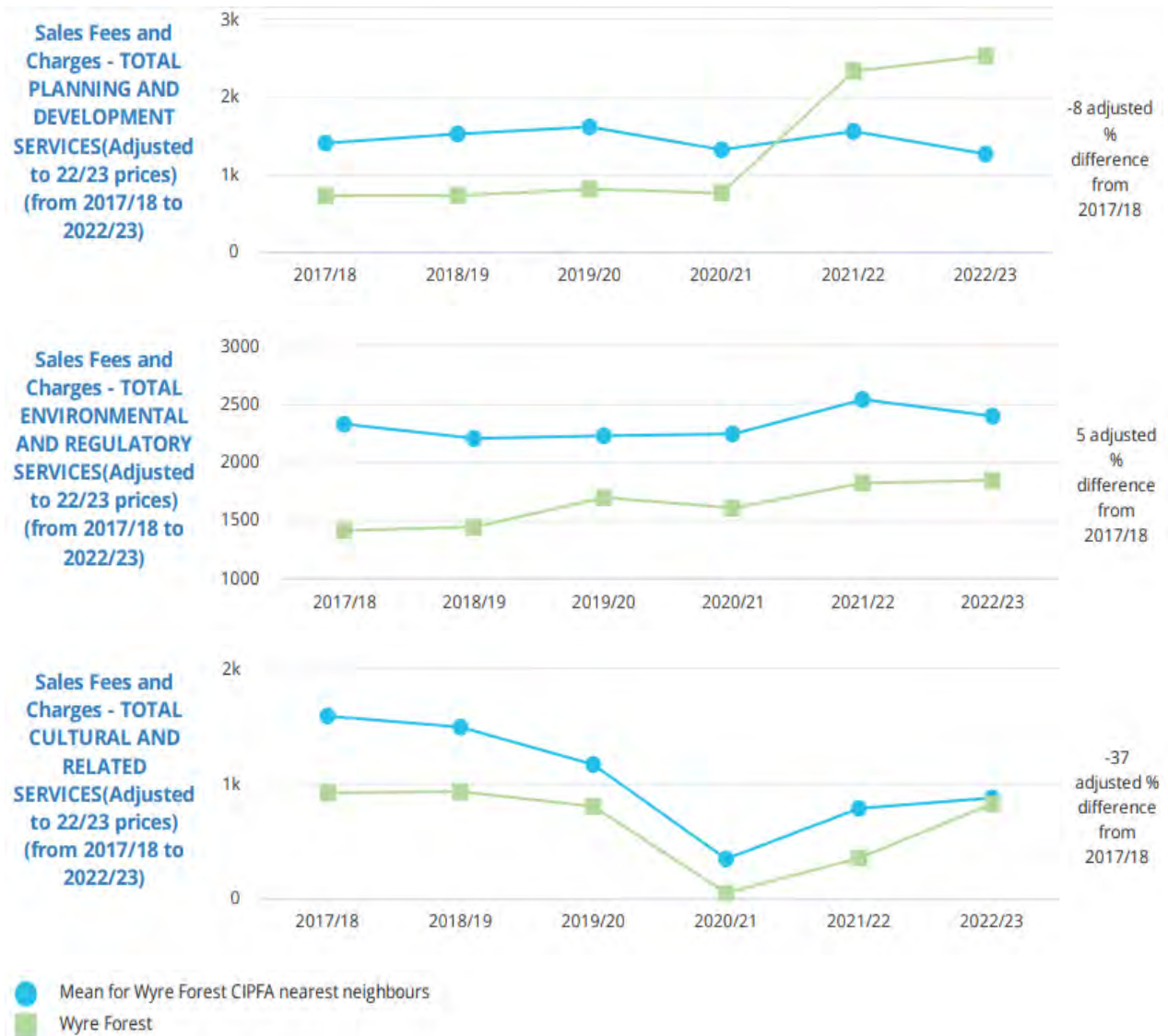
[Income and charging | Value for Money Profiles \(local.gov.uk\)](#)

## Agenda Item No. 7.1 APPENDIX 6





## Agenda Item No. 7.1 APPENDIX 6



The following charts give comparative performance data, again compared with CIPFA nearest neighbours. Please note that **LGIinform reverses the colour coding: in these charts WFDC is the blue line**. Where available quarterly, the comparative performance data will be reported quarterly – most are available only annually.

### Time taken to process housing benefit new claims and change events - quarterly

#### Commentary:

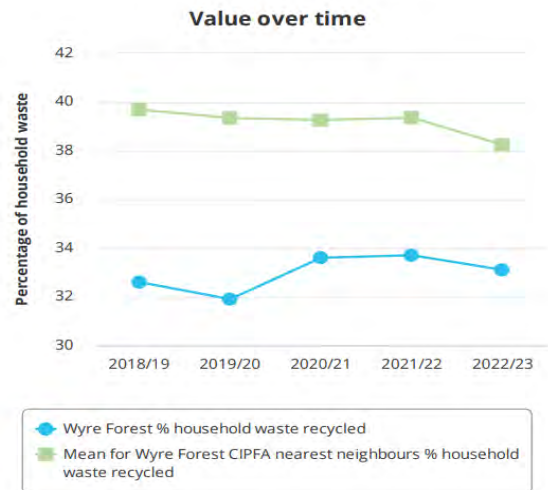
The benefits team have experienced some resource issues following the resignation of two members of staff. They have now been replaced but are undergoing training. Agency staff have been used to help reduce the backlog and there is a plan in place to investigate automation of certain claim types although this may mean purchasing additional software and ongoing revenue expenditure. This work will start in Q1 2024/25.



### Percentage of household waste sent for reuse, recycling and composting (annual)

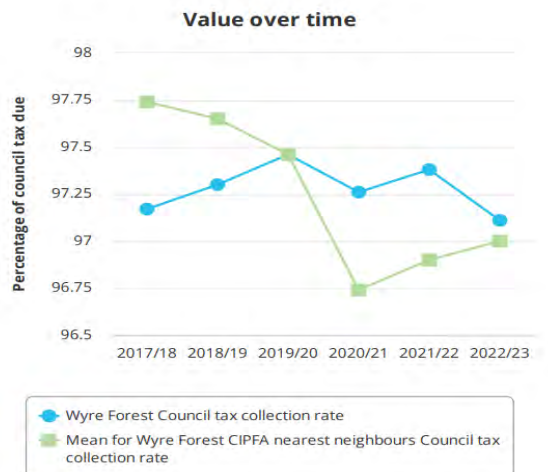
This is the percentage of household waste arisings which have been sent by the authority for reuse, recycling, composting or anaerobic digestion.

**Commentary:** there is a long term trend of WFDC tracking below national averages, although the gap has closed marginally across the five years shown. Performance is expected to improve in all areas with the introduction of separate food waste collections and other waste reforms, although the changes are at least two years away.



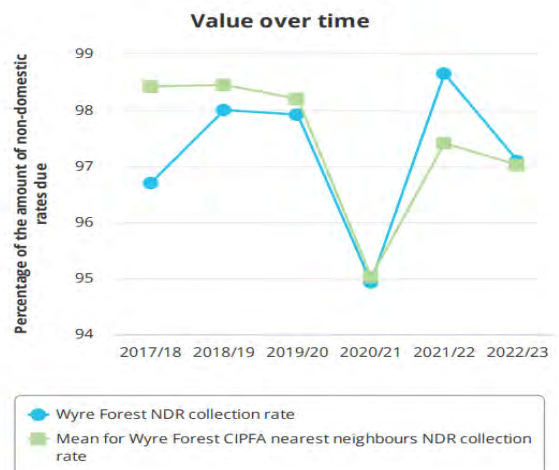
### Council tax collected as a percentage of council tax due (annual)

**Commentary:** WFDC's collection performance was slightly above the comparator group in 2022-23 and has remained generally steady over the five years, whereas there is a clear downward trend in performance of the comparator group. It remains to be seen whether the 2023-24 comparisons will continue shorter-term trends.



### Non domestic rates collected as percentage non domestic rates due (annual)

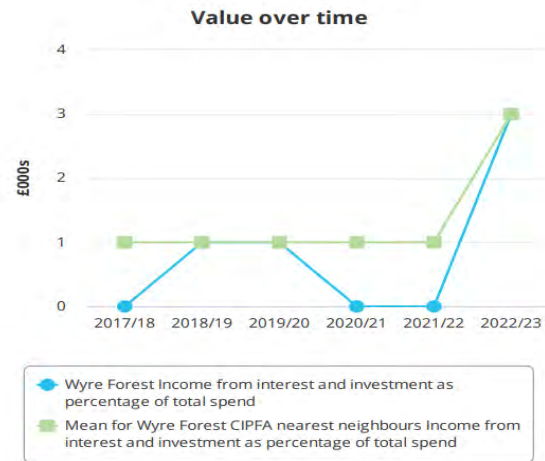
**Commentary:** : performance on this indicator can be affected by the fortunes of a few major business rate payers, which lie outside the control of any council. WFDC's collection performance was in line with the comparator group in 2022-23. All councils saw a significant dip because of the pandemic. While WFDC performance in the last year declined from 2021-22, the trend for the comparator group is downwards across the 6 years.



### Income from interest and investment as percentage of total spend (annual)

[Interest and investment income \(-\): external receipts and dividends \(RS\):](#)

**Commentary:** the prior year figures for WFDC reflect a different way of completing returns as the council always achieves some interest income. Performance in 2022-23 matches the comparator group and reflects the rapid increase in interest rates since 2021.



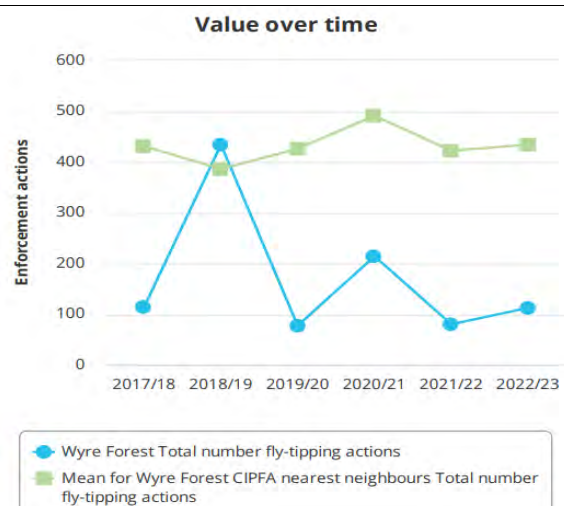
### Total fly-tipping incidents (annual)

**Commentary:** the incidence of fly tipping could be affected by a range of factors, including availability/closeness of recycling centres to main towns, closeness of a district to nearby major urban centres and perceived effectiveness of enforcement. It is encouraging that WFDC experiences lower levels of fly tipping than the comparator group.



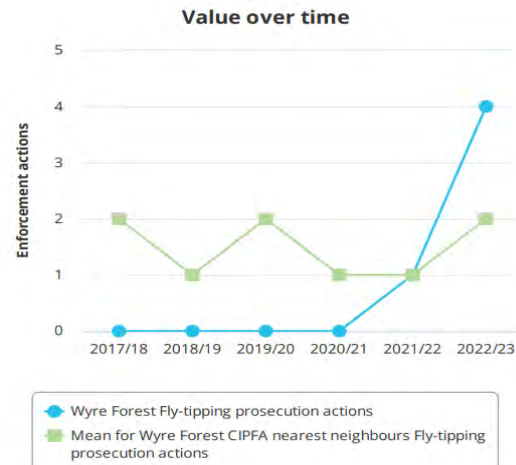
### Total number of fly-tipping enforcement actions (annual)

**Commentary:** the number of enforcement actions in WFDC would be expected to be lower than the comparator group because there are fewer incidents. However the rate of enforcement action in the comparator group seems to be higher (c.35-40%) than in WFDC (about 15-20%). This can be affected by how astute fly tippers are at not leaving evidence that incriminates them, as well as availability of staff to investigate.



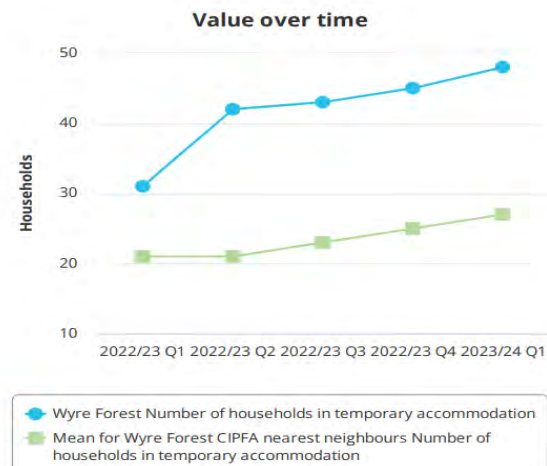
### Fly-tipping prosecutions (annual)

**Commentary:** prosecutions can be pursued only if there is good quality evidence, and the level of prosecutions is low across the comparator group. Despite the small numbers, WFDC pursued far more prosecutions in 2022-23 than the comparator group.



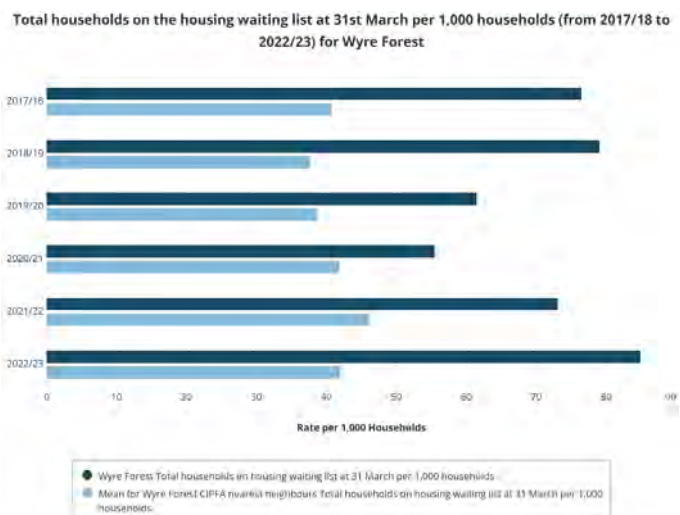
### Number of households in temporary accommodation (quarterly)

**Commentary:** the trend in the comparator group is upwards. There is a markedly higher level of households in Wyre Forest in temporary accommodation than in the comparator group. Provision for this client group is being expanded with the new build at Castle Road.



### Total households on the housing waiting list at 31st March per 1,000 households (annual)

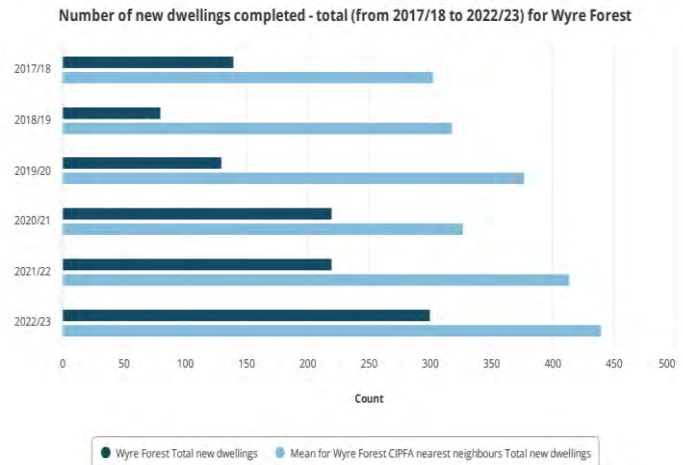
**Commentary:** there is also a clear trend of the waiting list in Wyre Forest being much longer than in the comparator group. While the comparator group has stayed fairly stable across the five years, there is a marked increase in Wyre Forest since 2020-21. This suggests that housing growth (see next item) is not delivering sufficient levels of affordable housing.





## Number of new dwellings completed (annual)

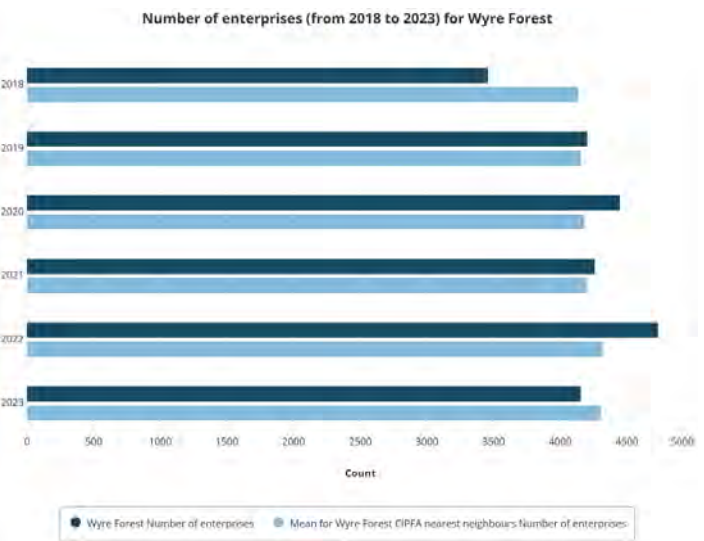
**Commentary:** the sharp upward trend in housing delivery in Wyre Forest reflects the preparation of a new local plan, which was adopted at the start of 2022-23 and is expected to result in higher figures in subsequent years. However WFDC still tracks behind completion rates in the comparator group.



## Number of enterprises in Wyre Forest (annual)

Number of enterprises - This is the total number of enterprises in an area. An enterprise can be thought of as the overall business, made up of all the individual sites or workplaces. It is defined as the smallest combination of legal units (that have registered for VAT and/or PAYE) that has a certain degree of autonomy within an enterprise group.

**Commentary:** the number of enterprises is similar in Wyre Forest and the comparator group, and historically has been slightly higher in Wyre Forest. It remains to be seen whether the drop in Wyre Forest in 2023 marks a downward trend in the local economy.



**WYRE FOREST DISTRICT COUNCIL**

**Cabinet  
Tuesday 9 April 2024**

**Recommendations from the Overview and Scrutiny Committee  
Thursday 7 March 2024**

**Budget and Performance Monitoring Third Quarter 2023-24**

The Committee considered a draft of a Cabinet Report from the Head of Resources and s151 Officer on the Council's financial and other performance at the end of Quarter 3 ending 31<sup>st</sup> December 2023. The report also presented the current projected outturn position for the 2023-24 financial year.

The Head of Resources and s151 Officer and the Head of Revenues, Benefits & Customer Services presented the report, members were given the opportunity to ask questions on the report, going through it page by page. The Head of Resources and s151 Officer, the Head of Revenues, Benefits & Customer Services and the Head of Community & Environment Services were able to provide members with verbal responses to their questions and comments.

**Recommendation: The Overview and Scrutiny Committee considered the information in the report and recommend to Cabinet to NOTE:**

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

**Background papers:**

See the report on page 8 of the pdf at this link:

[http://www.wyreforest.gov.uk/council/docs/doc59258\\_20240307\\_o\\_and\\_s\\_agenda.p  
df](http://www.wyreforest.gov.uk/council/docs/doc59258_20240307_o_and_s_agenda.pdf)

**WYRE FOREST DISTRICT COUNCIL**

**CABINET**  
**9<sup>th</sup> April 2024**

**Risk Management – Corporate Risk Management Policy and Strategy**

| <b>OPEN</b>                 |   |
|-----------------------------|---|
| <b>CABINET MEMBER:</b>      | Councillor D Ross, Cabinet Member for Finance and Capital Portfolio |
| <b>RESPONSIBLE OFFICER:</b> | Head of Resources   |
| <b>CONTACT OFFICER:</b>     | Helen Ogram<br>Helen.ogram@wyreforestdc.gov.uk                      |
| <b>APPENDICES:</b>          | <b>Appendix 1</b> - Risk Management Strategy (updated)              |

**1. PURPOSE OF REPORT**

- 1.1 The report presents the updated Risk Management Policy and Strategy including Risk Impact and Scoring criteria. The report also sets the context of where the Council currently stands in terms of risk maturity following external opinion on our approach to risk management. It informs members on risk management improvements proposed and describes next steps for continuous improvement.

**2. RECOMMENDATIONS**

**The Cabinet are asked to:**

- 2.1 **CONSIDER AND NOTE the proposed steps to improve strategic risk management and support the ongoing continuous improvement for the Council's risk management arrangements.**
- 2.2 **APPROVE adoption of the updated Risk Management Strategy.**

**3. BACKGROUND**

- 3.1 Audit Committee is responsible for considering the effectiveness of risk management arrangements. The previous Risk Management strategy was considered by the Committee in March 2023.
- 3.2 Good risk management enables the Council to deliver the outcomes for residents that flow from achieving the Corporate Plan priorities. It also improves service delivery and helps to achieve better value for money.
- 3.3 Risk management enhances strategic planning and prioritisation, assists in achieving outcomes and strengthens our ability to be agile in responding to challenges. It is an essential and integral part of planning and decision-making.

- 3.4 Without good risk management practice the Council cannot manage resources effectively. It also helps us to take advantage of opportunities to improve services or to reduce costs.
- 3.5 Risk management provides early warning on key/emerging matters to enable transparent, timely decision-making and intervention at appropriate levels, it improves decision-making allowing intelligent 'informed' risk-taking, helps to prioritise, protect assets, people, and the Council's reputation, supports consistent good governance and internal control, and allows better informed financial decision-making leading to greater financial and budget control.
- 3.6 Establishing and defining the Council's risk appetite and tolerance to achieve the priorities set out in the Corporate Plan is an essential step in becoming more commercial in the approach to delivering services.
- 3.7 The authority manages a Strategic risk register for the significant organisational risks. The risk register is held within the Pentana Performance system. Arrangements are in place to ensure that access is available to all officers who require it.
- 3.8 The Council's insurers, Zurich Municipal, provide specialist advice on Risk Management. The Risk Register is one of the key documents we provide to our insurers for the review of risk. We are also working with an Independent Specialist Insurance and Risk Management expert from Gallagher commissioned to work across the Insurance Consortium and this is proving beneficial to supplement the Zurich contract.
- 3.9 The Council's Risk Management Policy and Strategy is reviewed annually by Audit Committee to ensure it remains current and fit for purpose. The Risk Strategy document is reviewed each year ahead of consideration by CLT of the significant risks for inclusion in the Risk Register and mitigation action plan for the next financial year (2024-25). The revision introduces significant changes to the Strategy and is presented to Cabinet for approval after consideration by Audit Committee on 20<sup>th</sup> March 2024. The Audit Committee recommended that the revised Risk Management Strategy is adopted.
- 3.10 The Council's Risk Management arrangements have been reviewed by Grant Thornton as part of the Value for Money work that informs their conclusion in their Auditor's Annual Report. The Council's Risk Maturity has also been assessed by the Council's Audit partners, BDO, as part of the approved Audit Plan for 2023-24.
- 3.11 The updated Risk Management Policy and Strategy is attached at Appendix 1.

**4. KEY ISSUES**

- 4.1 In February 2024, our audit partners, BDO, undertook a review of our risk management arrangements. They identified some good practice in our risk management framework. The draft report is due to be issued and is expected to include several recommendations to improve.
- 4.2 In December 2023 the Council received initial feedback on our approach to risk management in the Auditor's Annual Report and Value for Money conclusion. One

of the proposed recommendations was to revisit the risk management strategy to ensure a more effective corporate approach to risk management. This recommendation is now confirmed in the published report.

- 4.3 BDO welcomed this review of the risk management strategy and the inclusion of a Risk Appetite Statement approved by Council. There was also support for clearer links to how the strategic risk register supports the Council's objectives. BDO also found that we could improve our process by including KPIs for measuring the success of the mitigating actions and inclusion of sources of assurance for each mitigating action in the strategic risk register action plan (recognising that it was included in some operational risk registers). They are also likely to recommend that we include the moderation, and approval processes (including escalation) for risks for both the strategic and operational risk registers within the strategy and embed our work on risk appetite.

**4.4 Risk management improvements and next steps for continuous improvement**

The risk management strategy and policy has been revised to reflect the findings and recommendations from the two reviews of our arrangements. The revised strategy is presented at Appendix 1 for approval. The main changes are:

- Introduces a Risk Appetite and Tolerance Statement
- Risk types/categories (and assigning all risks to a category and a risk tolerance level to each category)
- Risk escalation process between the strategic, service (operational) and other risk registers
- Use of assurance measures and use of KPIs
- Inclusion of risk scores before and after mitigation and a target risk score (informed by risk appetite)
- Roles and responsibilities have been updated.

- 4.5 The updated strategy considers the latest guidance for risk appetite and to set out more specific tolerance levels within each type of risk. The strategy sets out the principle of establishing a Risk Appetite Statement for adoption by Council for the life of each council. The Risk Appetite Statement will establish specific tolerances for each of the risk types identified in the Orange Book, Management of Risk - Principles and Concepts (HM Government, 2020). The Corporate Leadership team will work with Cabinet members and Committee Chairs to establish the risk appetite that will then be brought to Council for formal approval.
- 4.6 BDO and Grant Thornton both recommend that further training and development opportunities are introduced, with ongoing accessibility, for staff and members to enable risk management progress and improvement.
- 4.7 The new Risk Management Strategy will help us to improve the risk management culture across the Council and will better integrate risk with our corporate priorities.

**5. FINANCIAL IMPLICATIONS**

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

**6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 Regulation 3 of the Accounts and Audit Regulations 2015, state that:  
*“A relevant authority must ensure that it has a sound system of internal control which facilitates the effective exercise of its functions and the achievement of its aims and objectives; ensures that the financial and operational management of the authority is effective and includes effective arrangements for the management of risk.”*
- 6.2 In addition, Regulation 4 of the Accounts and Audit Regulations 2015 also state that:  
*“The financial control systems determined must include measures to ensure that risk is appropriately managed”.*
- 6.3 The Council’s corporate Governance Framework considered by the Audit Committee on 17<sup>th</sup> March 2008, includes Core Principle 4 - Taking informed transparent decisions which are subject to effective scrutiny and management of risk.

**7. RISK MANAGEMENT**

- 7.1 The consideration and management of risk is good practice. Risk Management processes are required to effectively manage and evidence the management of key risks as an aid to achieving the Council’s corporate objectives and demonstrating good Corporate Governance allowing Managers to manage their risks and bring to a corporately acceptable level.
- 7.2 Financial risk continues to be a significant risk facing this Council and many others and this is increased significantly due to high and unpredictable inflation and the impact this has on demand led services and income streams. Sections 25-27 of the Local Government Act 2003 require the Section 151 Officer to report on the robustness of the estimates and the adequacy of its proposed financial reserves and this is included as Appendix 4 to the MTFS Council report approved by Council on 22<sup>nd</sup> February 2024.
- 7.5 Ongoing good governance is key to managing new and emerging risks. Our constitution underpins good governance, it is kept under review and updated as required.

**8. IMPACT ASSESSMENTS**

- 8.1 There are no proposals in this report that require an Equality, Climate Change or Health and Wellbeing Impact Assessment.

**9. CONCLUSION**

- 9.1 The Strategy attached at Appendix 1 will ensure that the requirements set out in Regulations 3 and 4 of the Accounts and Audit Regulations 2015 can be satisfied.

**10. CONSULTEES**

- 10.1 Corporate Leadership Team.
- 10.2 Cabinet Member for Finance and Capital Portfolio

**11. BACKGROUND PAPERS**

- Medium Term Financial Strategy Report 2024-27 – Cabinet 22<sup>nd</sup> December 2023
- [The Orange Book – Management of Risk – Principles and Concepts \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)
- [Risk Appetite Guidance Note \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

## **Risk Management Strategy (Update March 2024)**

### **1. Introduction**

- 1.1 The purpose of this Risk Management Strategy is to establish a framework for the effective and systematic management of risk, that supports decision making and development of a positive risk culture and makes a real contribution to the achievement of the Council's objectives. This document outlines the Council's commitment to managing risk in an effective and appropriate manner and provides guidance to ensure management of risk is a routine process for all services.

### **2. What is Risk Management**

- 2.1 Risk Management is an essential part of good governance and leadership and fundamental to how the Council is directed, managed and controlled.
- 2.2 Risk management and internal control are important and integral parts of a performance management system and are crucial to the achievement of objectives and outcomes and ensuring that opportunities are fully maximised. Risk should be considered and addressed as part of all decision-making activities.
- 2.3 Risk Management is not about eliminating risk, as this would limit the ability of the organisation to develop and deliver its ambitions. Its purpose is to recognise the issues that could affect the achievement of objectives and develop treatment actions to control, or reduce, those risks to an acceptable level. Acknowledgement of potential problems and preparing for them is an essential element to successfully delivering any service or project. Good management of risk will enable the Council to rapidly respond to change and develop innovative responses to challenges and opportunities.
- 2.4 Risk management includes:
- Risk identification and assessment to determine and prioritise how the risks should be managed;
  - The selection, design and implementation of risk treatment options that support achievement of intended outcomes and manage risks to an acceptable level;
  - The design and operation of integrated, insightful, and informative risk monitoring; and
  - Timely, accurate and useful risk reporting to enhance the quality of decision making and to support management and oversight bodies in meeting their responsibilities.

### **3. Risk Management Aims and Objectives**

- 3.1 The aim is to adopt best practices in the identification, evaluation, cost effective control and monitoring of risks across all processes to ensure that risks are properly considered and reduced as far as practicable.
- 3.2 By operating a robust risk management process, the Council can:



- Improve governance, stakeholder confidence and trust
- Set strategy and plans through informed decision making
- Prioritise and manage resources
- Support efficient and effective operations
- Deliver goals and improved outcomes
- Raise awareness of the need for risk management by all those connected with the Council's delivery of services.

3.3 Embedding and integrating risk management into the culture of the Council will prevent injury, damage and losses and reduce the cost of risk.

#### 4. Risk Register System

4.1 As part of good governance, the Council manages and maintains a Strategic Risk register, Service (Operational) risk registers and Programme/project Risk Registers, assigning named individuals as responsible officers for ensuring risks and assurance measure are monitored and effectively managed. If the Council's companies become active then separate Company Risk registers will also be maintained.

#### 5. Risk Management levels

5.1 Wyre Forest District Council's approach to risk management is founded upon ensuring that risks at each level are effectively and consistently managed across the organisation.

- **Strategic (Corporate) risks** – this is the highest level of risk, those where there is a probability that if they were to occur, they would have a significant impact on the Council's business model. The Strategic risk register detailing critical risks and a risk report and action plan detailing progress in managing risks, are reviewed quarterly by the Corporate Leadership Team. The approach to managing these risks is mirrored by each head of service and their management teams for managing service level (operational) risks.
- **Service (operational) risks** – Day to day management activities ensure that operational risks are identified, treated, monitored and reported through service risk registers.
- **Programme/Project Risks** – Risks are initially identified in the outline and detailed business cases for each project. The project risk register is further developed by the programme and project Managers in consultation with the design team, the contractors and other professionals as appropriate throughout the lifecycle of the project/programme. Risks are reported and monitored by the project board and or Corporate Leadership team.
- **Company Risks** – The Council has ultimate oversight of risk management for Council Companies. However, governance processes ensure that companies are responsible for the management of operational risk. Company risks are reflected on the Strategic Risk Register where appropriate.

## 6. Escalation and De-escalation of Risks

- 6.1 Where a risk or group of risks meet the escalation criteria below, then the risk/s should be escalated by the risk owner to their Head of Service for consideration by the Corporate Leadership Team (CLT) for inclusion on the Strategic Risk Register.
- The risk rating cannot be controlled or managed within its current level and moves outside the appetite boundaries
  - The risk remains high even after mitigations are implemented
  - The risk will impact on more than one service/project if the risk event materialises
  - The cost of mitigation increases significantly (>20% or £5k), and (or) an application for funding from the General Risk Reserve needs to be made.
- 6.2 Similarly, risk owners should consider de-escalation where a risk or set of risks become operation and related to process or transactions. All decisions to de-escalate need to be agreed by CLT.
- The risk can be controlled/managed at the Service/Programme or Company level
  - The risk scoring meets its target or decreases significantly.
- 6.3 If a risk is multi service or organisation wide the risk owner should consult with all other relevant parties before recommending a change of level.

### Escalation from Service/Project/Programme/Company Risk level to Strategic Risk Register



## 7. Risk Appetite and Tolerance

- 7.1 Risk is inherent in delivering and commissioning services. The aim of the strategy is to provide a framework to support consideration of how to respond to risk appropriately and make informed decisions that are most likely to result in successful delivery of services and achievement of Corporate priorities whilst securing value for money. The Council does not seek to avoid all risk, but the acceptance of risk is subject to ensuring that potential benefits and risks are fully explored and that appropriate measures to mitigate risk are established before decisions are made. It is often not possible to manage all risks to the most desirable level, but the setting of risk appetites means that risks can be managed to a tolerable level.
- 7.2 Risks that would be seen to be unacceptable would be those that would breach law and regulatory compliance, would adversely impact the safety of our service users, residents, or employees, would critically damage the reputation of the Council, risk future operations of the Council or negatively impact financial resilience.
- 7.3 Risk appetite and tolerance is considered with reference to strategic outcomes and service delivery in each area. The appetite for risk will vary according to the activity

undertaken and the ability to exercise controls and hence different appetites and tolerances to risk will apply.

7.4 Our work on risk appetite is informed by the Orange Book's Risk Appetite Guidance Note and uses the following five levels:

- **Averse** - Avoidance of risk and uncertainty in achievement of key deliverables or initiatives is key objective. Activities undertaken will only be those considered to carry virtually no inherent risk.
- **Minimalist** - Preference for very safe business delivery options that have a low degree of inherent risk with the potential for benefit/return not a key driver. Activities will only be undertaken where they have a low degree of inherent risk.
- **Cautious** - Preference for safe options that have low degree of inherent risk and only limited potential for benefit. Willing to tolerate a degree of risk in selecting which activities to undertake to achieve key deliverables or initiatives, where we have identified scope to achieve significant benefit and/or realise an opportunity. Activities undertaken may carry a high degree of inherent risk that is deemed controllable to a large extent.
- **Open** - willing to consider all options and choose one most likely to result in successful delivery while providing an acceptable level of benefit. Seek to achieve a balance between a high likelihood of successful delivery and a high degree of benefit and value for money. Activities themselves may potentially carry, or contribute to, a high degree of residual risk.
- **Eager** - Eager to innovate and choose options based on maximising opportunities and potential higher benefit even if those activities carry a very high residual risk.

7.5 The Council's appetite for risk also reflects the diverse types of risk that could impact on the Council's ability to meet its statutory requirements and strategic outcomes and are described in detail in Appendix 2.

7.6 The Council's Risk Appetite Statement is an important part of the risk management framework as it defines the risk the Council is willing to tolerate to achieve the priorities set out in its Corporate Plan. The Council's Risk Appetite Statement will be approved by Council for the life of the council and reviewed annually by Audit Committee.

[Risk Appetite Guidance Note \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

## 8. Ownership/Roles and Responsibilities

|  |  |
|--|--|
| <b>Members</b>                         | Elected members are responsible for governing the delivery of services to the local community. Members have a responsibility to understand the strategic risks that the Council faces. All members will have the responsibility to consider the risks associated with the decisions they undertake and will be informed of these risks in the reports that are submitted to them. They should not seek to avoid or delegate this overall responsibility, as it is key to their stewardship responsibilities  |
| <b>Council</b>                         | Responsible for receiving exceptional reports from Audit Committee. Responsible for approving the Risk Appetite Statement to cover the life of the council.  |
| <b>Lead Cabinet members</b>            | Receive regular updates on the key strategic risks facing the Council and provide their input as to how these should be managed.<br><br>Receive regular reports, as received by the Audit Committee, covering implementation of the Council's risk management policy and strategy to determine whether strategic risks are being actively managed.   |
| <b>Cabinet</b>                         | To receive reports from Audit Committee on an exceptional basis and report to Council on the risk management framework, as appropriate. To approve the Risk Management Strategy on an annual basis, or if significant changes require a revision of it.  |
| <b>Audit Committee</b>                 | To provide an independent assurance of the adequacy of the risk management framework and the associated control environment.<br><br>Monitor and evaluate the development and operation of risk management by the Council.<br><br>Receive reports and make recommendations to Cabinet where appropriate on Risk Management Policy, Strategy and its associated action plans.<br><br>Receive Internal audit and External audit reports on Risk Management matters as appropriate.<br><br>Annual review of the Risk Appetite Statement with delegated powers to amend as required.  |
| <b>Corporate Leadership Team (CLT)</b> | CLT, led by the Chief Executive, is pivotal in the promotion, demonstration and embedding of risk management within the Council. The successful outcome of this will be risk management practised throughout the organisation as part of usual activities and the sharing of best practice and experience between services.<br><br>Ensure that effective systems of Risk Management and internal control are in place to support the Corporate Governance of the Council.<br><br>Review the strategic Risk register annually, identify, analyse and profile high-level strategic and cross-cutting key risks on a regular basis as outlined in the monitoring process.<br><br>Responsible for ensuring arrangements are maintained for Service Managers to report "red" risks to CLT (including escalation and de-escalation requests).<br><br>Allocate resources from General Risk reserves |

|   |   |
|---|---|
| <p><b>Head of Resources and s151 Officer</b></p>                  | <p>Take a leading role in identifying and managing the strategic key risks and opportunities to the Council and to set the example and standards for all employees.</p> <p>Advise the Audit Committee, Cabinet and Council on the Risk management framework, Policy, Strategy and processes, as appropriate.</p> <p>Ensure that the Risk Management Strategy is communicated, understood and implemented by all Members and employees and that it is fully embedded in the Council's business planning and monitoring processes.</p> <p>Report to Members on the management of strategic and other significant risks and the overall effectiveness of risk management controls.</p> <p>Ensure that risk management skills training and awareness is provided to all Members and employees.</p> <p>Reporting to Audit Committee and Cabinet on a six monthly basis of current risk position.</p> <p>Ensuring that mitigation measures are captured and monitored using the existing performance management arrangements (Pentana).</p> <p>To ensure compliance with statutory requirements of current financial regulations, as appropriate.</p> |
| <p><b>Internal Audit</b></p>                                      | <p>Internal Audit will give an independent objective opinion on arrangements. They will advise and report to management and Audit Committee on the maturity and appropriateness of risk management arrangements, processes, control systems and operational procedures and whether they are operating properly.</p> <p>Produce an annual Audit Plan that is based on an evaluation of risk and provide an annual 'Statement of Assurance' to the Council on the Authority's internal control environment on the work undertaken in the year.</p>  |
| <p><b>Extended Leadership Team (CLT and Service Managers)</b></p> | <p>To support effective implementation of risk management through effective service and programme/project risk registers. Promote a positive risk culture.</p> <p>Individually responsible for proper monitoring of the relevant service risk register, local action plans and the embedding of risk management into the business and service planning of the service.</p> <p>Actively involved in the identification and assessment of service level risks resulting in an up to date service risk register.</p> <p>Ensuring that the risk management process is part of all major projects, partnerships and change management initiatives.</p> <p>Ensuring that all reports of a strategic nature written for Members include a risk assessment of the options presented for a decision.</p> <p>Reporting quarterly to the CLT on the progress being undertaken to manage the risks and an update on the nature of the high priority red risks. Escalate or de-escalate risks as appropriate.</p>  |

|                                    |  |
|------------------------------------|--|
|                                    | Provide assurance on the adequacy of the service's operational risk and control procedures.  |
| <b>Risk owner</b>                  | Accountable for the management and control of all risks assigned to them. Determine, implement, and monitor the selected controls and actions to address the threats and maximise the opportunities  |
| <b>Mitigation and Action owner</b> | Responsible for managing the mitigation and (or) action assigned to them on the Risk Owner's behalf and to keep them apprised of progress  |
| <b>All Staff</b>                   | Proactively identify risks surrounding their everyday work processes and environment and contribute to their management where required. Report inefficiencies, irrelevant or unworkable controls. Ensure loss events or near misses are escalated promptly to management. Demonstrate an awareness of risk and risk management relevant to role. |

## **9. Arrangements for Managing Risk**

- 9.1 Risk Management is a continual process of identifying risks, evaluating their potential consequences and determining the most effective methods of treating, controlling or responding to them. The risks faced by the Council are constantly changing and the continual process of monitoring risks should ensure that we can respond to the new challenges. This process is referred to as the risk management cycle. The risk management process is outlined in detail in Appendix 1.

## **10. Monitoring Arrangements and Review**

- 10.1 Risk management is a continuous process that the Council is committed to, it helps the Council to remain agile in addressing internal and external change. The Council will continually seek to improve the suitability, adequacy and effectiveness of the risk management framework supported by lessons learnt and an annual review of the risk management strategy.

- 10.2 The annual review will examine the success of the following:

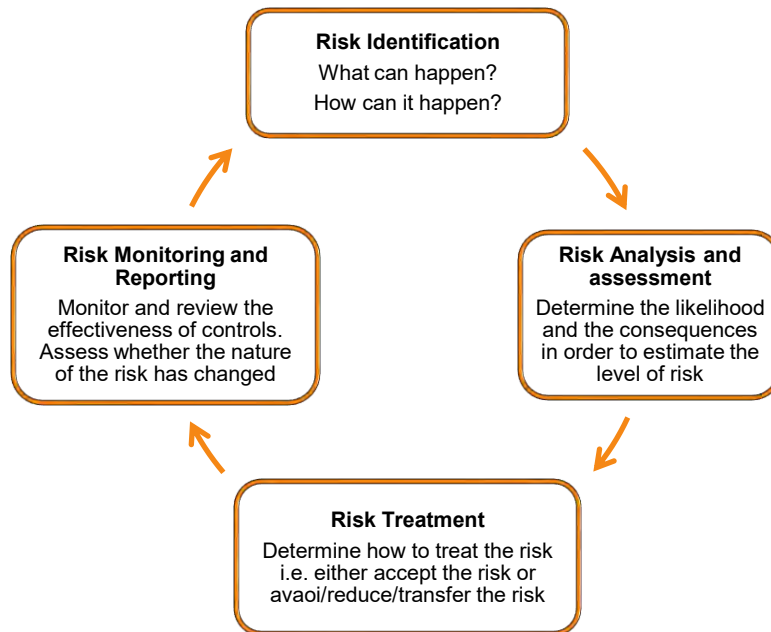
- The inclusion of risk management principles within Service Planning and budgets.
- Members ensuring managing risk is considered as part of decision making processes within the Council.
- Service managers making recommendations that regard risk as an opportunity as well as a threat.
- Risk management principles being considered in service reviews, for example in areas such as options for change and service improvements.
- Changes in risk being independently identified and assessed by Service Managers.
- Suitable opportunities to benchmark risk management against other organisations should also be explored, to ensure that it is effective, and the work carried out by the Council conforms to best practise.

Appendix 1 – The Risk Management Process/Methodology

Appendix 2 – Categories of risk

## 1. Risk Management Methodology

There are 4 key stages in the risk management cycle, as illustrated in the chart below:



### 1.1 Risk Identification

Identifying and understanding the hazards and risks facing the council is crucial if informed decisions are to be made about policies or service delivery methods. There is detailed guidance available on how to identify risks and Appendix 2 provides a summary of categories of risk.

New and emerging risks should be reported to the relevant CLT member who will consider its inclusion on the Service operational risk register. If the risk meets the criteria for escalation detailed in section 6 of the strategy, it should be reported with proposed risk treatment actions to CLT by the relevant Head of Service. CLT will determine whether the risk should be escalated to the Strategic Risk register.

New operational risks will be embedded within the Service risk registers by Service Managers and reported monthly through risk discussions with their Head of Service.

All Risks will link to the delivery of Corporate priorities and will be assigned to a risk category (see Appendix 2). The Council's Risk Appetite Statement provides a risk appetite position for each risk category.

### 1.2 Risk Matrix Analysis and Scoring Criteria

Once risks have been identified they need to be assessed to evaluate and understand the level of risk exposure. This will influence the risk treatment applied to manage/reduce or prevent the risk from occurring.

Ensuring that all business risks are assessed and managed through the adopted risk management methodology drives consistency and enables risks to be compared and reported on against a like for like basis. It also provides the Council with the ability to



map their collective risk exposure of a particular activity, objective, outcome, function(s), or indeed throughout the whole Council.

This process requires risk owners to assess the level of risk by considering:-

- The probability of an event occurring - “likelihood”; and
- The potential severity of the consequences should such an event occur – “impact”.

The following tables provide Impact and Likelihood descriptors to assist with this process:

#### **Likelihood**

| <b>Score</b> | <b>Description</b> | <b>Draft Indicative guidelines</b>  |
|--------------|--------------------|---|
| 5            | Almost certain     | <ul style="list-style-type: none"> <li>• Is expected to occur in most circumstances.</li> <li>• Will undoubtedly happen, possibly frequently e.g. annually or more frequently.</li> <li>• Imminent/near miss</li> </ul> |
| 4            | Probable           | <ul style="list-style-type: none"> <li>• Will probably occur in many circumstances.</li> <li>• Will probably happen, but not a persistent issue.</li> <li>• Has happened in the past.</li> </ul>                        |
| 3            | Likely             | <ul style="list-style-type: none"> <li>• Could occur in certain circumstances.</li> <li>• May happen occasionally.</li> <li>• Has happened elsewhere</li> </ul>   |
| 2            | Possible           | <ul style="list-style-type: none"> <li>• May occur only in exceptional circumstances.</li> <li>• Not expected to happen, but is possible.</li> <li>• Not known in this activity.</li> </ul>                             |
| 1            | Rare               | <ul style="list-style-type: none"> <li>• Is never likely to occur.</li> <li>• Very unlikely this will ever happen</li> </ul>  |

#### **Impact**

| <b>Score</b> | <b>Description</b> | <b>Draft Indicative guidelines</b>   |
|--------------|--------------------|--|
| 5            | Catastrophic       | <p>Risks which can have a catastrophic effect on the operation of the Council or service. This may result in critical financial loss, severe service disruption or a severe impact on the public, for example:</p> <ul style="list-style-type: none"> <li>• Unable to function without aid of Government or other external Agency.</li> <li>• Inability to fulfil obligations.</li> <li>• Medium to long-term damage to service capability.</li> <li>• Severe financial loss - supplementary estimate needed which will have a catastrophic impact on the Council's financial plan and (&gt;£200k uninsured loss).</li> <li>• Death.</li> <li>• Adverse national publicity - highly damaging, severe loss of public confidence.</li> <li>• Litigation certain and difficult to defend.</li> <li>• Breaches of law punishable by imprisonment.</li> </ul> |

|   |               |   |
|---|---------------|---|
| 4 | Major         | <p>Risks which can have a severe effect on the operation of the Council or service. This may result in major financial loss, major service disruption or a significant impact on the public, for example:</p> <ul style="list-style-type: none"> <li>• Significant impact on service objectives.</li> <li>• Short to medium-term impairment to service capability.</li> <li>• Major financial loss - supplementary estimate needed which will have a major impact on the Council's financial plan (&gt;£100k uninsured loss).</li> <li>• Extensive injuries, major permanent harm, long-term sick.</li> <li>• Major adverse local publicity, major loss of confidence.</li> <li>• Litigation likely and may be difficult to defend.</li> <li>• Breaches of law punishable by fines or possible imprisonment.</li> </ul> |
| 3 | Moderate      | <p>Risks which have a noticeable effect on the services provided. Each one will cause a degree of disruption to service provision and impinge on the budget, for example:</p> <ul style="list-style-type: none"> <li>• Service objectives partially achievable.</li> <li>• Short-term disruption to service capability.</li> <li>• Significant financial loss - supplementary estimate needed which will have an impact on the Council's financial plan (&gt;£50k uninsured loss).</li> <li>• Medical treatment required, semi-permanent harm up to one year.</li> <li>• Some adverse publicity needing careful public relations.</li> <li>• High potential for complaint, litigation possible.</li> <li>• Breaches of law punishable by fines only.</li> </ul>   |
| 2 | Minor         | <p>Risks where the consequences will not be severe and any associated losses will be minor. As individual occurrences, they will have a negligible effect on service provision. However, if action is not taken, then such risks may have a more significant cumulative effect. For example:</p> <ul style="list-style-type: none"> <li>• Minor impact on service objectives.</li> <li>• No significant disruption to service capability.</li> <li>• Moderate financial loss - can be accommodated at service level (&gt;£10k uninsured loss).</li> <li>• First aid treatment, non-permanent harm up to one month.</li> <li>• Some public embarrassment, no damage to reputation.</li> <li>• May result in complaints/litigation.</li> <li>• Breaches of regulations/standards.</li> </ul>                              |
| 1 | Insignificant | <p>Risks where the consequences will not be severe and any associated losses will be relatively small. As individual occurrences, they will have a negligible effect on service provision. However, if action is not taken, then such risks may have a more significant cumulative effect. For example:</p> <ul style="list-style-type: none"> <li>• Minimal impact, no service disruption.</li> <li>• Negligible impact on service capability.</li> <li>• Minimal loss - can be accommodated at service level (&lt;£5k uninsured loss).</li> <li>• No obvious harm/injury.</li> <li>• Unlikely to cause any adverse publicity, internal only</li> <li>• Breaches of local procedures/standards.</li> </ul>   |

Gross (before internal controls/mitigation), residual (after internal controls/mitigation and progress on action plan measures) and target risk scores that take account of the Council's risk appetite should be identified to review and monitor the effectiveness of Risk Management activity. It is expected that gross and target scores are reviewed annually and residual scores at least quarterly.

The residual scores are then plotted onto the risk matrix, see below, which will determine the risk priority.

| Likelihood     |   | Impact          |                 |             |             |               |
|----------------|---|-----------------|-----------------|-------------|-------------|---------------|
|                |   | Catastrophic    | Major           | Moderate    | Minor       | Insignificant |
|                |   | 5               | 4               | 3           | 2           | 1             |
| Rare           | 1 | Low<br>5        | Low<br>4        | Low<br>3    | Low<br>2    | Low<br>1      |
| Possible       | 2 | Medium<br>10    | Medium<br>8     | Medium<br>6 | Low<br>4    | Low<br>2      |
| Likely         | 3 | High<br>15      | High<br>12      | Medium<br>9 | Medium<br>6 | Low<br>3      |
| Probable       | 4 | Very High<br>20 | High<br>16      | High<br>12  | 8           | Low<br>2      |
| Almost certain | 5 | Extreme<br>25   | Very High<br>20 | High<br>15  | 10          | Low<br>1      |

### 1.3 Risk Treatment

Each risk has a considered risk treatment known as a mitigation plan applied to reduce or minimise the likelihood of risk events occurring and reducing the severity of the consequences should it occur. This planning considers risk appetite, in addition to expected benefits, proposed actions, nomination of those responsible for owning and implementing the mitigation activity, resource requirements, sources of assurance, key performance indicators and control indicators, constraints, and a planned date for when the action is expected to be resolved.

Risks that score the highest are managed via a risk management action plan. The action plan will detail the risk, identify the required management action/control and who is responsible for delivering the improvement and provide a timescale. All red risks require action plans.

Medium (Amber) risks will require actions plans or to be closely monitored as appropriate.

Low-scoring (Green) risks can be "accepted" and will not require actions plans. However, these risks will need to be monitored to ensure that controls remain operational to manage them and that such risks do not become Medium (Amber) or High (Red) risks.

There are 3 main options for controlling risk;

- avoidance,
- reduction and
- risk transfer.

Risk avoidance involves the Council opting not to undertake a current or proposed activity because it is outside the Council's risk appetite.

Risk reduction is dependent on implementing treatment actions which will reduce the likelihood of an event occurring or limit the severity of the consequences should it occur.

Risk transfer involves transferring liability for the consequences of an event to another body. This may be done in two ways:

- (i) Cost, delivery or legal liability may be transferred to an alternative provider under contractual/partnership arrangements for service delivery; some responsibility may be retained for ensuring that the risk is managed e.g. Health & Safety.
- (ii) The costs associated with a damaging event may be reduced by transferring some or all of the financial risk to external insurance companies; but many risks are uninsurable.

Most risks are managed by either minimising the likelihood of the risk occurring or reducing the severity of the consequences should the risk occur. Relatively few risks are avoided or transferred.

The cost/benefit of each control action must be assessed. Managers will apply professional knowledge and experience to judge whether the financial cost of risk control is justified in terms of non-financial benefit to the Council. On occasions, managers may conclude that the cost of the control action may outweigh the benefits which will accrue to the Council as a result of the action being taken. In such instances, where no statute is likely to be breached all, or an element of the risk is retained.

Responsibility for drawing up treatment action plans lies with the Leadership Team (for strategic risks) and with Service Managers for service / operational risks.

#### **1.4 Risk Monitoring and Reporting**

Monitoring risks during and following implementation of the risk treatment actions is important so the Council understands how the risk profile is changing and demonstrates the effectiveness of the arrangements introduced. It is also important to assess whether the nature of the risk has changed over time. Monitoring progress in achieving treatment actions provides assurance on the adequacy of the risk management framework and ensures interaction with all stakeholders including those responsible and accountable for risk management activities. No matter how good the process to identify and control risks is, it will not be effective unless the information gained from it is reported and used to influence other management issues / processes. Therefore, it is essential that there is a defined process and timetable for reporting the results of the risk management process to both members and officers.

The Corporate **strategic risks** are reviewed quarterly by the Corporate Leadership Team (CLT). The ownership of strategic risks will be the ultimate responsibility of members of CLT who will have the lead role for these issues. The corporate strategic risks and associated action plans are recorded and monitored using an appropriate risk management software package (Pentana).

**Service (Operational) risks** – are discussed regularly (at least quarterly) by the extended leadership team (each Head of Service/CLT member's management team). Heads of Service are then able to escalate/de-escalate risks to the Strategic Risk register at the next CLT meeting.

Any specialist operational/health & safety risks that arise will be collated by the responsible Service Managers in conjunction with the Health and Safety Officer for review and introduction into the process.

**Programme or project risks** are reported through the project management process, managed by the programme or project manager and reported to the programme or project board.

On a quarterly basis, the strategic and operational risk registers are reviewed and where necessary risks re-prioritised. Risks are amended to reflect the current situation, obsolete risks deleted and new risks identified. This ensures that risk registers and mitigation actions are appropriate for the current service and corporate objectives.

A six-monthly report is presented to Audit Committee detailing the current strategic risks and high-level operational risks and the progress made in controlling them. It will be the role of the Audit Committee to review and make recommendations on the key risks to Cabinet.

The top strategic risks will be reported to Cabinet on a 6 monthly basis in the Budget and Performance report.

Action plans developed to manage both strategic and operational risks will be monitored as part of the performance management process. This will ensure the integration of risk management with other processes and ultimately ensure its profile and success is maintained.

Risk assessments are included as a section in all policies and reports, so that risk is considered in everything the Council does.

It is expected that Council controlled companies will review their risks on a quarterly basis at the Companies Risk Panel.

## Risk Category Definitions

(Taken from the Government's Orange Book: Management of Risk – Principles and Concepts)

| Risk Category | Definition  |
|---------------|---|
| Strategy      | Risks arising from identifying and pursuing a strategy, which is poorly defined, is based on flawed or inaccurate data or fails to support the delivery of commitments, plans or objectives due to a changing macro-environment (e.g. political, economic, social, technological, environment and legislative change).                        |
| Governance    | Risks arising from unclear plans, priorities, authorities and accountabilities, and/or ineffective or disproportionate oversight of decision-making and/or performance.   |
| Operations    | Risks arising from inadequate, poorly designed or ineffective/ inefficient internal processes resulting in fraud, error, impaired customer service (quality and/or quantity of service), non-compliance and/or poor value for money   |
| Legal         | Risks arising from a defective transaction, a claim being made (including a defence to a claim or a counterclaim) or some other legal event occurring that results in a liability or other loss, or a failure to take appropriate measures to meet legal or regulatory requirements or to protect assets (for example, intellectual property) |
| Property      | Risks arising from property deficiencies or poorly designed or ineffective/ inefficient safety management resulting in non-compliance and/or harm and suffering to employees, contractors, service users or the public  |
| Financial     | Risks arising from not managing finances in accordance with requirements and financial constraints resulting in poor returns from investments, failure to manage assets/liabilities or to obtain value for money from the resources deployed, and/or non-compliant financial reporting  |
| Commercial    | Risks arising from weaknesses in the management of commercial partnerships, supply chains and contractual requirements, resulting in poor performance, inefficiency, poor value for money, fraud, and/or failure to meet business requirements/objectives.  |
| People        | Risks arising from ineffective leadership and engagement, suboptimal culture, inappropriate behaviours, the unavailability of sufficient capacity and capability, industrial action and/or non-compliance with relevant employment legislation/HR policies resulting in negative impact on performance  |
| Technology    | Risks arising from technology not delivering the expected services due to inadequate or deficient system/ process development and performance or inadequate resilience  |
| Information   | Risks arising from a failure to produce robust, suitable and appropriate data/ information and to exploit data/information to its full potential.   |

|                   |  |
|-------------------|--|
| Security          | Risks arising from a failure to prevent unauthorised and/or inappropriate access to the estate and information, including cyber security and non-compliance with General Data Protection Regulation requirements                             |
| Project/Programme | Risks that change programmes and projects are not aligned with strategic priorities and do not successfully and safely deliver requirements and intended benefits to time, cost and quality  |
| Reputational      | Risks arising from adverse events, including ethical violations, a lack of sustainability, systemic or repeated failures or poor quality or a lack of innovation, leading to damages to reputation and or destruction of trust and relations |

**WYRE FOREST DISTRICT COUNCIL****CABINET**  
**9 APRIL 2024****Update to the Housing Assistance Policy**

| <b>OPEN</b>                 |  |
|-----------------------------|--|
| <b>CABINET MEMBER:</b>      | Cllr Ian Hardiman<br>Cabinet Member for Housing, Health, and Wellbeing |
| <b>RESPONSIBLE OFFICER:</b> | Kate Bailey<br>Head of Strategic Growth                                |
| <b>CONTACT OFFICER:</b>     | Richard Osborne<br>Principal Environmental Health Officer              |
| <b>APPENDICES:</b>          | Appendix One - Housing Assistance Policy 2024                          |

**1. PURPOSE OF REPORT**

- 1.1 To update the council's Housing Assistance Policy on the use of the Better Care Fund and other resources for the provision of disabled facilities grants (DFG) and other forms of financial assistance for property repair, adaptation and improvement and amendments in response to changes in typical costs and economic circumstances of applicants.

**2. RECOMMENDATION**

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

- 2.1 The proposed Wyre Forest District Council Housing Assistance Policy be adopted **AND**
- 2.2 The split of funding between projects be delegated to the Head of Strategic Growth, in consultation with the s151 Officer and the Cabinet Member for Housing, Health and Wellbeing.

**3. BACKGROUND**

- 3.1 DFGs are a mandatory service to fund adaptation of properties across all tenures based upon a means-test for adults and without a means test for children. Based upon a professional assessment of need, typical works ranges from provision of a stairlift or level access shower up to a complete extension for ground floor living. Whilst most elements of the mandatory grants are legally set, a local policy is needed to set out the council's approach to several discretionary elements and to set out how discretionary funds are applied.
- 3.2 There has been an increase in number of disabled persons and persons over 60 in the district from census data compared to 10 years ago. At the population ages they



become at greater risk of falls. 1 in 3 people who are admitted with a fall in Worcestershire are diagnosed with a hip fracture. Of those;

3.2.1 1 in 10 will die within 30 days.

3.2.2 A significant proportion will lose some or all of their independence / reduced quality of life through withdrawal and fear of falling.

3.2.3 On average 30% of people will not be able to return to their previous residence.

- 3.3 The proposed policy includes for a range of discretionary assistance mechanisms and the criteria for these. Most forms of discretionary assistance are repayable upon future sale of the property without any interest applied. Any repaid money is recycled into future discretionary assistance. There is an annual review mechanism to distribute available budget across the schemes. Discretion is also provided to be flexible on conditions and criteria when it is apparent to do so would be in the strategic housing interest of the council.
- 3.4 Discretionary forms of assistance include topping up mandatory DFGs Other forms of help include essential repairs and energy efficiency improvements for homeowners on low income. All assistance is based upon the works not being covered by insurance or some other funding available.
- 3.5 The policy builds from a common core policy across all Worcestershire councils with each council having additional bespoke discretionary elements. This supports joint working with other councils and partners and the delivery by a shared Home Improvement Agency across the county.
- 3.6 Most DFGs and many of the other forms of assistance are delivered through the council's agent, the home improvement agency. Re-procurement of the home improvement agency service is underway with intention to start the new contract from April 2025. The proposed changes in this policy will have time to bed in and be part of a wider Worcestershire policy review going into that new contract. There may therefore be an additional revision to this policy from 2025 that is county wide and reflects a national best practice model for Housing Assistance Policies including DFG issued by Foundations. This is a more customer orientated document that includes timescales aimed for in the processing of grants. The proposal is to develop such timescales during the procurement process for the new contract and embed them into a revised policy.
- 3.7 The current home improvement agency service, Promoting Independent Living (PIL) service is commissioned by the seven councils. In 2022/23 it delivered 73 DFGs in Wyre Forest along with a number of other grants and services including providing specialist housing advice to 153 households, 27 Hospital Discharge grants and 8 Home Repair Assistance grants.
- 3.8 The current contract expires in March 2025 and officers are currently developing the specification for the procurement of a new provider. The evaluation criteria, weighting and timetable will be considered by Cabinet in June 2024.

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

- 4.1 There have been increasing costs for typical basic works and major adaptations. The average cost per grant has gone up from approximately £5,500 in 2020 to

£7,300 in 2023. Costs for a typical level access shower provision has risen from under £5,000 to over £6,000 in that time. A typical extension to provide ground floor bedroom and adapted bathroom now costs more than £50,000 compared to the £30,000 mandatory grant limit set 15 years ago by the then Government. The national government have recently rejected the request to increase the level of DFG from the mandatory £30k limit. There is a need to review maximum discretionary DFGs therefore to enable cases up to £60,000 and make clear to applicants the process for determining discretionary assistance for these more expensive cases. This policy sets out a higher potential limit for extension cases and how the council will fairly assess individual cases to determine the best course of action out of the options available. We will use across Worcestershire a common assessment mechanism to determine the best course of action considering customer needs, technical and other options, costs, including whether a move is more appropriate.

- 4.2 Where a home move is identified as the best option and less costly, the policy increases the funding to assist with an owner-occupier moving from £3,000 to up to £10,000. This recognises the significant costs being borne by disabled persons and their families if they move to more suitable accommodation where adaptation of their home isn't possible, suitable or would be more costly.
- 4.3 This policy also increases other grant limits to reflect the increased typical costs being experienced. Home Repair Assistance are proposed to raise from a maximum £10,000 up to £20,000. In exceptional circumstances above £20,000 works costs can be approved where category 1 hazards are identified and need to be tackled to ensure the property is habitable. HRAs are repayable in full upon future sale or transfer of property as a local land charge.
- 4.4 To enable large extensions to be funded for rental properties, we propose to ask that the landlord undertakes to maintain the property for disabled occupants for an agreed period of time and/or confirms future use of the property will be matched to tenant need. For social rented we will seek landlord permission that confirms the property will remain available to the disabled applicant in future and that the landlord will not remove the adaptation provided so to ensure future use for individuals with relevant needs. For owner-occupied properties the cost of works above the £30,000 mandatory limit are placed as a local land charge for future repayment.
- 4.5 As part of making the policy more customer friendly we have set out clearly that any decisions made will be explained and have an internal appeal mechanism. We will provide detailed guidance on what works we normally approve or reject for DFG funding, based on the legal framework for DFGs. This policy makes clear there is potential for individual exceptional cases of discretionary assistance at the discretion of the Head of Strategic Growth that are outside the normal limits of assistance where it appears to be the best option to achieve strategic housing objectives and Better Care Fund objectives and it is the most reasonable and practical option.
- 4.6 We have come out of a pandemic that diverted Occupational Therapy and other staffing resources and contractors, resulting in a period of time with a lack of referrals coming through. This has now resulted in increasing demand to deal with the backlog and a need to ensure the service is as efficient as possible to process

simple cases. Councils across Worcestershire together have supported additional OT resources and are accepting referrals from 'Trusted Assessors' for simpler cases. There is a need for the policy to recognise alternative referral mechanisms, provide for simpler processes where possible and more clearly set out the process for direct applications as an alternative for persons in need.

- 4.7 The cost of living crisis has revealed there are many households that, although not classed as 'low income', are now struggling to meet financial commitments and costs of energy. These households have been normally excluded from support under previous policies as having a household income above £31,000 or not being on a means-tested benefit. This has resulted in cases being identified where a person in need of essential home adaptation work have not proceeded with grants due to having a contribution of a few thousand pounds towards the overall cost of works. The previous policy had a discretionary grant mechanism to enable works where the applicant would accept the whole costs as a charge on the property. This has had limited success and a revised alternative is proposed whereby the applicant is able to accept a local land charge to repay (at some point in future) only their assessed contribution. The policy allows for discretionary grants such as Home Repair Assistance for essential repairs for homeowners to be provided to households where they may not meet previous 'low income' thresholds, for example less than £31,000 household income, but they are assessed as not having the available funds or ability repay a loan within a reasonable time period for the works.
- 4.8 The council rightly recognises the Armed Forces Covenant. The covenant sets out the relationship between the nation, the government and our Armed Forces. It recognises that the whole nation has a moral obligation to members of the Armed Forces and their families, and it establishes how they should expect to be treated. The Armed Forces community should not face disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most, such as the injured and the bereaved. This policy recognises the covenant explicitly for the first time. It sets out how we will work with local organisations including the Royal British Legion and the Soldiers', Sailors' and Airmen's Families Association to ensure persons who are ex-forces or serving are identified and provided with additional support as appropriate.
- 4.9 Hospital discharge discretionary grants are extended to enable a move from other places of care to home and the works definition has been broadened to support works beyond the normal scope of the mandatory DFGs where funding is not available through other means.
- 4.10 The policy has been revised to make clear that minor aids and adaptations and ceiling track hoists where not part of a wider adaptation scheme are funded by Worcestershire County Council Adult Social Care (ASC) service. The district council will fund such works when above thresholds for adult social care funding. The council or it's agent will review and consider funding directly from referral by adult social care, through the adult social care delivery agent or passing funding to ASC where cases are identified that meet DFG criteria. This is occurring more often now as the cost of basic works that used to come under the minor aids an adaptation service such as ramps are now typically above £1,000.

- 4.11 We have removed from the previous policy a commitment to fund the development of an independent living centre. This has over the past few years not been practical and greater use of technology now meets some of the aspirations to inform potential applicants and others regarding options for home adaptations.

**5. FINANCIAL IMPLICATIONS**

- 5.1 The funding for housing assistance is provided by Government through the Better Care Fund mechanism and from recycled funds from previous assistance where a repayment condition has been activated. Agency costs and council officer costs are met from within existing budgets including the capitalisation of the assistance provided.

**6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 Councils are required to have an up-to-date Housing Assistance Policy under the Regulatory Reform (Housing Assistance) (England and Wales) 2002. The purposes for, standard conditions and assessment of means to pay for DFGs are set out in the Housing Grants, Construction and Regeneration Act 1996.
- 6.2 The legal purposes for assistance can include for acquisition of, adapting, repairing or improving property. Assistance can be in any form. The assistance can be subject to such conditions as appropriate including repayment.
- 6.3 The proposed policy includes internal decision making and appeals mechanisms.

**7. IMPACT AND IMPACT ASSESSMENTS**

- 7.1 Equality - A scoping assessment shows the policy has a positive impact on persons who are disabled and/or elderly and low income persons of any age.
- 7.2 Climate Change - The policy has a positive impact on mitigation of climate change as it incorporates a mechanism for delivery of grants for greater energy efficiency in homes.
- 7.3 Health and Wellbeing - The policy has a positive impact on health and wellbeing of disabled persons receiving adaptations to their homes and their families. It also has a positive impact on health and wellbeing of other grant and financial assistance recipients to enable them to live in warmer, safer homes.

**8. RISK MANAGEMENT**

- 8.1 The lack of an up-to-date policy could lead to complaints to the Local Government Ombudsman and legal challenges as well as reputational risk in particular if the council does not meet mandatory requirements for DFGs or have appropriate decision and review mechanisms.

**9. CONCLUSION**

- 9.1 An up-to-date Housing Assistance Policy will help the council respond to legal requirements and meet locally identified need in relation to adaptation, repair and

improvement of properties with consequential improvement in health and wellbeing of residents.

- 9.2 Key changes have been identified for the new policy including increasing the maximum level of assistance, safeguarding the longer term use of adapted properties in partnership with landlords and clarifying elements of the policy such as eligible works.

**10. CONSULTEES**

- 10.1 Other Worcestershire district, borough and city councils.
- 10.2 CLT

**11. BACKGROUND PAPERS**

- 11.1 Not applicable.

**WYRE FOREST DISTRICT COUNCIL**  
**HOUSING ASSISTANCE POLICY**

# Contents

|  |    |
|--|----|
| 1. INTRODUCTION  | 3  |
| 2. OUR POLICY AIMS   | 3  |
| 3. SUMMARY OF FINANCIAL ASSISTANCE AVAILABLE   | 4  |
| 4. HOW TO APPLY AND MAKING A FORMAL APPLICATION FOR A MANDATORY DISABLED FACILITIES GRANT OR DISCRETIONARY DISABILITIES ASSISTANCE | 5  |
| 5. DETAILS OF FINANCIAL ASSISTANCE   | 6  |
| 6. GENERAL TERMS AND CONDITIONS  | 12 |
| 7. SUPERVISION OF WORKS  | 13 |
| 8. PAYMENT OF ASSISTANCE   | 13 |
| 9. WHERE ASSISTANCE WILL BE RESTRICTED   | 15 |
| 10. SECURITY AND REPAYMENT OF ASSISTANCE   | 17 |
| 11. DEATH OF THE APPLICANT   | 17 |
| 12. ADDITIONAL CONDITIONS  | 17 |
| 13. DECISIONS, NOTIFICATIONS AND REDETERMINATIONS  | 18 |
| 14. REVIEW OF THE COUNCIL'S DECISION   | 18 |
| 15. APPENDIX 1   | 19 |

## **1. INTRODUCTION**

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

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

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

## **2. OUR POLICY AIMS**

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

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

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

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

- All available options, including but not restricted to financial, have been fully explored
- Assistance through other means is not reasonably available or practicable



- The proposal fits the strategic aims of the council and/or national aims and metrics of the Better Care Fund Plan
- The proposal is economically viable considering the council resources available

The council will seek best value for the funding available whilst ensuring needs identified are met. Discretionary funding will normally involve a repayable local land charge for the cost of works. Mandatory DFGs will involve a local land charge where applicable under the legal framework. The council will utilise any recycled money from local land charges, where grants are repayable, to provide funding for future discretionary grants and support through the housing assistance policy applicable at that time. There is discretion to allow for non-repayment where appropriate.

The Armed Forces Covenant is a promise by the nation that those who serve or who have served in the armed forces, and their families, are treated fairly. The council works actively with the local representatives of Royal British Legion (RBL) and the Soldiers', Sailors' & Airmen's Families Association (SSAFA) to ensure wider support is available to any cases where active or ex-service persons are identified. This includes acceptance of direct applications from these organisations and referrals to support from them or other agencies where identified as applicable. The council will include in any grant provision covering the costs of any relevant assessments or support work by RBL or SSAFA to enable the grant to proceed. Those with a service history may have received a financial award in association with their service, discharge or ongoing benefits in relation to that service. These amounts will not be considered in any means test undertaken to determine whether a contribution is required towards any grant in this policy.

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

### **3. SUMMARY OF FINANCIAL ASSISTANCE AVAILABLE**

Financial Assistance schemes are discretionary, except Mandatory Disabled Facilities Grant, and are subject to the council having sufficient resources.

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

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

#### **3.1 Mandatory Disabled Facilities Grants:**

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

#### **3.2 Discretionary Disabilities Assistance:**

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

- **Discretionary Disabled Facilities Grant Top Up** - To enable top-up funding to a Disabled Facilities Grant scheme that exceeds the Mandatory Disabled Facilities Grant maximum where the additional costing is considered justifiable.
- **Discretionary Disabled Facilities Grant** – To enable adaptation works to be undertaken for persons with some identified contribution, where that contribution could cause hardship or deter the disabled person from getting the help they need.
- **Dementia Dwellings Grant** - To assist persons with dementia with specialised living aids to enable independent and safe living.
- **Ceiling Tracking & Hoists and minor aids and adaptations**- Funding to support the provision required to meet the needs of a disabled person, administered through the Integrated Equipment Service or other mechanism where DFG criteria are met.
- **Hospital Discharge Scheme** – For fast-tracked and non-means tested works to the home to enable earlier discharge from hospital or place of temporary care where problems in the home are identified as a possible reason for delayed discharge.

### **3.3 Discretionary Assistance:**

- **Home Repair Assistance:** To ensure that persons on low income can undertake essential repairs or improvements to their home.
- Other forms of discretionary assistance as set out in Appendix 1 to this policy.

## **4. HOW TO APPLY AND MAKING A FORMAL APPLICATION FOR A MANDATORY OR DISCRETIONARY DISABLED FACILITIES GRANT** (for information on how to apply for the other discretionary assistance please see section 5)

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

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

- (ix) A signed conditions form accepting the obligation to repay the assistance in the event of any breach of the relevant conditions concerning future occupation, letting or ownership.
- (x) If required, permission under any statute including but not limited to, planning permission, Building Regulation approval, Party Wall Act, etc.

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

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

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

Where an applicant uses the appointed agent to undertake the application and that agent is permitted to charge a fee, this will be included in the eligible costs.

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

The council may at its discretion choose to waive certain application requirements where considered appropriate to do so in the interests of the policy aims.

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

## **5. DETAILS OF FINANCIAL ASSISTANCE**

### **5.1 Mandatory Disabled Facilities Grants (DFG)**

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

Disabled Facilities Grants are awarded to enable applicants to have access to and around their homes, or to use essential facilities within the home to enable them to live safely and independently. Mandatory Disabled Facilities Grants can only be given for the purposes set out in the Act. Detailed guidance on what the council deems to be eligible works or not are set out in a separate document that is available to applicants or others upon request. This is maintained across the county as a common approach wherever possible.

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

Whilst it is recognised that a Disabled Facilities Grant is a mandatory grant, it is the Council's intention where possible to investigate all housing options that might meet the needs of the applicant in the most cost effective and suitable way before awarding a

Disabled Facilities Grant. This could include moving to a more suitable and/or adapted accommodation that may be available to the applicant.

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

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

### Eligible Applicants

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

### Qualifying Criteria

- A referral from the Community Occupational Therapist (COT) via Social Services or a Trusted Assessor confirming that the works are 'necessary and appropriate' is required. This referral will recommend works.
- Entitlement to a Disabled Facilities Grant is mandatory but before approval the council has to be satisfied that the relevant works are both necessary and appropriate for the disabled person, and additionally that it is 'reasonable and practicable' to carry out the works.
- A permanent and legal residence, or long-term in the case of fostering, including dwellings, mobile homes, caravans and houseboats.
- Second or holiday homes will not be considered for assistance.

### Conditions

- Works must qualify as described in s23 of the Housing Grants, Construction and Regeneration Act 1996 (as amended).
- Works must be recommended by a Community Occupational Therapist or Trusted Assessor and be necessary and appropriate to meet the needs of the disabled applicant.
- The works must be reasonable and practicable to carry out having regard to the age and condition of the dwelling or building.

- Applicant will be subject to a financial assessment of resources except where
  - i) the applicant (relevant person(s)) is in receipt of one or more of the following means tested benefits; -Housing Benefit, Income Support, Guaranteed Pension Credit, Income-based Employment Support Allowance (ESA), Income-based Job Seekers Allowance (JSA), Working/Child Tax Credit where income is less than set threshold, Universal Credit
  - ii) The application is in respect of a disabled child.
- Proof of title is required
- Landlord consent to the works is required where applicable.
- Conditions relating to the recovery of equipment in specified circumstances are applied.
- The council will use its powers to place a local land charge against the property where the Mandatory Disabled Facilities Grant exceeds £5000. The charge may be up to a maximum of £10,000 and repayment of the sum on charge is required where the adapted property is sold, transferred or otherwise disposed of within a 10 year period from completion of the work.
- In the case of a Disabled Facilities Grant where a 10 year conditional repayment obligation exists and the recipient intends to dispose of the property by sale, assignment, transfer or otherwise within the 10 year period, the charge must be repaid, unless the council, having considered:
  - i) the extent to which the recipient of the assistance would suffer financial hardship were he/she to be required to repay all or some of the grant or charge;
  - ii) whether the disposal of the property is to enable the recipient to take up employment, or to change the location of his/her employment;
  - iii) whether the disposal is made for reasons connected with the physical or mental health or well-being of the recipient of the assistance or of the disabled occupant of the property; and
  - iv) whether the disposal is made to enable the recipient of the assistance to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the assistance is intending to provide, or who is intending to provide care of which the recipient of the assistance is in need of by reason of disability or infirmity,

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

#### Maximum Assistance

- £ 30,000

## **5.2 DISCRETIONARY ASSISTANCE**

### **5.2.1 Discretionary Disabled Facilities Grant (Top Up)**

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

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

Subject to availability of funding the council may consider Discretionary Top Up for Disabled Facilities Grant. Where Discretionary Top Up for Disabled Facilities Grant is considered appropriate the discretionary assistance will not normally exceed £30,000. The cost of works funded above £30k will be registered as a Local Land Charge and repayable to the Council in full on the sale transfer or disposal of the property for owner-occupied properties. For rented properties there will be a condition that the landlord agrees to let the property to persons requiring the adaptation for their lifetime unless breach of tenancy contract occurs that results in re-possession or the disabled tenant moves to meet changed needs.

Maximum Assistance

£30,000 (once only)

**5.2.2 Dementia Dwelling Grant**

Subject to availability of funding the council will consider providing non means-tested assistance to provide aids and adaptations in the home designed to enable people with memory loss or a diagnosis of dementia to manage their surroundings, retain their independence and reduce feelings of confusion.

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

Eligible Applicants

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

Qualifying Criteria

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

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

Conditions

- Works must relate to the applicants dementia/memory loss needs.
- Assistance only available where it will aid the applicant to remain at home independently for a longer period.

- Only one application for assistance will be considered up to a maximum of £1000 within any 2 year period. Exemption to this condition is at the discretion of the Head of Strategic Housing subject to justifying circumstances.
- The works must be completed within 12 months of the date of approval.

Maximum Assistance

- £ 1000

**5.2.3 Hospital Discharge Scheme**

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

Eligible Applicants

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

Qualifying Criteria

- The property is the applicant's permanent and legal residence and not owned by the local authority
- Urgent minor adaptations that qualify under the Housing Grants, Construction and Regeneration Act 1996 (as amended) or urgent works or provision of facilities to enable the person to move home from hospital setting or temporary place of care.
- Funding is not available from other means.

Conditions

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

Maximum Assistance

- £6,000 (one off)

**5.2.4 Minor Aids and Adaptations**

The provision of minor adaptations to assist people with disabilities is governed by legislation. Funding and delivery of this service is through the Worcestershire County Council Adult Social Care service (ASC). There is a potential overlap of cases where minor works may be eligible for DFG funding and costs have risen above ASC funding limits. Where this occurs the council will fund eligible works directly, through its agent or pass funding to ASC and the works may be undertaken by the ASC delivery agent.

All adaptations should be assessed for and requested by suitably trained and competent staff e.g. Occupational Therapists and OT Technicians, Trusted Assessors, Technicians in generic roles

Maximum Assistance and Criteria

As covered by the mandatory disabled facilities grants.

**5.2.5 Ceiling Tracking and Hoists**

Where part of a major adaptation funded by a DFG, these will be included within the DFG funding. Where these are a standalone item being provided, as with minor aids and adaptations, these are normally delivered through Worcestershire County Council Adult Social Care or their delivery agent.

Where the cost of standalone provision is above £1000, the council will fund identified cases either directly or through ASC or their delivery agent.

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

Mobile hoists and other non-fixed equipment are not funded through this policy. Any such cases identified will be referred to ASC by the council or it's agent.

**5.2.6 Home Repair Assistance**

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

Eligible Applicants

- Owner occupiers or private tenants with a repairing responsibility, having savings of less than £16,000 and in receipt of one or more of the following means-tested benefits:- Income Support, Guaranteed Pension Credit, Income-based Employment Support Allowance (ESA), Income-based Job Seekers Allowance (JSA), Working Tax Credit, Universal Credit, Housing/Council Tax Support (not including single person or disabled person discount), or
- Where the household income is less than £31k, or
- Assessment of income and expenditure shows they would not reasonably be expected to repay a loan for the works needed within a 2 year period. Assessment by council or it's agent.

Qualifying Criteria

- The property is the applicant's permanent and legal residence.
- The property needs essential repairs as determined by the Housing Act 2004 to address Category 1 or significant Category 2 hazards as determined under the



Housing Health & Safety Rating System, in order to make the property safe, warm, weatherproof and healthy for the occupants

- No assistance will be granted in respect of properties built or converted less than 10 years prior to the application date.

Conditions

- Only one application for assistance will be considered up to a maximum of £20,000 within any 3 year period. Where exceptional circumstances exist this condition may be relaxed at the discretion of Head of Strategic Growth.
- Assistance is repayable in full to the council on sale, transfer or other disposal of the property. A Local Land Charge will be placed on the property for this purpose.
- The applicant must have lived at the property for a minimum of 12 months immediately prior to the application date as his/her sole permanent residence.
- The approved works must be completed within 12 months of the date of approval.
- The scope of work should aim to tackle all the identified category 1 or significant category 2 hazards unless there are reasonable grounds to limit the works.
- Where the works are in respect of common parts or group repair assistance will only be considered to a reasonable sum or proportion of costs reflecting the applicant's liability.

Maximum Assistance

- £20,000 (within 3 year period)

**6. GENERAL TERMS AND CONDITIONS**

Any person who makes an application for Assistance must;

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

Where an owner occupier has given a signed undertaking to occupy a property as his/her principle residence after completion of the assisted works for a period of time, and if they

cease to do so during that time, they will repay on demand to the council the total amount of Assistance paid out.

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

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

## **7. SUPERVISION OF WORKS**

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

All work must be undertaken;

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

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

## **8. PAYMENT OF ASSISTANCE**

The Assistance will only be paid if;

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

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

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

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

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

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

Assistance may be offered in a variety of forms including, but not restricted to, financial assistance, advice, provision of materials, carrying out of works, and loans. Advice offered may include Housing Options advice to ensure the most appropriate option for the applicant or household is considered and may include advice on housing rights, benefits entitlement, repairs or improvements, energy efficiency, re-housing or signposting to other agencies or services.

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

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

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

## **9. WHERE ASSISTANCE WILL BE RESTRICTED**

The following will not be eligible for assistance:

1. Where ownership of the property is disputed.
2. Where the owner(s) has a statutory duty to carry out the necessary works and it is reasonable in the circumstances for them to do so.

3. The Council will not consider an application for assistance in respect of premises built or converted less than 10 years prior to the date of the application, except where the application is for a Disabled Facilities Grant.
4. No assistance will be given in respect of properties owned by Statutory Authorities or trusts. This includes properties owned by Registered Social Landlord, NHS Trusts and Police Authorities, except in the case of a Disabled Facilities Grant (Mandatory or Discretionary), Dementia Dwellings Grant, Minor Adaptations Top-Up or Hospital Discharge Scheme.
5. Where the residence is not regarded as permanent.
6. No assistance will normally be given for work started before formal approval of an application, except that:
  - (i) The council may in exceptional circumstances exempt an application from this condition for example where a defect may present a serious risk to health and safety.
  - (ii) The council may, with consent of the applicant, treat the application as varied so exclude any works that have been started before approval.
7. Grant assistance will not normally be provided for works covered by insurance. Where, before a grant for assistance is approved it is found that an applicant can make an insurance claim, the insurance company will be requested to confirm in writing the level of their liability, if any. The level of assistance will be reduced by an amount equivalent to the insurance company's liability. Where assistance is approved, a condition will be imposed requiring the applicant to pursue any relevant claim against an insurance company or third party for;
  - a) Claims for personal injuries where the works are required under a Mandatory Disabled Facilities Grant.
  - b) Claims on the applicant's property insurance or on a third party where the application where the application is in respect of works for which financial assistance has been given and to repay the financial assistance provided out of the proceeds of such a claim.
8. The council will assess whether the scope of the works are reasonable and eligible, in particular having regard to the age, condition and structural layout of the property.
9. The council will determine whether prices provided by contractors meet value for money. In determining this, the Officer will give consideration to similar jobs priced within the last year. The Officer may liaise with the relevant body or contractor to check the specification and any estimates, as part of the procurement procedure.
10. In the event that the Officer believes the price for contracts are too high and identifies an appropriate price for this work (which is lower) they will advise the client that the total eligible assistance will be the lower amount. The client is under no obligation to use the lower priced contractor but must be aware the council will only make a grant or assistance payment up to the value of the lower price.
11. In the case of an application for Disabled Facilities Grant where the client chooses to pursue a different scheme of work's or an enhanced scheme of works the client will be advised the Council will only provide assistance to the value of the scheme of works the Officer has determined would otherwise satisfy the basic primary requirement(s) identified by the report of the Occupational Therapy Service, subject to the Officer being satisfied the clients preferred scheme will also satisfy the primary requirements.
12. The council may refuse any application for assistance lacking the required information or documentation.

13. Where the client deviates from the scheme of work(s) submitted and subsequently approved by the council without prior consultation with, or agreement of, the Officer the council may rescind the approval or refuse to make any further payment of assistance. The council may also seek to recover any interim assistance payments previously made against the approved scheme.
14. If the applicant is an owner of the dwelling in respect of which Assistance has been approved and ceases to be the owner before the works are completed the applicant must repay to the council on demand the total amount of Assistance that has been paid.
15. Where a grant condition imposes a liability to repay the Assistance, or a part thereof, the condition will be registered by the council as a Local Land Charge.
16. Where Assistance has been approved the works must be completed within 12 months of the approval date, except where an extension of time, not exceeding 6 months has been agreed by the council. Where no extension is agreed the council may rescind the approval or refuse to make any further payment of assistance. The council may also seek to recover any interim assistance payments previously made against the approved scheme.
17. In the case of common parts of a dwelling the council will only consider assistance for the reasonable sum or proportion of the applicant's liability. The applicant must prove a repairing liability for the common parts.
18. The council may, where financial or operational demands dictate, defer payment of a Disabled Facilities Grant for a period not exceeding 12 months. Any deferment will be detailed in the approval notice.
19. The provision of Assistance is allowed for caravans and houseboats used as a main residence, subject to meeting other eligibility requirements. Holiday residencies, caravans on holiday sites or sites with restricted occupancy, second homes (as defined by council Revenues criteria), properties without a certificate of lawful residential occupation and sheds, outbuildings or appurtenances will not qualify for Assistance.
20. The council recognises that this policy cannot cover every likely situation and there may be persons who genuinely are in need of some form of urgent support that are precluded from accessing Assistance due to a specific aspect. In these situations the council may consider offering assistance in exceptional circumstances, in particular where support would help the council meet its strategic objectives, as determined by the relevant officer.

## **10. SECURITY AND REPAYMENT OF ASSISTANCE**

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

Any grant approval document will set out what amount of money will be placed as a local land charge for the applicant to confirm their acceptance. Any additional unforeseen costs that arise during the works will not normally be added to this amount. If significant separate works are identified, a review and revised approval will be issued for the applicant to agree to.

The council will recover grant/assistance monies in full if the relevant conditions of the assistance are not met. Where not already a requirement of the specific terms of the

assistance granted, a local/legal land charge may be entered against the property for the purpose of debt recovery.

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

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

## **11. DEATH OF THE APPLICANT**

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

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

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

## **12. ADDITIONAL CONDITIONS**

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

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

## **13. DECISIONS, NOTIFICATIONS AND REDETERMINATIONS**

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

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

The council or its Agent will maintain a document that sets out in details what works are considered eligible or not for a DFG by the council. This document will be made available to any applicant or other person upon request. The council will work with other Worcestershire authorities to ensure as far as possible consistency on eligible works.

For complex cases such as extension and cases likely to be above the mandatory DFG threshold of £30k, the council's agent will as soon as practical arrange a documented case consideration that includes input from the Occupational Therapist or other assessor, the housing provider for rented accommodation, the Agent in respect of technical considerations and options, the council and importantly input from the applicant themselves to assist the council in determining the most appropriate course of action for the case. Relevant case factors and process are to be standardised across the county as far as possible. If the application for Assistance is refused, the council or its Appointed Agent will give the reasons for the refusal and confirm the procedure for appealing the decision.

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

Additional works or deviations from the planned works will be at the discretion of the council to consider. The council may delegate decisions on variations due to unforeseen circumstances to the Agent.

Works requested beyond the scope of the mandatory DFG or agreed schedule may be undertaken through the council's Agent or directly with the contractor at the applicant's own expense.

#### **14. REVIEW OF THE COUNCIL'S DECISION**

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

A request for review of must be submitted to the council/or appointed agent (where delegated decision) with 21 days of the date of the decision letter. The request must be in writing. A review of the decision will be undertaken by the service head and the decision will be notified to the applicant in writing. If the person remains dissatisfied with the review decision they have the right to go through the council's Corporate Complaints procedure or approach the Local Government Ombudsman.

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

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

## APPENDIX 1

### Discretionary Disabled Adaptations Assistance

Subject to availability of funding the council may consider works undertaken as Discretionary Disabled Adaptations Assistance, under the value of £10,000. These discretionary grants will take one of two forms.

Where the applicant does not provide a means test or is likely or is shown to have a contribution above £5,000, they will be able to have the works done fully funded and the costs placed as a local land charge on the property for repayment upon future sale or transfer.

Where the applicant has a means-test that gives an expected contribution of up to £5,000, they will be able to have the whole cost of works funded and the means-test contribution placed as a local land charge on the property for repayment upon future sale or transfer.

This discretionary process will enable those with some contribution calculated but where it would potentially still cause financial hardship to still have the works done.

#### Eligible Applicants

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

#### Qualifying Criteria

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

#### Conditions

- The conditions will mirror the mandatory grant conditions with the exception of the following:
  - (i) It will not necessarily be subject to a financial assessment
  - (ii) The council will put a local land charge on the dwelling for owner-occupied properties for the total cost of works.
  - (iii) The charge will remain indefinitely
- If the dwelling is sold or transferred (i.e. a relevant disposal) before the grant process is completed and interim payments have been made, these will be repayable to the council in full.
- Where a dwelling is sold or transferred for any reason, including where the owner has died, then the local land charge amount will be repayable to the council in full.

The council will seek to recover grant funding in all circumstances where a breach of conditions has occurred.



No interest is accumulated on the amount placed as a local land charge.

Maximum Assistance

- £10,000

**Home Move Grant Assistance**

The aim of providing this discretionary financial assistance is to enable people to move to more suitable accommodation where this is considered more appropriate and/or cost effective than providing a Disabled Facilities Grant for adaptations to their existing home. A disabled facilities grant can then be used if necessary to adapt the property they are moving to up to the total amount they would be entitled to including the £3k/£10k.

Eligible Applicants

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

Qualifying Criteria

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

Conditions

- Assistance is once only per person and not repayable
- The assistance will only be approved on a strict case by case basis

Maximum Assistance

- £3,000 for tenant transfers, £10,000 for move into an owner-occupied property.

**Accessible Homes Grant**

Consideration by the Head of Strategic Growth will be given for provision of new technology equipment as part of a DFG, in circumstances which will provide better value for money than the usual structural works and will better meet the customer/family needs. For example the provision of a rising wheelchair instead of lowering the kitchen units and a bio-bidet. To be determined on a case by case basis

**Capital Schemes**

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

### **Housing options**

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

### **Private Sector Measures**

Projects and budget allocation are agreed subject to funds available on an annual basis by the Head of Strategic Growth in consultation with the s151 officer and the Cabinet Member for Health, Wellbeing and Democratic Services. Details can be obtained upon request from the Private Sector Housing Team.

These works typically include measures to improve conditions in the private rented sector for tenants on benefits or low income where the works are above what can be reasonably expected of a landlord and are of benefit to the tenants, for example improved insulation, ventilation and efficient heating systems above current minimum standards.

In particular, funding will be prioritised to landlords who are working with the council to provide lease and rent bond accepted cases for tenants on benefits and in need of housing.

Other uses include the provision of sanctuary scheme works to support survivors of and those threatened with domestic abuse and the provision of empty property loans to bring empty residential properties into use where tied into the council having nomination rights for a period of time.

### **Energy Efficiency Measures**

Budget allocation agreed subject to funds available on an annual basis by the Head of Strategic Growth in consultation with the Chief Financial Officer and the Cabinet Member for Health, Wellbeing and Democratic Services. Details can be obtained upon request from the Private Sector Housing Team.

Provision of energy efficiency improvement works to home owners on relatively low income where they are not able to access funds from Government schemes for the works and where they could not reasonably afford the cost of the works themselves. The grant to be repayable upon future sale of the property and recycled into discretionary assistance.

**WYRE FOREST DISTRICT COUNCIL**

**Cabinet  
Tuesday 9 April 2024**

**Recommendations from the Overview and Scrutiny Committee  
Thursday 7 March 2024**

**Update to the Housing Assistance Policy**

The Committee considered a draft of a Cabinet Report from the Head of Strategic Growth to update the council's Housing Assistance Policy on the use of the Better Care Fund and other resources for the provision of disabled facilities grants (DFG) and other forms of financial assistance for property repair, adaptation and improvement and amendments in response to changes in typical costs and economic circumstances of applicants.

The Principal Environmental Health Officer presented the report, the Committee fully scrutinised it and were given the opportunity to ask questions. The Head of Strategic Growth and the Principal Environmental Health Officer provided verbal responses to members' questions and comments.

**Recommendation: The Overview and Scrutiny Committee considered the information in the report and recommend to Cabinet to DECIDE that:**

- 2.1 The proposed Wyre Forest District Council Housing Assistance Policy be adopted AND**
- 2.2 The split of funding between projects be delegated to the Head of Strategic Growth, in consultation with the s151 Officer and the Cabinet Member for Housing, Health and Wellbeing.**

**Background papers:**

See the report on page 62 of the pdf at this link:

[http://www.wyreforest.gov.uk/council/docs/doc59258\\_20240307\\_o\\_and\\_s\\_agenda.pdf](http://www.wyreforest.gov.uk/council/docs/doc59258_20240307_o_and_s_agenda.pdf)

**WYRE FOREST DISTRICT COUNCIL**

**CABINET**  
**9 APRIL 2024**

**Wyre Forest District Council Design, Amenity and Shopfronts Supplementary Planning Document**

| <b>OPEN</b>                 |   |
|-----------------------------|---|
| <b>CABINET MEMBER:</b>      | Cllr Dan Morehead, Cabinet Member for Economic Regeneration, Planning and Localism  |
| <b>RESPONSIBLE OFFICER:</b> | Kate Bailey, Head of Strategic Growth   |
| <b>CONTACT OFFICER:</b>     | Robert Wall, Planning Officer   |
| <b>APPENDICES:</b>          | <a href="https://www.wyreforestdc.gov.uk/conservation-area-character-appraisal-and-design-supplementary-planning-document">https://www.wyreforestdc.gov.uk/conservation-area-character-appraisal-and-design-supplementary-planning-document</a> |

**1. PURPOSE OF REPORT**

- 1.1 To present a report on the Wyre Forest District Council (WFDC) Design, Amenity and Shopfronts Supplementary Planning Document (SPD)

**2. RECOMMENDATION**

**The Cabinet is invited to:**

- 2.1 Approve the draft Design, Amenity and Shopfronts SPD AND
- 2.2 Agree to a 4 week consultation on the SPD to take place from the 10<sup>th</sup> April 2024 until 8<sup>th</sup> May 2024.

**3. BACKGROUND**

- 3.1 The Design, Amenity and Shopfronts SPD is required to support the implementation of policies in the WFDC Local Plan 2016-2036, specifically policies SP.20 and DM.24 both titled 'Quality Design and Local Distinctiveness'.
- 3.2 The process for writing and adopting an SPD is set out in the WFDC Statement of Community Involvement. The process includes publishing and consulting on a scoping paper, holding consultation events where necessary and reporting on any consultation responses received and how they have been incorporated into the SPD.

- 3.3 The Design, Amenity and Shopfronts SPD, attached to this report, has been prepared by the Planning Policy Team in partnership with Development Management colleagues in Wyre Forest District Council.
- 3.4 Officers also undertook a public consultation on the scoping document for the Design, Amenity and Shopfronts SPD in October 2022. The document set out the proposed contents of the SPD and the process for consultation and adoption. There were no comments received.

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

- 4.1 The SPD aims to:
- Provide guidance and clarity around the key design policies in the WFDC Local Plan
  - Provide detailed guidance to be used by applicants, Planning Officers and Committee Members throughout the planning process.
  - Inform pre-application advice for any potential design related issues
  - Be a material consideration to be taken into consideration in determining applications, where relevant
  - Provide information and guidance that can be used to support an efficient application process
- 4.2 The SPD provides detail on how policies SP.20 and DM.24 are to be interpreted when submitting a planning application. The SPD also includes detail on Shopfront design throughout Wyre Forest District and is intended to replace the existing 'Shop Front Design Guidance within Historic Environment SPG' (Adopted June 2004).

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 The costs of adopting the SPD are minimal and mostly relate to staff time. These will be met by existing budgets.

#### **6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 The National Planning Policy Framework and the National Planning Policy Guidance states that Local Planning Authorities have a duty to produce policies and make decisions that provide a sufficient supply of homes.
- 6.2 Paragraph 8 of the National Planning Policy Framework states that the purpose of SPDs is to provide detailed advice or guidance but cannot introduce new planning policies into the development plan.
- 6.3 Part five of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the process for the adoption of Supplementary Planning Documents. This includes the duty to publicly consult on an SPD prior to its adoption.

**7. IMPACTS and IMPACT ASSESSMENT**

- 7.1 An Equality Impact Assessment screening exercise has been undertaken and it has been found that there are no negative impacts because of the Design, Amenity and Shopfronts SPD.
- 7.2 The SPD is considered to have a positive impact on health by providing design guidance for considerations such as cycle storage and encouraging active travel. It also provides design guidance for creating green spaces and play parks in new developments which will improve both mental and physical health for the public.
- 7.3 The SPD is also considered to have a positive impact towards climate change. It includes a section on renewable energy which encourages the use of measures such as photovoltaic panels (solar panels) and air/ground source heat pumps within planning proposals.

**8. RISK MANAGEMENT**

- 8.1 The Design, Amenity and Shopfronts SPD will provide guidance to applicants prior to an application and will help to reduce demand on officer time.

**9. CONCLUSION**

- 9.1 The draft Design, Amenity and Shopfronts Supplementary Planning Document has been prepared to provide further detail to policies contained within the Adopted Local Plan. It is anticipated that the document will assist applicants when submitting a housing application.
- 9.2 WFDC is required by part five of the Town and Country Planning (Local Planning) (England) Regulations 2012 to consult on an SPD for a period of 4 weeks prior to finalising and adopting the document.

**10. CONSULTEES**

- 10.1 CLT
- 10.2 Planning Manager, WFDC

**11. BACKGROUND PAPERS**

- 11.1 Statement of Community Involvement

**WYRE FOREST DISTRICT COUNCIL**

**Cabinet  
Tuesday 9 April 2024**

**Recommendations from the Overview and Scrutiny Committee  
Thursday 7 March 2024**

**Wyre Forest District Council Design, Amenity and Shopfronts Supplementary Planning Document**

The Committee considered a draft of a Cabinet Report from the Head of Strategic Growth on the Wyre Forest District Council (WFDC) Design, Amenity and Shopfronts Supplementary Planning Document (SPD), which was presented by the Planning Officer.

The Committee fully scrutinised the report and the Head of Strategic Growth was able to provide members with verbal responses to their questions and comments.

**Recommendation: The Overview and Scrutiny Committee considered the information in the report and recommend to Cabinet to:**

- 2.1 APPROVE the draft Design, Amenity and Shopfronts SPD AND**
- 2.2 AGREE to a 4 week consultation on the SPD to take place from the 10<sup>th</sup> April 2024 until 8<sup>th</sup> May 2024.**

**Background papers:**

See the report on page 90 of the pdf at this link:

[http://www.wyreforest.gov.uk/council/docs/doc59258\\_20240307\\_o\\_and\\_s\\_agenda.pdf](http://www.wyreforest.gov.uk/council/docs/doc59258_20240307_o_and_s_agenda.pdf)

and the Appendix at:

[http://www.wyreforest.gov.uk/council/docs/doc59259\\_20240307\\_o\\_and\\_s\\_report.pdf](http://www.wyreforest.gov.uk/council/docs/doc59259_20240307_o_and_s_report.pdf)

**WYRE FOREST DISTRICT COUNCIL****CABINET**  
**9 APRIL 2024****Wyre Forest District Council Housing Supplementary  
Planning Document**

| <b>OPEN</b>                 |   |
|-----------------------------|---|
| <b>CABINET MEMBER:</b>      | Cllr Dan Morehead, Cabinet Member for Economic Regeneration, Planning and Localism  |
| <b>RESPONSIBLE OFFICER:</b> | Kate Bailey, Head of Strategic Growth   |
| <b>CONTACT OFFICER:</b>     | Sally Horne, Senior Planning Policy Officer   |
| <b>APPENDICES:</b>          | Appendix one: WFDC Housing Supplementary Planning Document<br><br>Appendix two: WFDC Housing Supplementary Planning Document Consultation Statement |

**1. PURPOSE OF REPORT**

To present a report on the Wyre Forest District Council (WFDC) Housing Supplementary Planning Document (SPD) following the recent consultation exercise.

**2. RECOMMENDATION**

**The Cabinet is invited to:**

- 2.1 Approve the final Housing SPD for adoption AND
- 2.2 Note the public consultation responses detailed in the WFDC Housing SPD Consultation statement.

**3. BACKGROUND**

- 3.1 The Housing SPD is required to support the implementation of the housing policies in the WFDC Local Plan 2016-2036.
- 3.2 The process for writing and adopting an SPD is set out in the WFDC Statement of Community Involvement (February 2013), which was published following the issue of the Town and Country Planning (Local Planning) (England) Regulations 2012. The process includes publishing and consulting on a scoping paper, holding consultation events where necessary, reporting on any consultation responses received and how they have been incorporated into the SPD.



- 3.3 The Housing SPD, attached to this report, has been prepared in partnership with the Strategy and Enabling and Planning Teams in WFDC.
- 3.4 Officers also undertook a public consultation on the scoping document for the Housing SPD in October 2022. The document set out the proposed contents of the SPD and the process for consultation and adoption. There were no comments received.
- 3.5 A report was taken to Overview and Scrutiny on 5th October 2023, seeking approval for the draft SPD to be consulted on for a period of 6 weeks.

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

- 4.1 The SPD went out for consultation from the 6 November 2023 to the 18 December 2023. There were nine respondents and the detailed responses to that consultation are summarised in the Consultation Statement, appended to this report. 4 respondents had no comments and of the other 5, only two issues were commented on by more than one respondent, one relating to the percentage of self and custom build units and one relating to design codes. However, the table below, summarises the main issues raised and the officer response to those points.

| <b>Issue raised</b>   | <b>Response</b>  |
|---|--|
| There is concern that the SPD introduces a new policy requirement by requesting 100% social rent on s106 sites.                                     | The section on page 4 has been amended and now states:<br><br><del>There is an expectation that all allocated s106 sites deliver 100% social rented.</del> The Local Plan states that where affordable housing is to be provided on a development, the dominant type of rent type, will be for social rent. If this is considered unviable, then the developer will be expected to follow the procedure as set out in policy DM.1 Financial Viability of the Local Plan. |
| To remove the reference to 'small clusters' of affordable housing as this is not defined and change the wording about how the units are negotiated. | The section has been reworded as follows:<br><br>The design of the scheme must be tenure blind in so far as possible. The locations of the affordable housing should be agreed with development management team as part of the application process.  |

|   |  |
|---|--|
| The inclusion of an indicative % of Self and Custom Build plots is new policy and cannot be included in the SPD.  | This sentence has been removed.  |
| Recommendation that details describing circumstances when the Council would accept different phasing of self and custom build plots should be included.                     | Noted. However, felt wording is sufficient and the circumstances that later phasing will be allowed will vary on a site by site basis.   |
| Suggestion to require developers to show how they have worked with self and custom build enablers as part of any justification as to why plots can not be provided on site. | Wording has been amended to include:<br><br>In the event that a developer cannot provide self or custom build plots, it is the responsibility of the developer to provide clear and robust justification as to why this provision of housing cannot be delivered on the site. <u>This includes evidencing how they have worked with Self/Custom Build enablers to bring forward the proposed self or custom build portion of the site.</u> |
| The information about design codes is too prescriptive, especially with regards to Self-Build plots.  | This has now been reworded to state a design code will only apply to custom build units only.  |
| There should be wording included on WFDC's responsibilities re: the marketing of self and custom build plots  | The section now includes wording on WFDC responsibilities.   |
| The marketing period for Self and Custom Build plots should be raised to 18 months.   | This is not policy compliant with SP.12 of the plan so will need to remain at 12 months.   |
| The definition of a rural exception site and a site in Clows Top  | This is a site-specific comment. Policy SP.2 of the Local Plan is silent about back land development. Therefore, these sites will be considered by a site-by-site basis and will therefore be determined by SP.20 and DM.24 to ensure suitable development. Any site should meet a local housing need as defined by the latest housing needs survey, when the settlement falls within a rural designated area and any site                 |

|  |   |
|--|---|
|  | with 6 or more dwellings must meet the affordable housing policy requirements.  |
| The SPD should apply the same policy treatment to Stourport as it does to Bewdley. Stourport has been sidelined again. | Whilst the comment is noted, the SPD can only be a guidance document providing advice on the Local Plan. Any revision or new policy would have to be introduced at the next Local Plan Review.  |
| Further information needs to be provided about the consideration of self and custom build application in rural areas.  | The following wording has been added:<br><br>If the proposed location of a self or custom build unit is in a rural area, the applicant will need to demonstrate how they have addressed Policy SP.2 Locating New Development and Policy SP.11 Addressing Rural Housing Needs. |

- 4.2 The amendments that have been made to the SPD, as a result of the consultation, are tracked on the final draft of the SPD, attached in Appendix A.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 The costs of adopting the SPD are minimal and mostly relate to staff time. These will be met by existing budgets.

## **6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 Part five of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the process for the adoption of Supplementary Planning Documents. This includes the duty to publicly consult on an SPD prior to its adoption and the status of an SPD, in relation to the Local Plan.
- 6.2 Paragraph 8 of the National Planning Policy Framework states that the purpose of SPDs is to provide detailed advice or guidance but can not introduce new planning policies into the development plan.

## **7. EQUALITY IMPACT NEEDS ASSESSMENT**

- 7.1 An equality impact assessment has been undertaken and it has been found that there are no negative impacts because of the Housing SPD.

## **8. RISK MANAGEMENT**

- 8.1 The Housing SPD will provide guidance to applicants prior to an application and will help to reduce demand on officer time.

**9. CONCLUSION**

- 9.1 The Housing Supplementary Planning Document has been prepared to provide further detail to policies contained within the ~~adopted~~ Local Plan.
- 9.2 As required by part five of the Town and Country Planning (Local Planning) (England) Regulations 2012 WFDC has consulted on the SPD for a period of 6 weeks prior to finalising the document.
- 9.3 The SPD has been amended to incorporate comments of the respondents and is now being presented to members for adoption.
- 9.4 Once adopted, the SPD will be a material consideration in the determination of planning applications.

**10. CONSULTEES**

- 10.1 CLT
- 10.2 Planning Manager, WFDC
- 10.3 Housing Manager, WFDC

**11. BACKGROUND PAPERS**

- 11.1 Not applicable

## Contents

|   |    |
|---|----|
| Introduction .....  | 2  |
| Key Local Plan Policies .....   | 2  |
| Affordable Housing – SP.9, SP.10 and DM.1 .....                                     | 4  |
| Local Housing Need – SP.11 and DM.2 .....   | 8  |
| Housing in Bewdley – SP.2 and DM.2 .....  | 9  |
| Housing in the Rural Areas – SP.1, SP.2, SP.11 and DM.2.....                        | 10 |
| Self and Custom Build Housing – SP.12 .....   | 15 |
| Housing for Older People and Others with Special Housing Requirements - SP.13 ..... | 20 |
| Appendix A: Glossary of Terms .....   | 21 |
| Appendix B: Suggested wording for S106 on Outline Permission .....                  | 23 |

## Introduction

The Wyre Forest District Council (WFDC) Local Plan (adopted April 2022) promotes the delivery of new housing to meet local housing need in the district, through policies relating to affordable housing, self and custom build, exception sites and specialist housing need.

The purpose of this Housing Supplementary Planning Document (SPD) is to add further detail to the policies in the local plan, giving greater clarity to developers and communities about the expectations for housing delivery in Wyre Forest.

This SPD cannot and does not introduce any new policy requirements, rather it provides additional guidance to help applicants understand how it is possible for proposed developments to satisfy existing plan policies.

## Key Local Plan Policies

SP.1 Spatial Development Strategy

Sp.2 Locating New Development

SP.9 Housing Density and Mix

SP.10 Affordable Housing Provision -

SP.11 Addressing Rural Housing Needs

SP.12 Self Build and Custom Housing

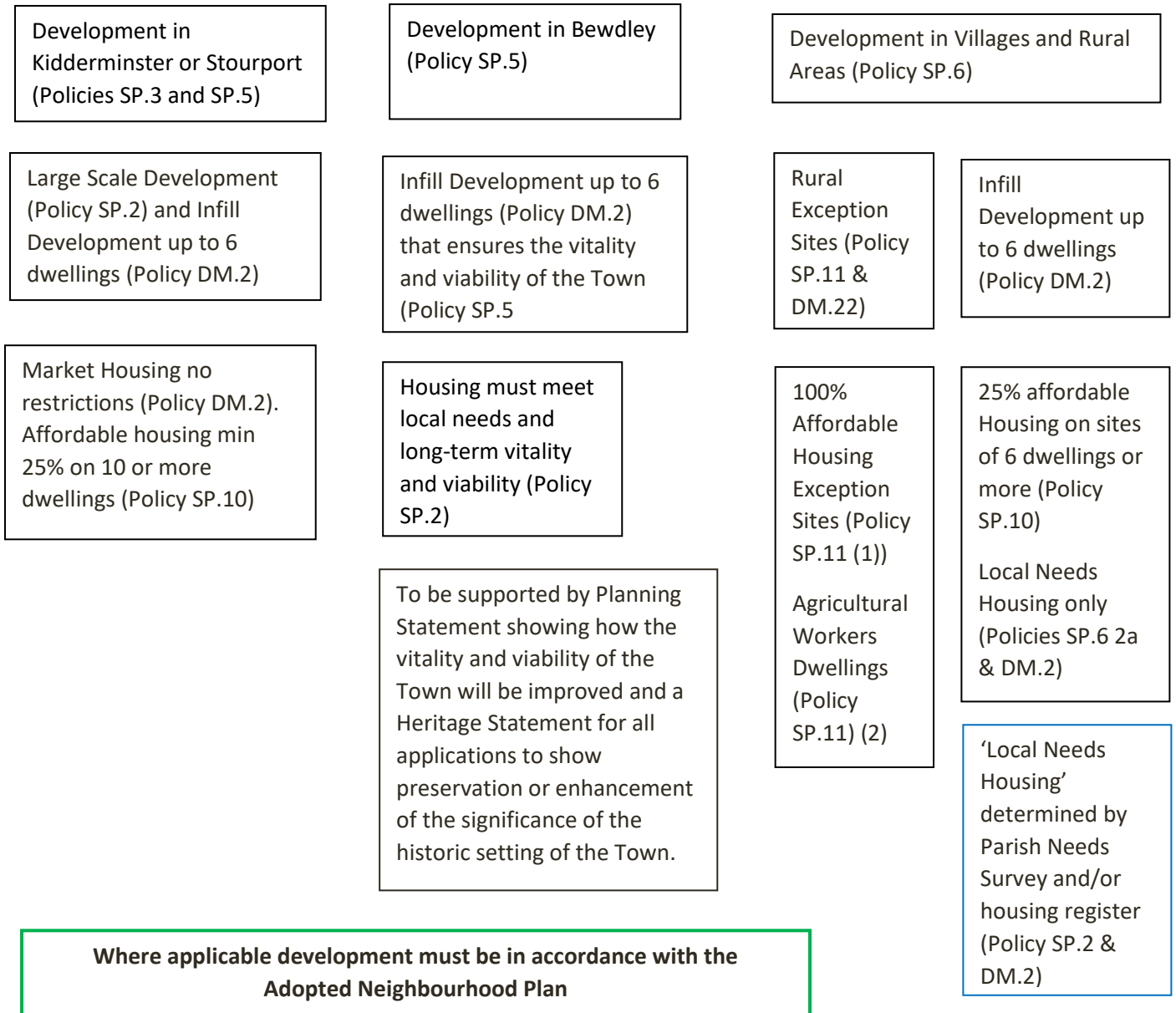
SP.13 Housing for Older People and Others with special housing needs

DM.1 Financial Viability

DM.2 Residential Infill Development

DM.22 Safeguarding the Greenbelt

**SP.2 Locating New Development**



**Affordable Housing – SP.9, SP.10 and DM.1**

**What constitutes affordable housing for the purposes of this SPD**

The NPPF defines affordable housing as housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers). There are four broad types of affordable housing:

- Affordable housing for rent
- Starter homes
- Discounted market sales housing
- Other affordable routes to home ownership such as First Homes

**Mix and distribution of affordable housing in developments**

As per policy SP.10 of the Local Plan, WFDC will seek a 25% affordable housing contribution on major development sites with the tenure split primarily being social rent (65%) and affordable housing for sale (35%). Affordable rent will only be considered when it is clearly justified.

The design of the scheme must be tenure blind in so far as possible. The locations of the affordable housing should be agreed with development management team as part of the application process.

The Local Plan states that where affordable housing is to be provided on a development, the dominant type of rent type, will be for social rent. If this is considered unviable, then the developer will be expected to follow the procedure as set out in policy DM.1 Financial Viability of the Local Plan.

**Rented Housing**

Any rented homes owned or managed as affordable housing should meet the conditions of affordable housing for rent, set out in the NPPF:

- the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable)
- the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider)
- it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

**Build to Rent**

Where applicants wish to propose an alternative intermediate housing product, they should submit evidence demonstrating why a particular product is more appropriate. The Council will consider this on the basis that it will be genuinely affordable for local residents and consider how the proposed product meets identified needs now and in the future.



The Council will require the following matters to be secured in planning obligations:

- Management by a bona fide housing provider or management agent from the public or private sector
- Restrictions to ensure that the properties meet the needs of eligible households and remain affordable in the future
- Rents, inclusive of service charges must not exceed 80% of market rents or the Local Housing Allowance, whichever is the lowest, for the relevant property type
- The right to make nominations in respect for future occupants
- Homes are let in the form of assured tenancy with the tenancy terms submitted for the Council for approval

### **Intermediate housing**

This term refers to housing provided for sale that offers a route to ownership for those who could not achieve home ownership through the open market. It includes for example shared ownership and other low-cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision or refunded to Government or the relevant authority specified in the funding agreement.

### **First Homes**

First Homes, introduced by the Government in June 2021, requires 25% of affordable housing developer contributions to be provided as first homes. However, under the transitional arrangements, any local authority who submitted their plan before June 2021, does not have to include this tenure in their developer contribution requirements until their next local plan review.

Wyre Forest District Council's plan was examined in January 2021 and therefore meets the transitional criteria.

Furthermore, a report into the affordability of First Homes, conducted by Arc4 on behalf of WFDC, found that

- Based on a 3.5x household income multiple, First Homes are not affordable based on overall market prices and even less affordable when newbuild prices are considered to earners and households on lower quartile, median or average earnings/incomes.
- If First Homes are delivered, a maximum discount of 50% would need to be applied across Wyre Forest to ensure that First Homes are as affordable as possible – but even then income ratios would exceed the recommended 3.5x. It would also be recommended that First Home prices are based on overall property prices and not newbuild prices.
- If First Homes are delivered as part of a development, this is likely to affect the viability of delivering other types of affordable homes on site.

First Homes must be sold to people meeting eligibility criteria which includes first-time buyers and household incomes should not exceed £80,000. Analysis has demonstrated that open market newbuild prices could be afforded by households with an income of less than £80,000. Therefore,

First Homes could provide a subsidized affordable product to households who could already afford to buy on the open market.

Therefore, until the local plan is reviewed, First Homes will not be considered as part of an affordable housing contribution

**Offsite Provision/Contributions**

Off-site provision will only be considered in exceptional circumstances. Both the developer and the local authority must agree that this is the most appropriate course of action and developers must demonstrate why the provision of affordable housing on-site is not achievable.

Examples of circumstances where it may not be possible to provide affordable housing on-site include sites where it would be difficult to achieve a mixed-use scheme and sites with particular site and layout constraints. Both the developer and the local authority must agree where the provision will be located. The alternative site must then meet the requirement for affordable housing generated from both sites as per the example below:

Sites A and B can each accommodate 30 dwellings.

It has been agreed that all the affordable housing contribution will be located on site B. Therefore, the requirement is:

Site A: 30 dwellings (25%) = 8 dwellings Site B: 30 dwellings (25%) = 8 dwellings

Total affordable housing units required = 16 dwellings to be provided on site B.

In very exceptional circumstances, where it is demonstrated that the provision of affordable housing on the site of, or in the vicinity of, new development, is not viable, the District Council will accept a financial contribution towards the delivery of affordable housing within the district.

The principle for determining the financial contribution to be made is that it should be broadly equivalent in value to on-site affordable housing provision. Therefore, the approximate cost of on-site provision to the developer will be established and the developer will pay this value to the District Council. The basis for calculating the financial contributions is therefore as follows:

**Commuted Payment = Open Market Housing Value less Affordable Housing Value**

**Vacant Building Credit**

The District Council supports the reuse and redevelopment of brownfield sites and the reuse of vacant buildings for housing. Acknowledging that redevelopment of vacant buildings incur additional costs compared to greenfield site development of the same size and typology, the District aims to implement the Vacant Building Credit methodology established in the NPPF and PPG. The Policy outlines the requirement to define a vacant building, as opposed to a building made vacant for the sole purpose of development and to an abandoned building, two situations where the Vacant Building Credit does not apply according to the NPPF and PPG.

To qualify for Vacant Building Credit a site must be a brownfield development and contain an existing building at the time the application is made, and it is proposed to:

- Demolish the building for redevelopment; or
- Bring the building back into use

Vacant Building Credit will apply where the building is wholly vacant and to be redeveloped completely and may result in a proportionate reduction in the Affordable housing contribution. Vacant building Credit does not apply where the building:

- Has been abandoned in planning terms; or
- Has been vacated for the sole purpose of redevelopment; or
- Is covered by an extant or recently expired planning permission

The proportion of the vacant building floor space as part of the total new floor space should be used to calculate the proportion of the affordable housing required by the policy.

Local Housing Need – SP.11 and DM.2

**When Local Housing Need Will Apply**

Evidence of how an application meets local housing need will be required for any windfall sites in the District's designated rural settlements.

**How Local Needs are Established**

WFDC will establish Local Housing Need in the following ways:

- Housing Needs Surveys
- WFDC Housing Register
- WFDC Self and Custom Build Register
- Current Housing Market data for the district – based on details of properties for sale at the time of determining a planning application

**Bespoke Housing Need**

In very exceptional circumstances, the bespoke housing need of an applicant will be considered when determining an application. An example would be where the applicant has a disability/illness that requires a property built to meet their requirements. The applicant would have to demonstrate:

- Why the applicant needs to remain in the current location and have not managed to fulfil their housing need by purchasing a property on the open market in the parish.
- Why their existing property cannot be modified to meet their need.
- That the design meets the applicant's requirements, for example, that it is designed to comply with M4(3) of the Building Regulations 2010.

## Housing in Bewdley – SP.2 and DM.2

### **Housing in Bewdley**

Policy SP.2 states that any housing in Bewdley will be to meet local needs and to ensure long term vitality and viability.

Therefore, any applications for housing will be considered against the following criteria:

- The most up-to-date housing needs information for the Town
- Whether there is evidence of a bespoke need being met
- Whether the development is being developed on previously developed land or reutilising an empty building
- How the development will contribute to the vitality and viability of the economy
- Against the DM.2 Residential Infill Development Policy

For any major applications (developments over 10 dwellings), an applicant will be expected to undertake an up-to-date housing needs analysis as part of their application. The method for this analysis will need to be agreed with the planning team prior to it being undertaken and submitted as part of the application.

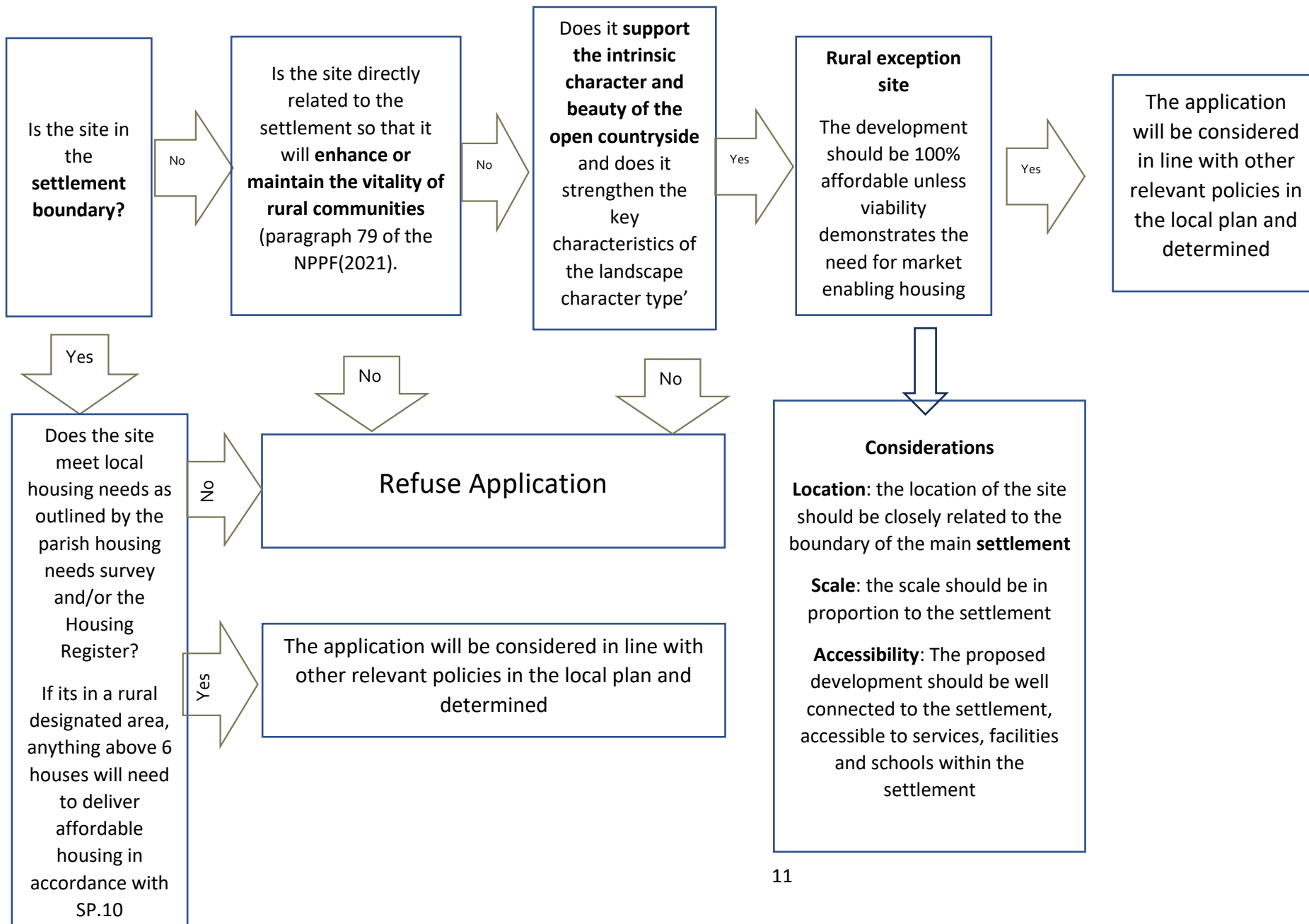
Housing in the Rural Areas – SP.1, SP.2, SP.11 and DM.2

**Windfall Sites in Rural Areas**

Policy SP.1 Spatial Development Strategy and SP.2 Locating New Development provide details of the settlement hierarchy in the district.

The focus of new development in the district over the plan period is on the urban areas and allocated sites, with limited allocations in the rural areas, to meet local need.

It is recognised that windfall development may come forward, outside of the allocated sites, during the plan period but these should follow the other policies within the plan. The flow chart below demonstrates the decision process for planning officers when considering applications in rural areas.



## **Rural Exception Sites**

Housing provision on rural exception sites must seek to address the needs of the community by accommodating households who are existing residents or who have an existing family or employment connection to the area in line with the local connections criteria. Proposals for development will need to demonstrate that arrangements are put in place to ensure that the housing will remain permanently available to meet the continuing needs of local people.

Development of exception sites must be identified in partnership with the District or Parish Council and must be supported by a Parish Housing Needs Survey which should normally be undertaken by the District Council in partnership with the Parish Council. However, where this is not possible, applicants may undertake their own survey but only where the methodology and questionnaire are agreed with the District Council in advance of the survey commencing. The Housing Needs Survey must consider the need for all types of residential development within the parish. Alternatively, data from the housing register can be used to demonstrate need for affordable housing.

In circumstances where it is not viable to deliver 100% affordable housing on rural exceptions sites, it may be possible to cross subsidise a scheme with an element of market housing (typically no more than 20%). Under these circumstances, developers will be required to provide additional supporting evidence in the form of an open book development appraisal for the proposed site. The provision of low cost home ownership products to meet identified local needs will also be an acceptable form of housing on rural exception sites in addition to other tenure types that meet local housing needs.

The development of rural exception sites should not result in a significant adverse impact on the character of the settlement, the amenities of residents, the rural landscape, or nature conservation interests, and should not result in the loss of open space with public amenity or recreational importance. Schemes must be located within, or adjoining, an existing settlement with at least one of the basic services. Rural exception sites will not normally be allowed in or adjoining settlements without one of the basic services. Where proposals are put forward in such settlements, very strong justification will be required as to why affordable housing is appropriate in this location. Proposals in the open countryside will not be acceptable.

## **Infill Development**

Infill development is defined as residential development of up to 6 dwellings in an otherwise built-up frontage.

The council encourages infill development within the settlement boundary providing it contributes to the existing character in terms of design, density and layout.

Within villages, sites need to meet a local need, not be inappropriate development in the Green Belt and not be over developed (see policy SP.9 on density).

## **Live Work Units**

WFDC receive a higher number of applications for live work units in rural areas in comparison to the urban areas of the district.

Live work units differ from homeworking in that home working uses a small proportion of a residential unit for generally office work whilst live work units are a business being run from the same place that the worker resides. The size of the work area should be justified to ensure that a larger than necessary business area is not constructed just to enable a larger dwelling to be built.



Policy DM. 11 says that the emphasis of the unit is on the work element, which should be reflected in the split, which is at least 60% workspace and 40% residential. The policy also states that the work elements is restricted to uses considered appropriate to the location, in rural areas. For example, Class B, Class E (offices other than professional and financial services offices) and research and development, light industrial uses and appropriate employment uses where there is no inappropriate impact on the surrounding properties.

To ensure that the unit is used as intended the permission will have a condition as part of the approval, which will be monitored to ensure ongoing compliance.

### **Agricultural Worker's Housing**

There can be a need for livestock management, agricultural/agricultural contractors or forestry workers to live on site. Rural workers dwellings will only be permitted where they are considered to be essential and the assessment of this will depend on the needs of the particular enterprise. Evidence that could be provided, include:

- A contract of employment for the rural worker which proves the requirement for tied accommodation near the place of work
- A business plan stating the need for a rural worker dwelling and how it will benefit the business
- A clear and justifiable explanation why there is a requirement for a rural worker dwelling.

Where permission is granted for an additional dwelling, then the applicant will be expected to agree to retain the existing accommodation for use within the unit.

Where an agricultural workers dwelling is no longer needed, convincing evidence should be provided with any application for the removal of an occupancy condition, as set out in Policy SP.11.

Therefore, the applicant must demonstrate how the property has been marketed for a period of 12 months, including:

- a copy of the marketing details including where it has been marketed, by whom and for how long
- ensuring it has been marketed appropriately in national agricultural publications
- a copy of the advert
- a record of enquiries and offers made (if applicable)

### **Previously Developed Land in the Green Belt**

As per the NPPF definition previously developed land is defined as:

*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*

Therefore, where Previously Developed Land blends into the landscape again, it will be treated as per the WFDC local plan policies on Green Belt and rural housing.

**Conversion of a Rural Building into a dwelling**

Any rural barn converted under Class Q of the General Permitted Development Order (GPDO) with the need for additional extensions, substantial alterations (or complete reconstruction) or the addition of new buildings within the curtilage will not be allowed under policy DM.29 of the Local Plan.

The degree of harm on the character and appearance of the countryside is an important consideration when assessing the effects of residential curtilage or establishing the likely demand for further buildings on the site.

The Council is unlikely to give permission for proposals for residential conversion where this requires extensive alteration or rebuilding (substantial or extensive being works to the building that go beyond what is necessary to facilitate a residential conversion under the requirements of Class Q), or if the creation of a residential curtilage would have a harmful effect on the character of the countryside. To this end, no extensions to dwellings created (whether through Policy DM.29 and earlier rural building policies or via implementation of permitted development rights) will be permitted, and neither will the introduction of new buildings into the curtilage of these dwellings.

Where there has been previous successful development under the current or previous policies, or by virtue of permitted development, no further development will be permitted within the curtilage and not beyond this point.

## Self and Custom Build Housing – SP.12

### **Definition of Self and Custom Build Housing**

The National Planning Policy Framework defines self-build and custom-build housing as ‘Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act’:

*“(A1) In this Act “self-build and custom housebuilding” means the building or completion by—*

*(a) individuals,*

*(b) associations of individuals,*

*or (c) persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals.*

*(A2) But it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person.*

In summary, there is little difference between the two forms of development, with custom build being where a person commissions a developer to help to deliver their own home, whilst self-build is where a person is more directly involved in organising and constructing their home. In either case, it is expected that the dwelling will be the principal residence for the owner for at least the following three years.

A new dwelling will not be classed as a self-build or custom-built home:

- If a developer built a dwelling and sold it on the open market.
- If the future occupier of the dwelling chose a design for the dwelling from a collection of stock designs offered by a developer.
- If there is no evidence that the future occupier had a primary input into the design of the building, even if the building appears to be a ‘one-off’ bespoke design. Or
- If the applicant has submitted a reserved matters application with house design and layout etc. for approval before marketing the plots to self-builders.

### **The Wyre Forest Self and Custom Build Register**

Local planning authorities have a duty under Section 2 and 2A of the Self-build and Custom Housebuilding Act 2015 to have regard to the Self and Custom build register and to ensure that there are sufficient planning permissions granted to meet the identified demand, within a 3-year base period (for example, 2016 to 2019/20). As per the legislation, WFDC holds a register of people seeking self and/ or custom build plots in the district. The register is divided into two parts, part 1 is where all can register an interest and part 2 is for those with a local connection to the district. Whilst regard will be given to meeting the need of all those on the register, priority is given to those applicants with a local connection.

### **Delivery of individual or community led self and custom build**

In principle the Council will support self and custom build housing proposals where this is meeting a demand identified by the Council's register. However, the proposal will be required to be in compliance with the wider policies and principles of the Local Plan. If the proposed location of a self or custom build unit is in a rural area, the applicant will need to demonstrate how they have addressed Policy SP.2 Locating New Development and Policy SP.11 Addressing Rural Housing Needs.

Where a community gets together to provide a self-build scheme consisting of self-build plots, such a scheme would be treated in a similar way to self-build as each plot is brought forward for planning permission and development.

### **Affordable Self and Custom Build**

It is possible that custom and self-build housing schemes can deliver affordable housing. For example:

- Serviced building plots are made available below market value and are subject to a legal agreement that restricts the resale value of the completed property to below market value
- Homes are built as shared ownership properties – for example where a registered provider or Council constructs the homes to the waterproof 'shell' stage and then enables private homebuilders to enter into a special form of shared ownership lease to complete the property. Once the work is satisfactorily completed this earns the homebuilder an equity share in the property, which means they need a smaller mortgage or a lower deposit
- A developer or landowner could work in partnership with a recognised Registered Provider or alternative affordable housing provider; or
- Where a self-builder commits (via an agreed legal document) that the resale of the dwelling shall be restricted to an eligible household for at least a 20% discount on market prices

However, there is no obligation on the Council to accept custom and self-build housing to be counted as part of the developer's obligation to provide affordable housing. Where it does so, the Council would have to be satisfied that such provision genuinely was affordable housing (in accordance with national definitions) and such plots will be secured through a under Section 106 of the Town and Country Planning act (1990) (as amended) and in some cases, dependent on the scale or nature of development, via conditions.

### **Provision of Self and Custom Build on major development sites**

Developers of sites with 50 or more units should consider Wyre Forest District Council's Self and Custom housebuilding register. This means that the developer should provide serviced plots or custom build units, as agreed with the Council and evidenced by the need on the register. In the event that a developer cannot provide self or custom build plots, it is the responsibility of the developer to provide clear and robust justification as to why this provision of housing cannot be delivered on the site. This includes evidencing how they have worked with Self/Custom Build enablers to bring forward the proposed self or custom build portion of the site.

National Planning Practice Guidance (Self-build and custom housebuilding paragraph 26) provides a definition of a serviced plot of land as a plot of land that either has access to a public highway and has connections for electricity, water and wastewater, or in the opinion of the relevant authority,

can be provided with access to these, within the duration of a development permission granted in relation to that land.

Connections for electricity, water and wastewater means that the services must either be provided to the boundary of the plot so that during construction, connections can be made, or adequate alternative arrangements are possible.

It is recommended that plots should be grouped together within a site rather than widely dispersed, however, for those with more than 10 self-build and custom plots, then these should be dispersed in groups across the site and preferably within different phases of development. Developers should ensure the provision of a range of plots that differ in size to reflect the need and budgets of people on the WFDC Self and Custom Build register.

It is good practice for developers to provide a mix of serviced plot sizes to meet the range of demand and affordability, subject to site-specific negotiations and the nature of the proposed development. There is scope for a mix of plot sizes, as long as this relates to the demand identified on the Council's register (Part 1 and Part 2). This is to ensure that CSB plots secured cater to the variety of aspiring self-builders, including first time buyers, middle-income earners, downsizers and other specialist groups. Supplying a mix of plot sizes also plays an important part in enabling the delivery of housing to specialist groups.

If an outline application or a phased approach is to be taken, then either the indicative Masterplan or subsequent Phasing Plan should show the parcels of land identified as providing the self-build and custom housing plots.

### **Phasing of Plots on major development sites**

On major development sites of 50 plus dwellings, the Council will expect the early delivery of parcels of self and custom build plots. The Council will work with developers seeking to make a case for the later phasing, if they have demonstrable commercial reasons why early phasing would be a challenge.

Some of the circumstances whereby the Council would not normally expect early phasing of CSB could include, for example, where there is a critical infrastructure requirement necessary to unlock development. There may be merit, given the potential complexity of phasing and the staff resource needed, to promote with developers the need to ensure early engagement with the Self Build and Planning case officers in respect of phasing. It is important that developers consider the timing of the servicing and provision of the plots early on as this is an important aspect of their delivery. On larger sites, this will be dealt with via a legal agreement such as a section 106 agreement. On smaller scale projects, this may be more simply dealt with via planning conditions.

### **S106 requirements**

The Council will seek to secure self-build and custom build housing by way of a section 106 obligation

A template section 106 agreement will:

State the amount of self-build and custom build housing,

- Outline the type and mix of self-build and custom build housing (as defined by the Self and Custom Housebuilding Act 2015 (as amended),

- Provide details of the marketing strategy, including details on who the properties will be marketed to, how they will be publicised.
- State the process for the reversion to market housing that could be built out by the Developer after a period of 12 months from initial marketing.
- Provide, without additional cost to the Plot Owner, vehicular access and foul and surface water sewers and water, gas, electricity and telecommunications service systems for the Self-build and/or Custom housing Unit linking in each case to the estate roads and service systems to be constructed and laid as part of the remainder of the Development and connected to highways and sewers that serve the area.

### Plot Passports

Plot passports are a simple way of helping private homebuilders to understand what they can build on their plot. Plot passports are simple summaries of the design parameters for each plot capturing relevant information from the ~~Design Code~~, planning permission and Delivery Statement. They are short documents specific to each plot and form part of the marketing materials available for each plot. They act as a key reference point for prospective purchasers and form part of the marketing material available for each custom build plot to help private homebuilders to understand what they can build on a plot. They add value and certainty by acting as a key reference point for the purchaser, capturing relevant information from the planning permission, design constraints and procedural requirements in a concise and accessible format.

### Design Codes

The purpose of a design code is to establish a clear set of design rules and parameters that future development will comply with. It will be required on sites where custom build units are being offered on site. These will need to be provided either as part of the planning application or will be requested and secured by planning condition. A design code should include:

- Site wide vision (for strategic scale sites)
- Site and context overview
- Options for customisation including external materials, landscaping options, internal finishes and options for where internal walls can be removed.

### Marketing of Plots

Developers will need to prove adequate marketing. Proof of “adequate marketing” will include the following:

- Contact with people listed on the Register will be given priority to the self-build and custom housing provision within the site, prior to these plots being marketed in the open market. Where consent has been given by the Self and Custom Build applicant, WFDC will pass the details of people in the register to the developer.
- The dates and periods of when marketing promotions were live and details of how they were promoted and to which audiences. This will be monitored by the WFDC officer responsible for self and custom build.
- Copies of marketing materials

- Details of any social media promotions including local promotion
- Whether the serviced plots have been promoted on any national websites that promote self and custom build opportunities. This will be monitored by the WFDC officer responsible for self and custom build.

Where plots have been sold to another developer for delivery, this information should be shared with WFDC.

### Housing for Older People and Others with Special Housing Requirements - SP.13

#### **Type of Housing Required**

The Council has a requirement under policy SP.13 of the WFDC Local Plan, that all major housing development proposals (developments of over 10 dwellings) provide evidence to show they have fully considered the provision of the following tenure and type of units within the overall housing mix of the site:

- Bungalows
- Sheltered Housing
- Extra Care Units
- Other types of supported housing

This evidence could include the following:

- Pre app discussions with the development management at WFDC
- Reference to relevant housing needs data, neighbourhood plans and other strategies/policies (such as Worcestershire County Council social care policies) in planning statements.

If a developer is not providing the required dwellings, then the applicant will be expected to provide evidence as to why they cannot provide the required dwellings, such as details of site constraints or viability issues.

Where specialist housing is being provided the applicant should demonstrate:

- how it meets the M4(2) and M4(3) requirement
- How the internal layout and amenity spaces will help meet the requirement of people with a special housing requirement.
- If dormer bungalows are being provided, the dwelling is expected to have a ground floor bedroom.

#### **Accommodation for Family Members and Carers**

SP.13 allows for the provision of annex accommodation on a dwelling in order to provide accommodation for family members and carers.

The policy states the annex should be physically linked. This means that it can be either an extension to the original dwelling or where this is not possible, it can be developed within the curtilage of the dwelling. However, it is expected that the dwelling:

- Only incorporates a maximum of two bedrooms
- Shares vehicular and pedestrian access
- Must be within 5 metres of the main dwelling

A condition will also be placed on the annexe which will state that the annexe cannot be divided from the original dwelling and sold or let separately.



### Appendix A: Glossary of Terms

**Affordable Housing:** The District Council has adopted the definition of Affordable Housing as set out in the National Planning Policy Framework (NPPF)

**Authority Monitoring Report (AMR):** an annually produced document which sets out the progress made in achieving the timetable set out in the Local Development Plan (project plan) and effectiveness of the development plan policies in the Local Plan

**Community Infrastructure Levy (CIL):** allows local authorities in England and Wales to raise funds from developers undertaking new building projects in their area. The money can be used to fund a wide range of infrastructure that is needed as a result of development. This includes transport schemes, flood defences, schools, hospitals and other health and social care facilities, parks, green spaces and leisure centres. In order to collect CIL, local planning authorities must prepare, consult on and adopt a charging schedule setting out how much CIL developers need to pay for each type of development and a Regulation 123 list setting out what CIL monies will be spent on. Once collected, CIL receipts must be spent on the projects on the authority's Regulation 123 List.

**Community Land Trusts (CLT):** CLT's are another form of not-for-profit community-led housing, in which organisations, set up by volunteers, develop and manage homes and other community assets.

**Designated Rural Areas:** Designated rural areas are defined as National Parks, Areas of Outstanding Natural Beauty and areas designated as 'rural' under Section 157 of the Housing Act 1985.

**Developer Contributions:** are often required for major developments to ensure sufficient provision is made for infrastructure and services such as roads, schools healthcare and other facilities. Contributions are usually secured through planning conditions or legal agreements. Developer contributions are often referred to as Section 106 (S106) Agreements or planning obligations.

**Local Housing Allowance:** The maximum amount of Housing Benefit you can get depends on the number of bedrooms you need – not the number of bedrooms you have, this is called Local Housing Allowance (LHA).

**Local Needs Housing:** including affordable housing and market housing which addresses the needs of different groups in the community such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes, as established through Parish Housing Needs Surveys, the Self and Custom Build Register, Neighbourhood Plans and the Housing Register.

**National Planning Policy Framework (NPPF):** the document which sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, that reflect the needs and priorities of their communities. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in determining planning applications.

**Registered Providers (RPs):** formerly known as Registered Social Landlords or Housing Associations.

**Rural Designated Area:** Under s157 of the Housing Act 1985, the following areas of Wyre Forest district have been designated rural areas: Broome, Chaddesley Corbett, Churchill and Blakedown,

Kidderminster Foreign, Ribbesford, Rock, Rushock, Stone and Upper Arley. The rural areas surrounding Bewdley (but not the town itself) is also included.

**Rural Exception Sites:** small sites for the provision of affordable housing in perpetuity or to meet another specific identified local housing need (as evidenced through the Parish Housing Needs Survey, Neighbourhood Plan or the District Council's Adopted Local Connections Policy), at locations which would not normally be suitable for housing. Rural exceptions sites seek to address the needs of the existing local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

**Self and Custom House Building Act 2015:** A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act':

*"(A1) In this Act "self-build and custom housebuilding" means the building or completion by—*

*(a) individuals,*

*(b) associations of individuals,*

*or (c) persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals.*

**Self and Custom Build:** The National Planning Policy Framework defines Self-build and custom-build housing as 'Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing.

**Supplementary Planning Document (SPD):** provide additional information to guide and support the Development Plan.

**Sustainable Communities:** sustainable communities are places where people want to live and work, now and in the future. They meet the diverse needs of existing and future residents, and are sensitive to their environment, and contribute to quality of life. They are safe and inclusive, well planned, built and run, and offer equality of opportunity and good services for all.

**Sustainability Appraisal (SA):** the purpose of SA is to ensure that the Development Plan and associated Supplementary Planning Documents (SPDs) conform to the Government principles of Sustainable Development which are: Living within environmental limits Ensuring a strong, healthy and just society Achieving a sustainable economy Promoting good governance Using sound science responsibly.

**Tenure Blind:** refers to the design of different types of tenure. Tenure blind means that there should be no distinction in external appearance between affordable units and private for sale units.

**The Town and Country Planning (Local Planning) (England) Regulations 2012:** These regulations provide the legal framework for the preparation of planning policy documents including the Local Plan and Supplementary Planning Documents (SPDs).

Appendix B: Suggested wording for S106 on Outline Permission

- A. The Section 106 Agreement will contain some or all of these terms, subject to site-by-site negotiations:
- define the amount of affordable housing or, in the case of full permission, specify specific units and detail the breakdown between different tenures
  - require the affordable housing to comprise a mixture of dwelling types in accordance with the latest housing needs survey and housing register data, to be integrated with and indistinguishable from market housing
  - set a timescale for the affordable housing to be provided, usually that it shall be available for occupation by the time a percentage of the market housing is available
  - include a mechanism for selecting an RP, unless another approach has been agreed; limit the rent and outgoings which can be charged to occupants and the price at which an initial share can be sold under a shared ownership arrangement
  - include a mechanism for limiting and selecting the occupants of the affordable housing, which will require supplementary agreements to entered into as follows:
    - the RP or other provider will be required to enter into a nomination agreement; where the provider is not an RP, the S106 Agreement will include provisions governing letting and management arrangements.
  - provide for the housing to remain affordable in perpetuity, subject to:
    - any statutory right to acquire, buy or 'staircase';
    - a mortgagee in possession clause, where the affordable housing is transferred to an RP.

B. The applicant will be required to pay the Council's reasonable legal costs in connection with the Agreement. The Council's costs in connection with any related Agreement (e.g. a nomination agreement) shall be paid by the applicant, RP or other provider, depending upon which of those parties is involved in negotiating the terms of that Agreement.

C. Where the Council has refused an application which, if allowed, would have been subject to a requirement for affordable housing, it will endeavour to negotiate a Section 106 Agreement on a 'without prejudice' basis, to take effect in the event that an appeal is allowed.

D. In the case of an outline application, the Section 106 Agreement will require the applicant to agree with the Head of Strategic Growth (in practice, delegated to the Strategic Housing Services Manager), prior to the commencement of development, the physical locations, type, layout and tenure of the affordable dwellings. Wyre Forest District Council 32 Affordable Housing Supplementary Planning Document (July 2014) Suggested wording for S106 Agreement on Outline Permission B

E. The agreement will require the applicant to notify the Director of Strategic Growth of the anticipated date(s) when the affordable housing will be available for occupation, a specified period(s) in advance.

F. Section 106 Agreements will include mechanisms to record when key stages are reached in the development and requirements are triggered.

**In addition to the terms set out above, the District Council reserves the right to include any additional terms considered appropriate to the specific site.**

# **Housing Supplementary Planning Document**

## **Statement of Consultation**

### **February 2024**



**Wyre Forest** District Council

## **Contents**

|  | Page No |
|--|---------|
| 1. Introduction  | 1       |
| 2. Name and purpose of the SPD                               | 1       |
| 3. Who was consulted on the SPD?                             | 1       |
| 4. How were people consulted?                                | 2       |
| 5. Summary of responses                                      | 2       |
| 6. Summary of the main issues raised                         | 2       |
| 7. How have those issues been addressed in the SPD?          | 3       |
| Appendix A : List of Consultees                              | 4       |
| Appendix B: Stakeholder Workshop Notes                       | 6       |
| Appendix C: Summary of Representations and Officer Responses | 8       |

### **1. Introduction**

- 1.1 This consultation statement has been prepared in accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) 2012. The statement sets out who was consulted, when and how, and summarises the representations received and how they have influenced the Health and Wellbeing Supplementary Planning Document (SPD).

### **2. Name and Purpose of the SPD**

- 2.1 Housing Supplementary Planning Document (SPD)
- 2.2 The SPD sets out how the District Council's housing policies should be interpreted. This will provide certainty and clarity for those bringing forward development within the District. Wyre Forest District Council's Local Development Plan was adopted in April 2022.

### **3. Who was consulted on the SPD?**

- 3.1 A collaborative approach was undertaken during the preparation of the SPD. Colleagues from legal, housing and planning within WFDC were involved with the writing of the SPD.
- 3.2 In addition to this, there was a two-stage consultation process.
- 3.3 A scoping paper was consulted upon in October 2022. The aim of the document was to identify the key issues to be addressed in the SPD. There were no responses to the scoping paper.
- 3.4 A further consultation was conducted on the draft SPD between the 6<sup>th</sup> November and the 18<sup>th</sup> December 2023. The responses to that consultation are in Appendix B of this document.
- 3.5 Appendix A lists those organisations consulted at both stages, including the statutory consultees set out within Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012.

### **4. How Were People Consulted?**

- 4.1 The scoping paper and the draft SPD was sent with a covering letter to those consultees listed within Appendix A. Both documents were also posted on the District Council's web-site, advertised on social media and in the local press. Copies of the documents were placed at Wyre Forest House and the libraries in Kidderminster, Stourport-on-Severn and Bewdley.
- 4.2 Face to face engagement was also offered during the consultation and officers attended a registered providers forum to discuss the SPD in December 2023.

### **5. Summary of Responses**

- 5.1 A total of 12 representations were received from 9 respondents.

5.2 All of the responses were either in support of the SPD or raised comments in relation to its proposed content. No objections to the SPD were received.

5.3 Summaries of all representations received and the District Council's response to each can be found in Appendix B.

**6. Summary of the Main Issues Raised**

6.1 The main issues raised were:

**7. How have those Issues been addressed in the SPD?**

7.1 The table at Appendix B sets out how each of the comments made has been considered within the Draft SPD.



**Appendix A: List of Consultees**

National Bodies

Canal & River Trust  
English Heritage  
Environment Agency  
Homes & Communities Agency  
Highways Agency  
Inland Waterways Association  
Natural England  
Network Rail  
Office of Rail Regulation  
The Coal Authority

Neighbouring Authorities

Birmingham City Council  
Bromsgrove and Redditch  
Dudley Metropolitan Borough Council  
Malvern Hills District Council  
Sandwell Council  
Shropshire County Council  
South Staffordshire District Council  
Staffordshire County Council  
Worcester City Council  
Wychavon District Council  
Worcestershire County Council

Parish Councils

Bewdley Town Council  
Broome Parish Council  
Chaddesley Corbett Parish Council  
Churchill & Blakedown Parish Council  
Kidderminster Foreign Parish Council  
Kidderminster Town Council  
Rock Parish Council  
Rushock Parish Council  
Stone Parish Council  
Stourport-on-Severn Town Council  
Upper Arley Parish Council  
Wolverley & Cookley Parish Council

Registered Providers

Bromford  
Community Housing  
Sanctuary  
Platform  
West Mercia Housing

Agents

Savills

Pegasus

Home Builders Federations

Appendix B: Draft SPD Consultation - Summary of Representations Made and Officer Responses

| Respondent/<br>Response No | Support/<br>Object/<br>Comment? | Summary   | Officer<br>Responses |
|----------------------------|---------------------------------|---|----------------------|
| Environment<br>Agency      | Comment                         | Thank you for your email and consultation of the Housing SPD. Thank you for consulting us on your SPD, I can confirm that we have no comments to make upon it at this time.   | Noted                |
| Canal and<br>River Trust   | Comment                         | <p>Thank you for your consultation on the above document.</p> <p>We are the charity who look after and bring to life 2000 miles of canals and rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Canal &amp; River Trust (the trust) is a statutory consultee in the Development Management process, and as such we welcome the opportunity to input into planning policy related matters to ensure that our waterways are protected, safeguarded and enhanced within an appropriate policy framework.</p> <p>The Trust have reviewed the document and based on the information available we have no comment to make.</p> | Noted                |

|                 |         |   |        |
|-----------------|---------|---|--------|
| Natural England | Comment | <p><b>Wyre Forest Housing Supplementary Planning Document (SPD)</b></p> <p>Thank you for your consultation request on the above dated and received by Natural England on 7th November 2023.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure and access to and enjoyment of nature.</p> <p><b>Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.</b></p> <p>Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p> <p><b>Strategic Environmental Assessment/Habitats Regulations Assessment</b><br/>A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p> | Noted. |
|-----------------|---------|---|--------|

|         |  |  |  |
|---------|--|--|--|
| Pegasus |  | <p>I am writing on behalf of our clients, Taylor Wimpey UK Ltd (hereafter “Taylor Wimpey”) in response to the above consultation. Taylor Wimpey are taking forward the delivery of a major site allocated for development in the Wyre Forest Local Plan (April 2022), identified within Policy SP.KEE3 - Land at Comberton Road in the adopted Local Plan, and have land interests elsewhere in the Wyre Forest District.</p> <p>Introduction<br/>The introduction of the SPD sets out that its purpose is to, ‘<i>add further detail to the policies in the local plan, giving greater clarity to developers and communities about the expectations for housing delivery in Wyre Forest.</i>’ It also sets out that the:<br/>‘<i>SPD cannot and does not introduce any new policy requirements, rather it provides additional guidance to help applicants understand how it is possible for proposed developments to satisfy existing plan policies.</i>’</p> <p>Whilst the intention of SPD is supported, there are concerns that the SPD is actually introducing new policy, contrary to the intentions of the SPD. We are also concerned that some of the guidance is not compatible with the LP and national planning policy.</p> | Concerns noted. A response to the individual concerns are raised in each individual section below. |
|---------|--|--|--|

|  |  |  |  |
|--|--|--|--|
|  |  | <p>1) Affordable housing</p> <p>The SPD refers to the Local Plan Policy SP10. The Local Plan Policy refers to a tenure split of 65% rental (primarily social rent) and 35% housing for sale. The justification to the policy states that the Council has a preference for social rented units, but inclusion of affordable rent will also be sought in line with the NPPF. However, the SPD refers to affordable rent only being considered when it is clearly justified and generally only 10% of units will be affordable rent. The approach in the SPD both changes the emphasis of Policy SP10 but also introduces a new policy threshold by referring to only 10% of units being affordable rent. This should be revised with flexibility maintained.</p> | <p>In section on mix and distribution removed the following text (shown in strikethrough)</p> <p>Affordable rent will only be considered on a case-by-case basis when it is clearly justified. The applicant will also need to have a registered provider partner. <del>and generally only 10% of units will be accepted as affordable rent.</del></p> |
|--|--|--|--|

|  |  |   |   |
|--|--|---|---|
|  |  | <p>The SPD only refers to ‘small clusters’ throughout yet seeks to apply its requirements to all sites where affordable housing would be delivered. ‘Small clusters’ are not defined and evidently could vary dependent on the nature and scale of development proposals. In this context the use of the term ‘small clusters’ is vague, unhelpful and should be omitted or clearly defined.</p> <p>The SPD refers to circumstances when small clusters would be permitted. However, as drafted affordable housing can only be delivered in ‘small clusters’. Consequently, the two criteria identified in the SPD, which would allow for small clusters to come forward, are superfluous, as small clusters are the only means of delivering affordable housing in accordance with the SPD. There is no need, for instance, to have a Registered Provider to evidence that there is a housing management requirement to support a small cluster of affordable homes, when a ‘small cluster’ is the only method permitted in the SPD to deliver affordable homes.</p> | <p>Removed the following wording:</p> <p><del>Small clusters of affordable housing will be permitted, if this is:</del></p> <ul style="list-style-type: none"> <li><del>• Supported and evidenced as a housing management requirement by the Registered Provider partner purchasing the units</del></li> <li><del>• The housing scheme would benefit from being clustered for example a co-housing scheme/ supported housing</del></li> </ul> <p>Replaced with:</p> <p>The design of the scheme must be tenure blind in so far as possible. The locations of the affordable housing should be agreed with development management team as part of the application process.</p> |
|--|--|---|---|

|  |  |  |  |
|--|--|--|--|
|  |  | <p>It is well accepted practice that Registered Providers require the affordable homes that they manage to be located in groups. As drafted the SPD suggests that such an arrangement would be the exception rather than the norm. Furthermore, the use of the two bullet points under the heading '<i>Mix and Distribution of Affordable Housing in Developments</i>' requires the Registered Provider to be in place when the planning application is determined. This is often not the case and whilst evidence can be provided that Registered Providers do require affordable homes to be located in groups rather than located sporadically across a site, they may not be the Registered Provider who ends up purchasing the units.</p> |  |
|--|--|--|--|



|  |  |  |   |
|--|--|--|---|
|  |  | <p>The SPD then goes on to state again that there is an expectation that all allocated S106 sites deliver 100% social rented homes. This is not required in a Local Plan policy. The SPD attempts to introduce this as a new element of policy which is unacceptable. Affordable rent is a recognised form of affordable housing, and the SPD should similarly take on board this factor.</p> <p>Furthermore, the SPD also refers to affordable rent only being permitted where it is over and above what is required in the Section 106 Agreement. It is not clear why this circumstance would ever occur in conjunction with a private development site.</p> | <p>Rewording suggested below</p> <p><del>There is an expectation that all allocated s106 sites deliver 100% social rented.</del> The Local Plan states that where affordable housing is to be provided on a development, the dominant type of rent type, will be for social rent. If this is considered unviable, then the developer will be expected to follow the procedure as set out in policy DM.1 Financial Viability of the Local Plan.</p> <p><del>Affordable rent will be permitted on sites where:</del></p> <ul style="list-style-type: none"> <li><del>• It has been proven that the provision of 100% social rent renders the scheme unviable (following the process as set out in DM.1).</del></li> <li><del>• The provision of additional units over and above what is required in the s106.</del></li> <li><del>• If there is a grant condition which restricts the tenure type.</del></li> </ul> |
|--|--|--|---|

|  |  |   |       |
|--|--|---|-------|
|  |  | <p>2) Vacant Building Credit</p> <p>The SPD recognises that vacant building credit can support the reuse and redevelopment of brownfield sites. The approach set out in the SPD is consistent with the NPPF and PPG and is supported.</p> | Noted |
|--|--|---|-------|

|  |  |  |   |
|--|--|--|---|
|  |  | <p>3) Phasing of self and custom build plots</p> <p>The section on ‘<i>Phasing of Plots on major development sites</i>’ sets out the Council’s position on phasing of self and custom build plots. Specifically, the draft SPD notes that ‘<i>on major development sites of 50 plus dwellings, the Council will expect 2% of the development will be required for self or custom build units</i>’. However Local Plan Policy SP12 does not refer to a specific level of self or custom build developments. As a result, the SPD is introducing a new policy requirement. It is also not clear how the 2% requirement has been evidenced. In the absence of clear evidence, the 2% requirement should be deleted.</p> <p>The SPD sets out that on sites of 50 plus dwellings, the Council will expect the early delivery of self and custom build plots but recognises that there may be a case for later phasing. The SPD, in passing, also refers to critical infrastructure requirements also being a factor. However, the SPD should be more explicit in highlighting how both of these factors can influence the phasing of self- build plots. From a commercial perspective a house builder will require an existing road frontage to locate their show home complex. There will also be need to gain some returns from a development site from sales to allow for the self-build element to be serviced and made available. This, amongst other matters, can influence phasing. The SPD should be revised to refer in more detail the circumstances that may dictate a later delivery of self-build housing.</p> | <p>The following wording has been removed</p> <p><del>Typically, 2% of the development will be required for self or custom build.</del></p> <p>Noted. However, as each site varies this is something that should be open to negotiation with the planning team. No additional wording has been added.</p> |
|--|--|--|---|

|  |  |  |  |
|--|--|--|--|
|  |  | <p>4) Design parameters of custom and self-build plots</p> <p>The draft SPD provides further details on how design parameters of custom and self-build plots will be managed to support adopted policy SP.12, which states that <i>'Self Build and Custom Housing dwellings within the site will be developed in accordance with an agreed design code'</i>. We have concerns on the implications of the additional guidance within the draft SPD will have on delivery in practice, particularly when assessed against the concerns related to 'early' phasing of plots as discussed previously.</p> <p>Specifically, the draft SPD addresses the issue of design in the sections of 'Design Codes' and 'Plot Passports'. This section sets out that a <i>'Design Code and/or plot passports will need to be provided either as part of the planning application or will be requested and secured by planning condition that will establish a clear set of design rules and parameters that future development will comply with.'</i></p> <p>The draft guidance set out in the SPD of what design codes should comprise, includes the following:</p> <ul style="list-style-type: none"> <li>• 'Design Code which will be secured by a planning condition and should include: <ul style="list-style-type: none"> <li>• Site wide vision (for strategic scale sites)</li> <li>• Site and context overview</li> <li>• Self-build and custom build character and delivery approach</li> <li>• Design code (general design guidance)</li> <li>• Plot passport (plot specific design parameters)</li> </ul> </li> </ul> |  |
|--|--|--|--|

|  |  |  |   |
|--|--|--|---|
|  |  | <p>The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) identifies that authorities should be satisfied that the initial owner of the home will have primary input into its final design and layout. However, this is presently not the case with the LPA requesting high level of detail within plot passports, such as the case at Comberton Road, with plot passports setting out the parameters of the size of a home with a requirement for X meters of garden which do not necessary tie in with requirements set out in other SPD's or the Local Plan. Whilst it is understood that a self-build/custom build home should relate well to the vision and site context as suggested in the emerging SPD, the plot passports for the site at Comberton Road set out specific brick and roof tile materials which heavily restrict the design opportunities for a potential self-build purchaser. A plot passport should allow a future purchaser to have flexibility in their design whilst providing clear rules of a build. A good example of plot passports is found at the Graven Hill development in Cherwell District Council (see Appendix A). Plot passports for this development provide clear parameters to development which provide information on a range of elements such as a range of finishes and roofing in a character area (not restrictive to one colour or type) whilst allowing flexibility for a future purchaser to build their own home.</p> | <p>The following section has been reworded:</p> <p><b>Design Codes</b></p> <p>The purpose of a design code is to establish a clear set of design rules and parameters that future development will comply with. It will be required on sites where custom build units are being offered on site. These will need to be provided either as part of the planning application or will be requested and secured by planning condition. A design code should include:</p> <ul style="list-style-type: none"> <li>• Site wide vision (for strategic scale sites)</li> <li>• Site and context overview</li> <li>• Options for customisation including external materials, landscaping options, internal finishes and options for where internal walls can be removed.</li> </ul> |
|--|--|--|---|

|  |  |  |  |
|--|--|--|--|
|  |  | <p>The process of plot passports at Comberton Road has been onerous, with continuous back and forth between the Council and Taylor Wimpey in regard to how much detail is required and has resulted in delays to the determination of the planning application. At present there is very little guidance provided by the LPA in terms of what level of detail a plot passport should include and whilst this SPD seeks to improve this, our experience at Comberton Road has been way beyond what we would have considered appropriate.</p> <p>The SPD is an opportunity to clarify what the LPA would like a plot passport to include and identify the limitations/wording that Taylor Wimpey suggest the SPD needs further refinement to strike an appropriate balance between allowing custom and self-build plots to compliment the context of a wider development vision, whilst also allowing for the principal developer to have input into the design restrictions imposed i.e. no greater than storey height and certain types of materials which the LPA would consider inappropriate.</p> <p>The SPD sets out a number of requirements for the developer to pursue relative to marketing the self build site. The SPD should also include the measures the Council would use to highlight the availability of self-build plots.</p> <p>Finally, it requires a developer/ housebuilder to provide information on matters over which it has no control, e.g. the SPD refers to information being provided on the delivery of self-build plots when this will be outside of the control of the housebuilder.</p> | <p><b>Marketing of Plots</b></p> <p>Developers will need to prove adequate marketing. Proof of “adequate marketing” will include the following:</p> <ul style="list-style-type: none"> <li>• Contact with people listed on the Register will be given priority to the self-build and custom housing provision within the site, prior to these plots being marketed in the open market. Where consent has been given by the Self and Custom Build applicant, WFDC will pass the details of people in the register to the developer.</li> <li>• The dates and periods of when marketing promotions were live and details of how they were promoted and to which audiences. This will be monitored by the WFDC officer responsible for self and custom build.</li> <li>• Copies of marketing materials</li> <li>• Details of any social media promotions including local promotion</li> <li>• Whether the serviced plots have been promoted on any national websites that promote self and custom build opportunities. This will be monitored by the WFDC officer responsible for self and custom build.</li> </ul> <p>Where plots have been sold to another developer for delivery, this information should be shared with WFDC.</p> |
|--|--|--|--|

|  |  |   |   |
|--|--|---|---|
|  |  | <p>Summary</p> <p>The SPD seeks to provide additional guidance to support the implementation of the Local Plan. However, in a number of circumstances it introduces new policy requirements which should not be included in an SPD. In addition, certain sectors of the SPD need revision to improve clarity and avoid unforeseen circumstances. I trust that these comments will be taken into account by the Council in progressing this SPD.</p> | <p>Noted. Please see amendments made as per comments.</p> |
|--|--|---|---|

|               |  |  |   |
|---------------|--|--|---|
| Homes England |  | <p>Thank you for the opportunity to comment on the WFDC Housing SDP consultation draft.</p> <p>We are very happy to see Self and Custom Build featuring on this Supplementary Planning Document. However, we would offer the following comments:</p> <ul style="list-style-type: none"> <li>• It's very useful to provide a definition of Self and Custom Build and to point out that it can be an affordable option. The LURA will be providing a more tightened up definition of Custom Build and you may want to include this too.</li> <li>• We welcome the inclusion of a percentage policy for Self and Custom Build but feel that 2% is quite a low amount compared to many other councils who are bringing in percentage policies of c5%.</li> <li>• Perhaps you could consider inserting, after the sentence: <b>'In the event that a developer cannot provide self or custom build plots, it is the responsibility of the developer to provide clear and robust justification as to why this provision of housing cannot be delivered on the site'</b> that Self Build enablers (usually SME's) can help deliver the Self and Custom Build portion of the site.</li> </ul> | <p>Noted.</p> <p>The % has had to be deleted as not in LP policy.</p> <p>Underlined wording inserted in the SPD:<br/>In the event that a developer cannot provide self or custom build plots, it is the responsibility of the developer to provide clear and robust justification as to why this provision of housing cannot be delivered on the site. <u>This includes evidencing how they have worked with Self/Custom Build enablers to bring forward the proposed self or custom build portion of the site.</u></p> |
|---------------|--|--|---|



|  |  |  |  |
|--|--|--|--|
|  |  | <ul style="list-style-type: none"> <li>• The sentence ‘<b>The arrangement of plots and plot sizes should not be distinguishable to other residential plots being proposed in the development and should respect the local character</b>’ could potentially be misconstrued as: ‘self and custom build homes should <b>look like</b> the developer led housing’. It’s very important that the self builders have choice and input into the design and layout of the home. The houses should look different from the developers offering, to qualify as being self or custom build. However, it is assumed that this part has been included to ensure that the developers don’t just release very small plots in less desirable areas of the site. This is a very important to include this, but perhaps the wording could be clearer – for example ‘developers should ensure that the self build plots are of a similar size to the others in the development or provide a range of sizes to suit all budgets’.</li> <li>• Continuing on from this point, in the design code section, it would be good to include that this Design Code should provide enough flexibility for the self-builders, while meeting planning policy and respecting the local vernacular.</li> <li>• The section on Plot Passports is clear and important to include.</li> <li>• It is very positive that there have been guidelines set to ensure marketing is carried out properly by the developers. One thing that could be added is a minimum time given to marketing. This is a hard thing to quantify as it can take a long time to reach out to potential self-builders, and for self-builders to arrange finance etc., engage with an architect and navigate planning and be ready to start on site. Perhaps a minimum of 18 months might be a possible suggestion?</li> </ul> | <p>The wording has been amended to read:</p> <p><del>The arrangement of plots and plot sizes should not be distinguishable to other residential plots being proposed in the development and should respect the local character.</del></p> <p>Developers should ensure the provision of a range of plots that differ in size to reflect the need and budgets of people on the WFDC Self and Custom Build register.</p> <p>This section has been changed to be design code on custom build only. Where self build is being provided, the applicant on the Self build plot will need to come in with a separate application.</p> <p>Noted.</p> <p>Noted. The SP.12 policy states a 12-month marketing period so this can not be changed in the SPD.</p> |
|--|--|--|--|

|                           |  |  |               |
|---------------------------|--|--|---------------|
| <p>The Coal Authority</p> |  | <p>Dear Planning Policy Team</p> <p><b>Re: Housing Supplementary Planning Document (SPD)</b></p> <p>Thank you for your notification received on the 7<sup>th</sup> November 2023 in respect of the above consultation.</p> <p>The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.</p> <p>Our records indicate that within the Wyre Forest District Council area there are recorded coal mining features present at surface and shallow depth including; mine entries, coal workings and reported surface hazards. These features may pose a potential risk to surface stability and public safety.</p> <p>It is noted however that this current consultation relates to a Housing Supplementary Planning Document and I can confirm that the Planning team at the Coal Authority have no specific comments to make on this document.</p> <p>Please do not hesitate to contact me should you wish to discuss this further.</p> | <p>Noted.</p> |
|---------------------------|--|--|---------------|

|              |  |   |  |
|--------------|--|---|--|
| PKR Planning |  | <p><b>Response to Consultation on Wyre Forest District Council Housing Supplementary Planning Document (SPD) - December 2023</b></p> <p>(1) This representation is made by Sunbury Homes on behalf of Conquer Properties the landowners of land at the former Clows Top Garage, Clows Top.</p> <p>(2) The representor has concerns regarding the Council's policy interpretation of 'rural exception sites' and the implications this has for the future development of the former Clows Top Garage site.</p> <p>(3) The former Clows Top Garage site has a protracted planning history which includes the grant of outline planning permission for redevelopment of the commercial garage, transport yard and vacant land for residential purposes which was approved in 2003 (WF/0265/01); the grant of full planning permission for the redevelopment of the commercial garage, transport yard and vacant land for 21 dwellings which was approved in 2006 (06/0295/FULL); the grant of Permission in Principle for the realignment of the existing access, retaining access to the commercial uses and residential development to create up to 9 residential properties which was granted in 2019 (19/0283/PIP); and most recently a further Permission in Principle was granted for the redevelopment of the former depot and storage yard for residential purposes in 2023 (22/1011/PIP).</p> <p>(4) The site was an allocated housing site in the Council's 2013 Adopted Site Allocations and Policies Local Plan (SAL.RS2) and the Reasoned Justification (RJ) recognised the site as previously developed land in the rural area suitable for residential redevelopment. At the time the site was considered alongside the potential redevelopment of a smaller site at Victory Hall which has subsequently been developed as a stand alone site for four market houses (21/0801/FUL).</p> | <p>Noted.</p> <p>Windfall sites such as this will be considered on a site by site basis and will therefore be determined using SP2 which states windfall development proposals will be assessed in accordance with the settlement hierarchy and for our designated rural areas such as Rock this means meeting local housing needs, alongside SP.20, SP 22 and DM.24 to ensure suitable development. In addition any development of 6 or more dwellings should meet an affordable housing need as defined by the latest housing needs survey, when the settlement falls within a rural designated area (SP11).</p> |
|--------------|--|---|--|

|  |  |  |  |
|--|--|--|--|
|  |  | <p>5) The Clows Top site is on part one of the Council's Brownfield Land Register (BR/RO/1), but the Council failed in its duty under s5 of the Town &amp; Country Planning (Brownfield (Land Register) Regulations 2017 to place the site onto part 2 of the Register when the 2019 PiP was granted; and this resulted in the representor having to renew the PiP in 2023, which would otherwise have been unnecessary.</p> <p>(6) The site is currently unallocated in the Wyre Forest Local Plan 2016-2036, but is within the settlement boundary of Clows Top.</p> <p>(7) The site has not been brought forward to date under any of the permissions granted due to a longstanding technical issue relating to providing suitable drainage arrangements, but this matter has now been resolved and the site now has no impediments from a technical drainage perspective. Due to the historic use of the site as a commercial haulage depot there is likely to be a considerable 'abnormal' cost associated with ground remediation to ensure the site can be developed safely without contamination.</p> <p>(8) The representor understands that Policy SP.1(3) of the Adopted Local Plan sets out the spatial distribution of new housing over the Plan period with 'Rural Wyre Forest' expected to accommodate a minimum of 108 net additional dwellings. Half of these are expected to be delivered on allocated sites, leaving half to be delivered as 'windfall'</p> <p>(9) Policy SP.2 of the Adopted Local Plan encourages the effective use of brownfield land (1(c)). Para 2 of SP.2 indicates how windfall sites are expected to be brought forward, either as infill development within the settlement boundary or housing to meet local needs via allocated sites and rural exception sites in appropriate circumstances.</p> |  |
|--|--|--|--|

|  |  |   |  |
|--|--|---|--|
|  |  | <p>(10) The configuration of the Clows Top site means that it does not meet the definition of infill development as set out in policy DM.2 which defines this as residential development of up to 6 dwellings in an otherwise built up frontage, as the site is set back from the built up frontage. As the Clows Top site is not allocated and not infill, by dint of SP.2 the only other category would be as a ‘rural exception site’.</p> <p>(11)The representor avers that in this regard the Council’s policy is flawed as it is fundamentally counter intuitive that a site within the settlement boundary can only be considered as a rural exception site. This is especially so in the case of the Clows Top site which has a history of acceptance as a site suitable for residential redevelopment and is not therefore an ‘exception’.</p> <p>(12) Policy SP.2 (4) of the Local Plan refers to the “<i>development of land beyond settlement boundaries will be strictly controlled</i>” and limited inter alia to “<i>rural exception sites (SP.11)</i>”. This confirms the consideration of the Clows Top site as a rural exception site an anomaly as it lies <b>inside</b> the development boundary.</p> |  |
|--|--|---|--|

|  |  |   |  |
|--|--|---|--|
|  |  | <p>(13) The NPPF (current Sept 2023 version) defines Rural Exception Sites as “<i>small sites used for affordable housing in perpetuity where sites would not normally be used for housing</i>”. The reason the ‘rural exception site’ nomenclature has been conjured is that it refers to sites in the rural area where the policy ‘norm’ is to protect the open countryside, but it is recognised that there may be <b>exceptional</b> circumstances where sites, outside, but usually adjoining or very close to the settlement boundary might be brought forward for development. The terminology is not intended for sites <b>within</b> settlement boundaries where development would normally be expected to be directed. The very point of an exception site is that it is treated as an exception to where development is otherwise directed to i.e. sites within defined development boundaries To refer to the Clows Top site as a ‘rural exception site’ is inaccurate and renders its redevelopment unviable. The Council has long accepted the site as being brownfield and a site which has a history of approvals for residential redevelopment such that it should be considered a site suitable (and therefore one normally appropriate) for housing. Nor is the site ‘small’, given that the Council has previously accepted that it can be developed for 21 units. The representor accepts that there is a role to play in delivering new rural housing through rural exception sites, but avers that these are logically sites outside the settlement boundary where housing would not normally be considered.</p> <p>(14)The Draft Housing SPD uses a similar definition of Rural Exception Sites as at “<i>locations which would not normally be suitable for housing</i>” (Glossary), but as can be seen from the above, this is not the case for the Clows Top site.</p> |  |
|--|--|---|--|

|  |  |  |  |
|--|--|--|--|
|  |  | <p>(15) The wording of the draft Housing SPD further compounds this incorrect reference to the Clows Top site. Under the heading ‘Windfall Sites in Rural Areas’ the SPD sets out a flow chart demonstrating how officers will consider applications in rural areas and this serves to demonstrate that the Council’s policy on windfall sites is not meant for sites within rural settlement boundaries. The flowchart begins with the question “<i>Is the site in the settlement boundary?</i>” and the answer to which is only “<i>no</i>”, which then leads on to consideration of sites <b>outside the settlement boundary</b> in terms of their suitability to be considered as a rural exception site. This clearly demonstrates the Council’s expectation that rural exception sites are indeed those outwith the settlement boundary.</p> <p>(16) The representor considers that this anomaly, which renders the Clows Top site unviable (as an affordable housing site), can be remedied through an amendment to the SPD by making clear that rural exception sites are only those sites which are unallocated (windfall) sites which lie outwith settlement boundaries.</p> <p>(17) Failing the Council’s acceptance of the above remedy, the representor requests that additional wording is introduced into the SPD under the heading of ‘Rural Exception Sites’ as follows: “<i>It is accepted that some sites may not readily fall within the Council’s normal definition of a ‘rural exception site’ and the Council will consider suitably justified alternative development proposals for any such sites on their merits</i>”</p> <p>(18) Under the current policy circumstances the representor avers that the Council will not be able to deliver the minimum 54 windfall units in the Rural Wyre Forest as set out in Policy SP.1 of the Local Plan. It is unfeasible to expect that all these units are capable of being delivered as 100% affordable houses, which is what is required of a rural exception site.</p> |  |
|--|--|--|--|

|  |  |   |  |
|--|--|---|--|
|  |  | <p>The representor has undertaken some market testing of the Clows Top site with Registered Providers who are represented elsewhere in the Wyre Forest and so are familiar with the local market. Both have rejected the Clows Top site as being too isolated, being approximately ten miles from Kidderminster or Stourport and five from Cleobury Mortimer, but subject to the vagaries of rural public transport, rendered the site inaccessible without a car, which many RP tenants do not have access to. This is likely to be the case with many of the potential sites in the rural area which might be considered as rural exception sites. So this begs the question under the proposed SPD as to how the Council expects to deliver new rural housing.</p> <p>(19) Notwithstanding that, not all of the rural housing needs are for affordable housing units. The 2019 Rock Parish Needs Survey (currently under revision) indicated that at that time there were 42 households looking to move in the next 10 years with a need for a 2-bed property either bungalow (top priority) or a house. So in the 10 years from 2019 the need was defined as 35 homes in the parish. Due to the scarcity of homes available on the market the survey did indicate that there may be a market for low-cost home ownership products. However the conclusion was that in the next 5 years (to 2024) 11 of the new homes were for 2/3 bed <i>owner occupier</i> bungalows; and beyond 2024 another 10 owner occupier properties would be required - 3 houses and 7 bungalows. It is doubtful that the current survey revision of the local Rock Parish need is going to indicate much different. So if the Council accepts that some local need is for market housing, it raises the question as to how this will be achieved if all windfall sites are expected to be 100% affordable.</p> |  |
|--|--|---|--|



|                        |        |  |  |
|------------------------|--------|--|--|
|                        |        | (20) The representor requests that the District Council considers this representation as part of the Housing SPD consultation and requests that suitable amendments are made as suggested in this representation, which accept that the Clows Top site is not a 'rural exception site'. In the absence of any amendment to the draft SPD to recognise the unique circumstances that the Clows Top site will be placed in, given the extensive abnormal cost associated with redevelopment, the site will be unviable to develop for residential purposes and the only viable option will be to recommence the commercial haulage yard use. |  |
| Stourport Town Council | Object | <p>1. I completely fail to understand why Bewdley has a special mention in this document with specific clauses attached to developments in the town.<br/>The wording and content should also apply to Stourport.</p> <p>2. It's no wonder Stourport has come to such a pass when it's clear yet again that we are being sidelined in this document.</p> <p>I think we need to propose the same wording and special conditions that are laid out here for Bewdley should also apply to Stourport.</p> <p>If WFDC are not willing to support that we need a formal response from them as to why that is the case.</p>                        | <p>Noted.</p> <p>The SPD however, is only a guidance document providing advice on the adopted local plan. It can not introduce new policy. Any revision to policies will need to be picked up at the next Local Plan review.</p> |

|                  |         |   |  |
|------------------|---------|---|--|
| Planning Manager | Comment | There is a need to add further detail to the delivery of individual or community led self and custom build with regards to rural areas. | <p>The section has been amended and the additional wording is underlined below:</p> <p>In principle the Council will support self and custom build housing proposals where this is meeting a demand identified by the Council's register. However, the proposal will be required to be in compliance with the wider policies and principles of the Local Plan. <u>If the proposed location of a self or custom build unit is in a rural area, the applicant will need to demonstrate how they have addressed Policy SP.2 Locating New Development and Policy SP.11 Addressing Rural Housing Needs.</u></p> |
|------------------|---------|---|--|

**WYRE FOREST DISTRICT COUNCIL**

**Cabinet  
Tuesday 9 April 2024**

**Recommendations from the Overview and Scrutiny Committee  
Thursday 7 March 2024**

**Wyre Forest District Council Housing Supplementary Planning Document**

The Committee considered a draft of a Cabinet Report from the Head of Strategic Growth on the Wyre Forest District Council (WFDC) Housing Supplementary Planning Document (SPD) following the recent consultation exercise.

The Senior Planning Policy Officer presented the report, which the Committee fully scrutinised. The Senior Planning Policy Officer was able to provide members with verbal responses to their questions and comments.

**Recommendation: The Overview and Scrutiny Committee considered the information in the report and recommend to Cabinet to:**

- 2.1 APPROVE the final Housing SPD for adoption AND**
- 2.2 NOTE the public consultation responses detailed in the WFDC Housing SPD Consultation statement.**

**Background papers:**

See the report on page 94 of the pdf at this link:

[http://www.wyreforest.gov.uk/council/docs/doc59258\\_20240307\\_o\\_and\\_s\\_agenda.p  
df](http://www.wyreforest.gov.uk/council/docs/doc59258_20240307_o_and_s_agenda.pdf)

**WYRE FOREST DISTRICT COUNCIL****CABINET**  
**9<sup>th</sup> April 2024****Stourport No.1 and No.2 Draft Character Appraisals and Management Recommendations**

| <b>OPEN</b>                 |   |
|-----------------------------|---|
| <b>CABINET MEMBER:</b>      | Cllr Dan Morehead, Cabinet Member for Economic Regeneration, Planning and the Green Agenda  |
| <b>RESPONSIBLE OFFICER:</b> | Kate Bailey, Head of Strategic Growth   |
| <b>CONTACT OFFICER:</b>     | Heather Stone, Principal Planning Policy Officer  |
| <b>APPENDICES:</b>          | <a href="https://www.wyreforestdc.gov.uk/conservation-area-character-appraisal-and-design-supplementary-planning-document/">https://www.wyreforestdc.gov.uk/conservation-area-character-appraisal-and-design-supplementary-planning-document/</a> |

**1. PURPOSE OF REPORT**

To present the draft Character Appraisals and Management Recommendations for Stourport No.1 and Stourport No.2 Conservation Areas and to agree that they be consulted upon.

**2. RECOMMENDATION**

**The Cabinet is invited to:**

- 2.1 Approve the two draft documents AND
- 2.2 Agree to a 4-week public consultation between 10 April and 8 May 2024.

**3. BACKGROUND**

Heritage consultants Donald Insall Associates were appointed in June 2023 to review the two existing Conservation Area Character Appraisals for Stourport No.1 and No.2 in the light of recent developments within the town centre and also to follow the latest guidance from Historic England. The original Character Appraisals date from 2001 (having been partially updated in 2015 to reflect changes to national and local policy). Officers undertook a walkabout in late June with the consultants and representatives from Stourport Town Council and Stourport Civic Society.

**4. KEY ISSUES**

- 4.1 In accordance with the Planning (Listed Building and Conservation Areas) Act 1990 it is necessary to take stock of the significance of the two conservation areas that

cover the Georgian parts of Stourport-on-Severn and also set out the actions to preserve and enhance their special architectural and historic interest.

- 4.2 Conservation Area No.1 comprises the southern part of town from the River Severn northwards to the south side of York Street. This part of the town contains the development around the canal and its basins. Conservation Area No.2 comprises the northern part of the Georgian town beyond the canal basins.
- 4.3 The two documents analyse the history, character and appearance of the areas and identify threats and opportunities to their historical significance. They also propose a number of actions which could prevent further erosion of that significance and reverse harmful changes that have already occurred. Amongst the recommendations contained in the two reports are proposals to slightly amend the Conservation Area boundaries, with the removal of the small site on the east of Severn Road which previously contained the Bond Worth office building which has recently been demolished as part of the new housing development on the former Carpets of Worth site. Another suggestion, which will be consulted on, is to move the northern part of New Street from No.1 to No.2 which would seem more logical.
- 4.4 It is proposed that a four-week consultation be held between 10<sup>th</sup> April and 8<sup>th</sup> May 2024. The following measures will be taken to publicise the consultation:
- Displaying information on the District Council's website
  - Press release
  - Targeted consultation with Stourport Town Council and Stourport Civic Society and the Canal and River Trust
  - Providing electronic or hard copies of the consultation document in the WFDC offices and at Stourport Library.
- 4.5 All responses received will be reported to this committee in due course alongside the final version of both character appraisals. It is anticipated that the documents will be adopted in July 2024.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 The costs of adopting the CACAs relate to staff time. These will be met by existing budgets.
- 5.2 The costs of producing the two documents have been met from existing planning budgets.

## **6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 The documents have been prepared in accordance with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990. Under sections 69 and 70 of this Act, officers are also proposing that the boundary of the conservation areas be slightly amended.

**7. IMPACTS AND IMPACT ASSESSMENTS**

- 7.1 Equality – an Equality Impact Screening Assessment has been undertaken and concluded that a full EqIA is not required.
- 7.2. Health – it is considered that the management recommendations included in the Character Appraisals will, if enacted, have a positive impact on the well-being of the local population
- 7.3 Climate Change – n/a

**8. RISK MANAGEMENT**

- 8.1 The existing Character Appraisals need updating to reflect the latest guidance and changes to policy. They also do not contain any management recommendations or assess the significance of the Conservation Areas.

**9. CONCLUSION**

- 9.1 Members are requested to agree to a 4-week consultation on the draft documents between 10<sup>th</sup> April and 8<sup>th</sup> May 2024. The documents will be available online and the consultation undertaken will be compliant with the Statement of Community Involvement.

**10. CONSULTEES**

- 10.1 CLT
- 10.2 Planning Manager, WFDC

**11. BACKGROUND PAPERS**

- 11.1 Statement of Community Involvement (link to be added once available)

**WYRE FOREST DISTRICT COUNCIL**

**Cabinet  
Tuesday 9 April 2024**

**Recommendations from the Overview and Scrutiny Committee  
Thursday 7 March 2024**

**Stourport No.1 and No.2 Draft Character Appraisals and Management  
Recommendations**

The Committee considered a draft of a Cabinet Report from the Head of Strategic Growth on draft Conservation Character Appraisals and Management Recommendations for Stourport No.1 and Stourport No.2 Conservation Areas seeking agreement that they be consulted upon.

The Principal Planning Policy Officer presented the report to members and they were given the opportunity to ask questions, to which the Principal Planning Policy Officer was able to provide verbal responses.

**Recommendation: The Overview and Scrutiny Committee considered the information in the report and recommend to Cabinet to:**

**2.1 APPROVE the two draft documents AND**

**2.2 AGREE to a 4-week public consultation between 10 April and 8 May 2024.**

**Background papers:**

See the report on page 154 of the pdf at this link:

[http://www.wyreforest.gov.uk/council/docs/doc59258\\_20240307\\_o\\_and\\_s\\_agenda.pdf](http://www.wyreforest.gov.uk/council/docs/doc59258_20240307_o_and_s_agenda.pdf)

and Appendices 1 & 2 at:

[doc59260\\_20240307\\_o\\_and\\_s\\_report.pdf \(wyreforest.gov.uk\)](http://www.wyreforest.gov.uk/council/docs/doc59260_20240307_o_and_s_report.pdf)

[doc59261\\_20240307\\_o\\_and\\_s\\_report.pdf \(wyreforest.gov.uk\)](http://www.wyreforest.gov.uk/council/docs/doc59261_20240307_o_and_s_report.pdf)