

**Open**

# **Overview & Scrutiny Committee**

## **Agenda**

**6.00 pm**  
**Thursday, 6th October 2011**  
**The Earl Baldwin Suite**  
**Duke House**  
**Clensmore Street**  
**Kidderminster**



## **Overview & Scrutiny Committee**

### **Members of Committee:**

<b>Chairman: Councillor H E Dyke</b>	
<b>Vice-Chairman: Councillor T Ingham</b>	
<b>Councillor J Baker</b>	<b>Councillor A J Buckley</b>
<b>Councillor N Gale</b>	<b>Councillor J Greener</b>
<b>Councillor I Hardiman</b>	<b>Councillor J A Hart</b>
<b>Councillor V Higgs</b>	<b>Councillor J Holden</b>
<b>Councillor D J McCann</b>	<b>Councillor J W Parish</b>
<b>Councillor A M Sewell</b>	<b>Councillor D R Sheppard</b>
<b>Councillor S J Williams</b>	

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

### **Information for Members of the Public:**

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

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

### **Declarations of Interest – Guidance Note**

#### **Code of Conduct**

Members are reminded that under the Code of Conduct, it is the responsibility of individual Members to declare any personal or personal and prejudicial interest in any item on this agenda if appropriate. A Member who declares a personal interest may take part in the meeting and vote, unless the interest is also prejudicial. If the interest is prejudicial, as defined in the Code, the Member must leave the room. However, Members with a prejudicial interest can still participate if a prescribed exception applies or a dispensation has been granted.

#### **Co-opted Members**

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

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

The following will apply:

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

### **For Further information:**

**If you have any queries about this Agenda or require any details of background papers, further documents or information, you should contact , Louisa Bright, Democratic Services Officer, Civic Centre, Stourport-on-Severn. Telephone: 01562 732763 or email [louisa.bright@wyreforestdc.gov.uk](mailto:louisa.bright@wyreforestdc.gov.uk)**

Wyre Forest District Council  
 Overview & Scrutiny Committee  
 Thursday, 6th October 2011  
 The Earl Baldwin Suite, Duke House, Kidderminster

Part 1

Open to the press and public

Agenda item	Subject	Page Number
1.	<b>Apologies for Absence</b>	
2.	<b>Appointment of Substitute Members</b>  To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Director of Legal & Corporate Services, together with the name of the Councillor for whom he/she is acting.	
3.	<b>Declarations of Interest</b>  In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any personal or personal and prejudicial interests in the following agenda items. Members should indicate the action they will be taking when the item is considered.  Members are also invited to make any declaration in relation to Section 106 of the Local Government Finance Act 1992.	
4.	<b>Minutes</b>  To confirm as a correct record the Minutes of the meetings held on the 8th September 2011 and 19th September 2011.	5
5.	<b>Scoping Document for Waste Management Review Panel</b>  To consider a briefing paper from the Director of Resources in relation to the review into the future of the Council's domestic waste and recycling service and to establish a review panel to consider the proposal in detail.	16
6.	<b>Finance Update to Incorporate Progress report on Wyre Forest Forward</b>  To consider a verbal update from the Director of Resources.	-
7.	<b>New Council Headquarters Update</b>  To consider a report from the Director of Legal and Corporate Services which provides an update on the progress of the New Council Headquarters.	21
8.	<b>Wyre Forest District Council Empty Property Strategy 2011 - 2014</b>  To consider a report from the Principal Strategic Housing Officer which presents to Members the refreshed Wyre Forest District Council Empty Property Strategy 2011-2014.	25

9.	<p><b>Green Street Conservation Area Designation and Draft Character Appraisal and Management Plan</b></p> <p>To consider a report from the Conservation Officer advising Members on the proposals to designate Green Street as a Conservation Area.</p> <p><b>The appendices to this report have been circulated electronically, and a public inspection copy is available on request.</b></p>	45
10.	<p><b>Draft National Planning Policy Framework</b></p> <p>To consider a report from the Senior Forward Planning Officer which provides an overview of the National Planning Policy Framework.</p> <p><b>The appendices to this report have been circulated electronically, and a public inspection copy is available on request.</b></p>	48
11.	<p><b>Feedback from Cabinet</b></p> <p>To note the content of the Cabinet action list, following consideration of the recommendations from 20<sup>th</sup> September 2011.</p>	55
12.	<p><b>Work Programme</b></p> <p>To review the work programme for the current municipal year with regard to the Sustainable Community Strategy Theme, Corporate Plan Priority, Annual Priorities and the Forward Plan.</p>	58
13.	<p><b>Press Involvement</b></p> <p>To consider any future items for scrutiny that might require publicity.</p>	-
14.	<p><b>To consider any other business, details of which have been communicated to the Director of Legal and Corporate Services 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>	
15.	<p><b>Exclusion of the Press and Public</b></p> <p>To consider passing the following resolution:          “That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

16.	<p><b>To consider any other business, details of which have been communicated to the Director of Legal and Corporate Services 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>	
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## **Terms of Reference - The Overview and Scrutiny Committee**

1. Reviews the policies of the Council and the Cabinet and recommends to the Council or the Cabinet:
  - (i) Whether any new policies are required.
  - (ii) Whether any existing policies are no longer required.
  - (iii) Whether any changes are required to any existing policies.
  - (iv) Whether any action is required to make the policies more effective.
2. Reviews the discharge of Cabinet functions, and recommends to the Council or the Cabinet:
  - (i) Whether any action should be taken to improve the economy, efficiency and effectiveness of those functions.
  - (ii) Whether any action should be taken to improve the co-ordination of the various functions within the Authority, or with any other person or body.
  - (iii) Whether the function should continue to be discharged or be discharged in another way.
3. Reviews any decisions or proposed decisions of the Council and of the Cabinet. In undertaking such reviews, the Overview and Scrutiny Committee shall in particular consider:
  - (i) Whether the relevant criteria were used.
  - (ii) Whether the decision is in accordance with the budget and policy framework of the Council.
  - (iii) Whether the decision or action was within the powers of the Authority.
  - (iv) Whether the decision was lawful.
  - (v) Whether the decision contributes to the efficient, effective and economic discharge of the function.
4. Recommendations should all take account of the following:
  - (i) Whether the decision should be reconsidered, and if so, what alternative decision should be taken.
  - (ii) Whether the proposed decision should be taken or taken in a different form.
  - (iii) Whether any further action should be taken in the experience of that decision to ensure proper or better implementation of decisions.
  - (iv) Whether any further actions should be taken in the experience of that decision to improve the manner or quality of decision-making for the future.

5. Considers any matters which affect the Council or its administrative area or the inhabitants of that area and makes recommendations to the Council or the Cabinet arising from that consideration.

6. External Partners

Reviews the performance and effectiveness of the Council's external partner organisations, including the duty to scrutinise the local Crime and Disorder Reduction Partnership.

7. Review Panels

Establishes time limited Review Panels which focus upon specific issues of concern raised by Members through a Scrutiny Proposal Form, consider evidence, and subsequently make recommendations to the Overview and Scrutiny Committee. A protocol for the establishment of Review Panels is attached as Appendix C at section 10 of the Constitution.

8. Review the Forward Plan

Regularly reviews the Forward Plan with a view to deciding which, if any, forthcoming items require consideration.

9. Sets and agrees an Annual Work Programme and prioritises the work of the Committee.

10. Ensures consideration is given to encouraging public participation and engagement in functions of the Committee.

11. Ensures that the views of any invitees and co-opted Members (where appropriate) are taken into account when conducting investigations.

12. Monitors the implementation of scrutiny recommendations.

13. Reviews and scrutinises relevant public bodies and partners in the District, including the Council's contribution and relationship with them. Where necessary, requesting them to address overview and scrutiny about their activities, performance, particular decisions, initiatives or projects.

WYRE FOREST DISTRICT COUNCIL

OVERVIEW & SCRUTINY COMMITTEE

THE EARL BALDWIN SUITE, DUKE HOUSE, CLENSMORE STREET,  
KIDDERMINSTER

THURSDAY, 8TH SEPTEMBER 2011 (6.00 PM)

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**Present:**

Councillors: H E Dyke (Chairman), T Ingham (Vice-Chairman), J Baker, A J Buckley, N Gale, J Greener, I Hardiman, J A Hart, V Higgs, D J McCann, J W Parish, A M Sewell, N J Thomas, S J Williams and G C Yarranton.

**Observers:**

Councillors: M Ahmed, G W Ballinger, J-P Campion, N J Desmond, P Dyke, D R Godwin, P B Harrison, M J Hart, P V Hayward, H J Martin, C D Nicholls, F M Oborski, T L Onslow, J Phillips, K H Prosser, C Rogers, M A Salter and J A Shaw.

- OS.25** Due to the overwhelming attendance of members of the public for agenda item no. 11, the Chairman adjourned the meeting at 6.03pm and announced that the agenda item would be deferred to a special Overview and Scrutiny Committee Meeting to be held on 19<sup>th</sup> September 2011 at 6pm in the Civic Hall, Stourport-on-Severn. It was confirmed that the list of registered public speakers would be carried over to the next meeting and the date, time and venue of the special meeting would be advertised on the Council's website and in the local press. The Chairman advised that no decisions had been made about the sites and every Member of the public would have an opportunity to contribute through the public consultation process.

The Solicitor for Wyre Forest District Council advised that the meeting had been adjourned and asked if people not staying for other agenda items to leave the building.

The Leader of the Council left the meeting at this point, (6.10pm).  
The meeting resumed at 6.26pm.

**OS.26 Apologies for Absence**

Apologies for absence were received from Councillors J Holden and D R Sheppard.

**OS.27 Appointment of Substitutes**

Councillor N J Thomas was appointed as a substitute for Councillor D R Sheppard.  
Councillor G C Yarranton was appointed as a substitute for Councillor J Holden.

**OS.28 Declaration of Interests**

No declarations of interest were made.

**OS.29 Minutes**

**Decision: The minutes of the meeting held on 7th July 2011 be confirmed as a correct record and signed by the Chairman.**

**OS.30 Recommendations of the Recording Equipment, Blogging and Social Media Review Panel**

The Chairman of the Review Panel, Co-opted Member Tavis Pitt, thanked Members who were on the Panel and also the Democratic Services Manager and Assistant Scrutiny Committee Officer for their help with the review.

Mr Pitt led Members through the report and advised research had been carried out with other local authorities who used blogging and social media and a poll had been carried out on the Council's webpage. The Chairman advised the Committee that an addendum to the recommendations listed on page 18 of the report had been circulated notifying the slight amendment to wording to point 5.1d and the addition of point 5.1g.

Councillor P Dyke came into the meeting at this point, (6.32pm).

Members agreed the use of social media such as facebook was a good way to keep in touch with people and recommendation 5.1d should be aligned to the Ethics and Standards policy. The Chairman thanked Mr Pitt for his involvement in the review panel.

**Agreed:**

**Recommended to Cabinet:**

- a. The Council should record and broadcast its public meetings online following the move to the new Council Headquarters.**
- b. Video / Audio Recording of meetings by the press and public should not be allowed.**
- c. The use of Social Media by the press and public during meetings should be permitted.**
- d. The use of Social Media by Councillors and Officers whilst in a meeting should be prohibited.**
- e. The use of Social Media by the Council should be encouraged.**
- f. The use of Social Media by Councillors outside of meetings should be encouraged and guidelines and training be provided.**
- g. Worcestershire Leadership Group be encouraged to develop a county wide media protocol for Members.**

**OS.31 Scrutiny Proposal Form**

The Committee considered a scrutiny proposal form submitted by Councillor G C Yarranton regarding the bund at Puxton Marshes.

**Agreed:**

- 1. The item be accepted onto the work programme and progressed by way of a review panel.**



**2. The Democratic Services Officer to contact group leaders for nominations from Members to take part in the review.**

**OS.32 How Are We Doing? Priorities Performance Update**

The Policy and Performance Officer led Members through the report. The Committee were advised that Members had been allocated Directorate business plans to monitor but no updates were given by individual Members.

The Leader of the Council came back to the meeting at this point, (6.37pm). A Member raised concerns over the update given for PRS PI09. Members had concerns relating to a property in Shakespeare Drive, Kidderminster as the update stated this had gone ahead. Members perceived that the Council's 'No Surprises Policy' had not been adhered to and Ward Members had not been notified. The Strategic Housing Services Manager confirmed that consultation would have been made at the time of purchase and when properties were ready to be let, Ward Members would be invited to view the property in question. The concerns raised by Members during the consultation period were duly noted and Members were satisfied that no children would occupy the Shakespeare Drive property.

The Policy and Performance Officer led Members through the Appendices of the report and the following points were raised:

- Page 26 – CAP BP11 CSP 09 – it was confirmed the application had been unsuccessful due to there being four times as many bids submitted as there was money available.
- In response to a Members question, it was confirmed that the principles of the previously held Performance Clinics would remain but applied in a different format. Proposals would be sent to the Corporate Management Team and any issues raised would be reported to Cabinet.
- Page 28 – Members asked for clarification on an item not being progressed due to 'capacity issues'.
- Page 29 – Members were concerned that the target had been missed for the number of telephone calls answered within 20 seconds, and asked if the section concerned received cover for maternity leave.
- Page 30 – It was confirmed that some indicators were only measured quarterly and not monthly due to the availability of data.

**Agreed:**

- 1. The progress to date for Priorities and Performance Indicators be noted.**
- 2. The Policy and Performance Officer to seek clarification on the issues raised and notify the Members of the Committee accordingly.**

**OS.33 Land Drainage Shared Service**

The Strategic Housing Services Manager led Members through the report which outlined the proposal for creating a Land Drainage Shared Service with Redditch Borough Council and Bromsgrove District Council which would be hosted by Wyre Forest District Council.

Members welcomed the proposal and the extra resilience it would give to the

#### **Agenda Item No. 4**

excellent service currently provided by Wyre Forest District Council. However concerns were expressed over the lack of Member involvement on the Shared Service Board. In response to Members questions, the Strategic Housing Services Manager was asked to provide clarification on the following points:

- What were the changes to legislation relating to cesspits and septic tanks which would come into effect in October 2011.
- Would the Shared Service continue to provide the same style of management of people? A previous issue regarding relating to unadopted roads and sewers had been dealt with appropriately and Members had concerns that the service provided would diminish.

#### **Agreed:**

- 1. Wyre Forest District Council develops a shared Land Drainage Service subject to agreement from Redditch Borough Council and Bromsgrove District Council and the responsible Cabinet Member for Wyre Forest District Council is appointed onto the Client Management Group.**
- 2. The Strategic Housing Services Manager to obtain clarification regarding the changes coming into effect in October 2011 and circulate to Members of the Committee.**

**OS.34**

#### **Wyre Forest District Local Development Framework: Churchfields Masterplan Supplementary Planning Document**

The Committee considered a report from the Principal Forward Planning Officer that sought Members views on the responses to representations received and the recommended amendments arising from consultation to the Draft Supplementary Planning Document.

The Regeneration Officer led Members through the report. Members thanked the Forward Planning Team for putting together such a robust document which reflected comments from local companies and members of the public. A summary of the points made were:

- The Churchfields Masterplan document had not been presented to the Local Development Framework Review Panel as it had been agreed that only development plans would be presented to that panel.
- Members were disappointed that the issues raised from a meeting with the Horsefair, Broadwaters and Greenhill Partnership have not been reflected in the document.
- Transport and traffic congestion was a complex issue. It was noted no detailed traffic surveys would be undertaken, however as the plan developed this area would be looked at.

Councillor T Onslow left the meeting at this point, (7.24pm).

#### **Agreed:**

#### **Recommended to Cabinet to recommend to Council:**

- 1. The representations received and officer comments set out at Appendix 2**

**of the report to Overview and Scrutiny Committee be approved by Cabinet and Council for publication.**

- 2. The Churchfields Masterplan Supplementary Planning Document as amended by the recommended changes set out in Appendix 3 to the Overview and Scrutiny Report be adopted as the “Churchfields Masterplan” Supplementary Planning Document, in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004.**
- 3. The Director of Planning and Regulatory Services be given delegated authority to determine the final format and presentation of the papers.**

**OS.35**

**Wyre Forest District Local Development Framework (LDF): Site Allocations and Policies and Kidderminster Central Area Action Plan DPDs – Preferred Options Papers Consultation Responses**

The Principal Forward Planning Officer led Members through the report which provided an overview of the responses to the Site Allocations and Policies PDP Preferred Options Paper and the Kidderminster Central Area Action Plan DPD Preferred Options Paper.

It was confirmed that positive comments had been received from Parish Councils and the Wild Life Trust regarding the document. Key comments from the Local Development Review Panel held on 5<sup>th</sup> September 2011 were:

- Rural buildings which were worthy of retention should be considered.
- Cross boundary issues and impact on Wyre Forest District in relation to development by neighbouring authorities at Clows Top - proposal to respond to South Worcestershire Core Strategy.
- Promotion of public art - consideration to be given to S106 funding in site allocations.

**Agreed:**

**Recommended to Cabinet:**

**The representations received and officer comments set out in Appendices 1-3 of the report to the Overview and Scrutiny Committee be approved by Cabinet for publication.**

Councillors H J Martin, M Ahmed and P V Hayward left at this point, (7.50pm).

**OS.36**

**Wyre Forest District Local Development Framework (LDF) Potential Sites for Gypsies, Travellers and Travelling Showpeople**

This agenda item was deferred to a Special Overview and Scrutiny Meeting to be held on Monday 19<sup>th</sup> September 2011, at 6pm in the Civic Hall, Stourport-on-Severn.

**OS.37**

**Recommendations from the Treasury Management Review Panel**

The Committee considered the recommendations from the meeting of the Treasury Management Review Panel held on 8<sup>th</sup> September 2011.

**Agreed:**

**Recommended to Cabinet:**

- 1. The actual 2010/11 prudential and treasury indicators in the report be approved.**
- 2. The annual treasury management report for 2010/11 be noted.**

**OS.38 Feedback from Cabinet**

**Agreed: The content of the Cabinet action list, following consideration of the recommendations from 19<sup>th</sup> July 2011 be noted.**

**OS.39 Work Programme**

**Agreed: The work programme be noted.**

**OS.40 Press Involvement**

There were no items that required press involvement.

The Chairman advised Members that any information circulated to members of the public must be factually correct, members of the public must not be mis-informed, and only registered speakers were allowed to speak at Overview and Scrutiny Committee meetings.

There being no further business, meeting ended at 7.53pm.

**WYRE FOREST DISTRICT COUNCIL**  
**OVERVIEW & SCRUTINY COMMITTEE**  
**CIVIC HALL, CIVIC CENTRE, STOURPORT-ON-SEVERN**  
**MONDAY, 19TH SEPTEMBER 2011 (6.00PM)**

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**Present:**

Councillors: H E Dyke (Chairman), T Ingham (Vice-Chairman), J Baker, A J Buckley, N Gale, J Greener, I Hardiman, J A Hart, V Higgs, J Holden, D J McCann, J W Parish, A M Sewell, D R Sheppard and S J Williams.

**Observers:**

Councillors: M Ahmed, G W Ballinger, J-P Campion, S J M Clee, N J Desmond, P Dyke, B T Glass, D R Godwin, M J Hart, C D Nicholls, F M Oborski, T L Onslow, J Phillips, M A Salter, J A Shaw, N J Thomas and G C Yarranton

**OS.41**

The Chairman welcomed everyone to the meeting and advised that the meeting would take the following format.

- The Director of Planning and Regulatory Services would address the meeting and explain the report.
- The five public speakers that had registered to speak would be invited in turn to address the meeting. They would each be allowed to speak for three minutes and ask one supplementary question if they wished.
- Members of the public must remain in their seats, with the exception of the registered speakers when they addressed the committee.
- Members of the Committee would then discuss the report.
- Ward Members may be invited to speak on the debate.
- The Chairman would not allow further speakers from the floor, neither would the Committee enter into a debate with the speakers or other attendees.

The Chairman also appreciated that many of the people in attendance had varying opinions on the item being discussed, she reminded them before the meeting started she would not accept any inappropriate or racist comments, or disruptive behaviour.

If there were any inappropriate comments or behaviour, she would call the meeting to order and ask that the comments or behaviour cease. Failure to comply with the rulings would mean that the individuals concerned would be asked to leave the meeting and, if they continued to misbehave and failed to leave, steps would be taken to remove them from the meeting. This could include calling on the assistance of the police. She hoped that such steps would not be necessary and that everyone present would behave themselves in an appropriate fashion, so that the debate could be heard.

**OS. 42**

**Apologies for Absence**

There were no apologies for absence.

**OS. 43 Appointment of Substitutes**

No substitutes were appointed.

**OS. 44 Declaration of Interests**

Councillor D McCann declared a personal interest in agenda item 4 – Wyre Forest District Local Development Framework (LDF) Potential sites for Gypsies, Travellers and Travelling Showpeople, as he lived near to one of the proposed sites.

Councillor M J Hart declared a personal non-prejudicial interest in agenda item 4 – Wyre Forest District Local Development Framework (LDF) Potential sites for Gypsies, Travellers and Travelling Showpeople, as he owned land approximately 500 metres away from one of the proposed sites, although it was not his principal residence.

Councillor J Holden declared a personal interest in agenda item 4 – Wyre Forest District Local Development Framework (LDF) Potential sites for Gypsies, Travellers and Travelling Showpeople, as he lived near to several of the proposed sites.

Councillor I Hardiman declared a personal interest in agenda item 4 – Wyre Forest District Local Development Framework (LDF) Potential sites for Gypsies, Travellers and Travelling Showpeople, as he lived not too far from several of the proposed sites.

Councillor A J Buckley declared a personal interest in agenda item 4 – Wyre Forest District Local Development Framework (LDF) Potential sites for Gypsies, Travellers and Travelling Showpeople, as he lived not too far from several of the proposed sites.

Councillor F M Oborski declared a personal interest in agenda item 4 - Wyre Forest District Local Development Framework (LDF) Potential sites for Gypsies, Travellers and Travelling Showpeople, as she was the Chairman of the Local Development Framework Review Panel.

Councillor C D Nicholls declared a personal interest in agenda item 4 – Wyre Forest District Local Development Framework (LDF) Potential sites for Gypsies, Travellers and Travelling Showpeople, as he lived near to two of the proposed sites.

Councillor J Hart declared a personal non-prejudicial interest in agenda item 4 – Wyre Forest District Local Development Framework (LDF) Potential sites for Gypsies, Travellers and Travelling Showpeople, as he lived approximately 500 metres from one of the proposed sites.

**OS.45 Wyre Forest District Local Development Framework (LDF) Potential Sites for Gypsies, Travellers and Travelling Showpeople**

The Director of Planning and Regulatory Services advised the Committee that the purpose of the meeting was to consider the findings of an 'Assessment of Potential Sites for Gypsies, Travellers and Travelling Showpeople' and make recommendations to Cabinet for consideration at the meeting due to be held on Tuesday 20<sup>th</sup> September 2011 which would decide which sites would be put forward for public consultation. The outcomes of the public consultation would be reported

back early in 2012.

Members were led through the report and advised of the need to ensure appropriate pitch provision was provided for Gypsies, Travellers and Travelling Showpeople within the District. To assist with the work, the Council had appointed a consultancy firm, Baker Associates to undertake the assessment. Baker Associates were a well respected company who had previously worked on infrastructure projects within Worcestershire.

Members were also advised that the Council were already committed to providing additional sites for gypsies and travellers as part of the Core Strategy which set out the Council's blue print for the District, that was adopted in December 2010.

It was also noted that there were already authorised traveller sites in the District which were run by Worcestershire County Council. A number of the sites have planning permission however, some are tolerated sites which do not have planning permission and a decision taken not to remove people from the site.

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

Jim Long, elected member for Churchill and Blakedown Parish Council.

Mr Long advised that in relation to the proposed site in Blakedown the consultants report was flawed, the landowners never have and never would identify their land as a gypsy and traveller site.

(Meeting called to order 6.24pm)

He added that the Parish Council supported local housing needs and the site had been allocated for housing and Barratts Homes had recently held an exhibition on the site. Mr Long asked Members for responses to his question that the Blakedown site was wholly unacceptable and never was and never would be available.

A Member advised that he was not in a position to comment on the withdrawal of sites at this stage, the process must be adhered to.

Mr Long stated this did not appear to be appropriate. No other Members wished to comment.

Roger Shade – Blakedown Resident

Mr Shade advised that the chief location of the proposed site was wholly unacceptable, the site was less than 100m from a bridleway and the area was a designated wildlife site and any development must not have an impact on the wild life and access to the site would be an issue. He advised the report was flawed and asked the Committee to recommend the Blakedown site be rejected.

James Arbuthnott - Chair of Stone Parish Council

Mr Arbuthnott advised that the Parish Council heard of the proposals through the Kidderminster Shuttle. He felt as a matter of courtesy the Council should have informed Parish Councils of the proposals. The site in Stone was in the green belt area, had an unsuitable local road system and lacked public amenities. The Parish

#### **Agenda Item No. 4**

Council had not been consulted and the site is totally unsuitable and he asked that the Committee reject it.

#### Glenn White – Clows Top Resident

Mr White advised that many residents in the village had been surprised by the report and had only found out about it from the local press approximately three weeks ago, no consultation with local residents had taken place. The report was inaccurate and should recommend that more work was carried out before it was put forward. He expressed a view that the process had been underhand and that needed highlighting. The village had very few facilities and he asked the Overview and Scrutiny Committee to make a recommendation to refuse the report before any more public money was wasted.

#### Peter Chatterley – Clows Top Resident

Mr Chatterley advised that over 100 residents in Clows Top were opposed to the process and asked Councillor J Phillips if he thought the Cabinet's decision would be to recommend to go for consultation in October. If this was the case was the meeting not a waste of time? He added the methodology used in the report was incorrect, the report showed a lot of inaccuracies and lack of research. Mr Chatterley asked the Committee to reject the report and send it back to for further research and not waste any more public money.

The Director of Planning and Regulatory Services noted the points raised. However the Overview and Scrutiny Committee were assisting Cabinet to decide on what sites would be put forward for public consultation. The comments expressed were more appropriate for the public consultation. It was also noted that Parish Clerks had been contacted by the Consultants.

Councillor F M Oborski advised Members that an allegation had been made in the Kidderminster Shuttle that she had already made her mind up to where the sites should be, Councillor Oborski confirmed the statement was completely untrue.

As Chairman of the Local Development Framework Review Panel, Councillor Oborski urged the Council to go out to public consultation on all 15 sites, as any sites taken out of the process at this stage would put extra pressure on the sites left in.

A Member expressed his concern over the inaccuracies within the report and asked that the sites identified in Lawnswood be taken off the list as it was within a green belt area and surrounded by residential properties. He added the site identified at Lea Castle had previously been discussed at a public meeting and where it was discussed that the site could be used to house a hospice, sheltered housing or sports facilities. If the site were to be used for gypsy, travellers or travelling showpeople, it would not be compatible with the other users. The site also fell within the green belt and he asked for the site to be removed from the list.

A Member advised that Stourport currently had all the gypsy and traveller sites which were not a problem. However he felt other areas within the district should accommodate new sites.

A Member expressed concern over the local businesses in Sandy Lane, Stourport



#### **Agenda Item No. 4**

and feared they would re-locate if further sites were agreed for that area.

A Member perceived that the site proposed at Clows Top had already been listed as a brownfield development site and affordable housing was encouraged. However the site was in a difficult area and water supplies were already full to capacity. Due to the flaws in the report and Rock having no previous consultation, he urged all Members of the Committee to reject the report in its entirety and as a District Council to come forward with more appropriate sites.

In response to comments made about contact by the Consultants with Parish Council clerks, the Director of Planning and Regulatory Services confirmed that contact had been made with Churchill and Blakedown, Rock, Stone and Upper Arley Parish Councils.

**Agreed:**

**Recommended to Cabinet:**

**The report be noted and the Cabinet decide on which site or sites go out to public consultation.**

There being no further business the meeting ended at 7.21 pm.



## Overview & Scrutiny Committee

Agenda Item No. 5

### Briefing Paper

Report of: David Buckland, Director of Resources  
Date: Thursday, 6th October 2011  
Open

### Scoping Document for Waste Management Review Panel

#### 1. Summary

- 1.1 This briefing paper presents a draft scoping document in relation to the review into the future of the Council's domestic waste and recycling service. This follows the Cabinet proposal approved by Council on 23<sup>rd</sup> February 2011 to deliver £170,000 savings from the service.
- 1.2 It is requested that a review panel be established to consider the proposal in detail and report back to the Overview and Scrutiny Committee with the findings by November 2011. The draft scoping document is attached at Appendix A.

#### 2. Background

- 2.1 In July 2010, the Council implemented revised arrangements for the collection of recycling materials which effectively mirrored the arrangements in place for residual waste collections. These new arrangements have been extremely successful in delivering annual savings of £300,000 per annum along with significant improvements in the customer satisfaction for the service.
- 2.2 It is recognised however that all areas need to be constantly reviewed to ensure that the most cost effective arrangements are in place that maximise value for money. Therefore a target saving equating to 10% of the cost of the service or £170,000 was included as a Cabinet proposal within the Financial Strategy 2011/14 which was approved by Council on 23<sup>rd</sup> February 2011.
- 2.3 A key plan in delivering these savings relates to taking advantage of new technologies to ensure that the routes of the vehicles are the most efficient, thereby minimising any "dead" time. However, in themselves the savings that can be delivered through this route will not be sufficient to meet the savings target. Further potential changes are now being investigated and where these impact upon the service that the Council provides it is appropriate that the Overview & Scrutiny Committee through the Waste Management Review Panel consider these proposals.

### **3. Key Issues**

- 3.1 The review panel will need to consider a proposal to vary the current terms and conditions of the Waste and Recycling operatives which will have an impact upon the timing of the service to the public. Due to the notice requirements to propose amending Terms and Conditions this item will need to be considered by the Cabinet in November 2011, and therefore it is requested that any views from the panel will be fed back into the next meeting of the Overview and Scrutiny Committee.
- 3.2 The review panel will also be asked to consider the “special” services which are provided to a small number of properties within the district which have a disproportionate impact upon the cost of the service.

### **4. Options**

- 4.1 That a review panel is established from members of the Overview and Scrutiny Committee to consider the proposal.
- 4.2 That the draft scoping document attached at Appendix A be approved.

### **5. Consultation**

- 5.1 Corporate Management Team.
- 5.2 Other Local Authorities.

### **6. Related Decisions**

- 6.1 Council 23<sup>rd</sup> February 2011.

### **7. Relevant Council Policies/Strategies**

- 7.1 Corporate Plan 2011-14.
- 7.2 Financial Strategy 2011-14.

### **8. Implications**

- 8.1 These are discussed within the Background section and the Scoping Document.

### **9. Equality Impact Needs Assessment**

- 9.1 It is proposed that these will be reviewed by the Waste Management Review Panel.

### **10. Wards affected**

- 10.1 All Wards.

## **11. Appendices**

11.1 Appendix A – Scoping of Scrutiny Exercise.

## **12. Background Papers**

12.1 Financial Strategy 2011-14.

### **Officer Contact Details:**

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## Overview and Scrutiny Committee

### Briefing Paper

Report of: Caroline Newlands, Director of Legal and Corporate Services  
Date: Thursday 6th October 2011  
Open

### New Council Headquarters Update

#### 1. Summary

1.1 This report to the Overview and Scrutiny Committee provides a brief update on the progress of the New Council Head Quarters.

1.2 Relevant dates:

Commencement	-	06 June 2011
Completion	-	15 June 2012
Duration	-	54 Weeks
Weeks Complete	-	15 Weeks
Remaining Weeks	-	39 Weeks

#### 2. Construction Progress

- Reduced level dig/remodel ground levels/stone over site complete;
- Foundation bases cast;
- Lift pit works complete;
- Foul drainage within building footprint of building ongoing;
- Ground investigation for Ground Source Heat Pump complete;
- Erection of structural steelwork on-going; and
- Installation of precast concrete floor planks on-going

#### 3. Works Due to Commence

- Ground floor slab.

#### 4. Key Issues

4.1 Procurement

- On-going procurement of catering installation. The evaluation of tenders is currently taking place. The two highest scoring contractors are to be invited to attend a meeting to carry out a presentation on the services their company can provide.

4.2 Facilities

- The drafting of accommodation standards and protocols is ongoing.
- Preparation of staff "Induction/Welcome Pack" has commenced.

**4.3 Employee Focus Group**

- A meeting took place on 24<sup>th</sup> August 2011 and these are being held on a regular basis. Matters raised continue to be addressed at the Steering Group Meetings.

**4.4 Communications**

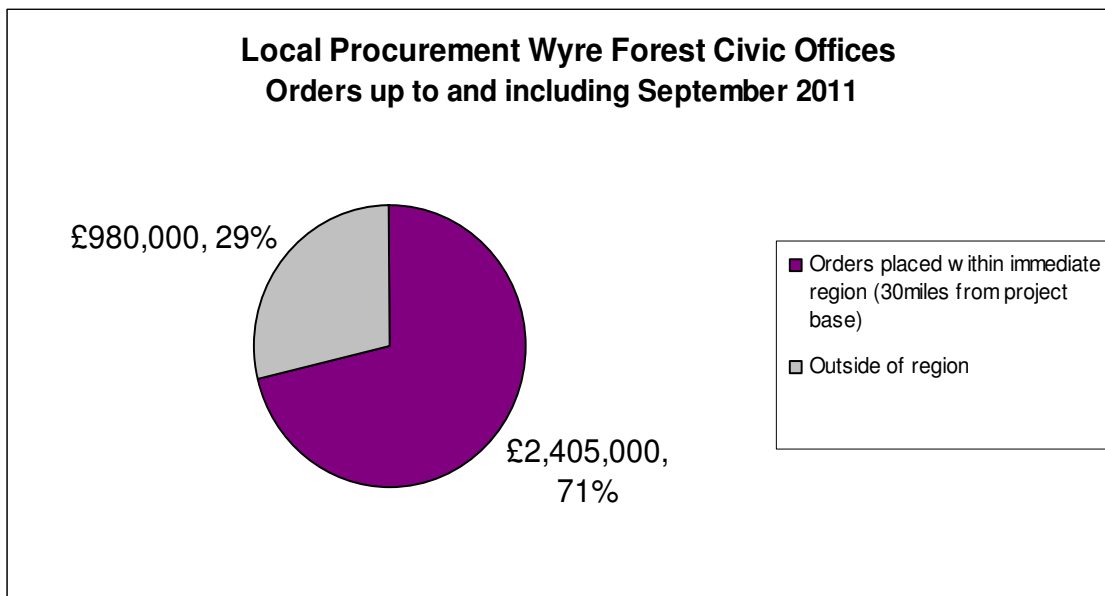
- Erection of hoarding artwork has been carried out.
- Erection of main site signboard complete.
- Staff briefing with the Employee Focus Group took place on 24<sup>th</sup> August 2011 at 10.00am.
- PR Meeting held with Thomas Vale held on 21<sup>st</sup> September 2011.

**4.5 Construction Matters**

- Energisation of the Substation.
- Negotiations in respect of Legal agreements. Installation of Substation complete.

**4.6 Local Procurement**

- The pie chart below shows level of local procurement i.e. orders placed with sub-contractors and/or suppliers within a 30 mile radius of the project base, up to and including September 2011, and is also summarised below:
  - Total value of orders placed - £3,385,000.00
  - Total value of orders placed with local sub-contractors/suppliers within a 30 mile radius of the Project base - £2,405,000.00 (71%)
  - Total value of orders placed with sub-contractors/suppliers outside the 30 mile radius of the Project base - £980,000.00 (29%)



## Agenda Item No. 7

- Request noted to refine results to demonstrate procurement within the Wyre Forest Area and Worcestershire respectively. This is being reviewed for potential inclusion within next report.

### 5. Budget Report

- 5.1 The table below provides high level Budget information regarding spend against budget, to enable the Board to monitor the financial aspects of this Project.

Budget Breakdown	Capital Budget £	Actual Expenditure £	Available Budget £
Land Acquisition	910,000	910,000	0
Construction and Associated Costs	8,318,172	570,902	7,747,270
Professional Fees	590,700	389,133	201,567
Legal Costs and Fees	181,128	65,562	115,566
Fixtures, Fittings and Equipment	500,000	0	500,000
<b>TOTAL</b>	<b>10,500,000</b>	<b>1,935,597</b>	<b>8,564,403</b>

#### Officer Contact Details:

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Title: Director of Legal and Corporate Services  
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## Agenda Item No. 7

### Appendix 1

#### PROGRESS PHOTOS:

- Progress Photos taken on 20<sup>th</sup> September 2011



Steelwork looking towards Council Chamber area



Steelwork looking towards Cafe area



Staircase and steelwork by Council Chamber



1st floor above Cafe/Training/Store



View into Council Chamber area



View into Courtyard Garden by Cafe





## Overview and Scrutiny Committee

Agenda Item No. 8

### Briefing Paper

Report of Sally Horne, Principal Strategic Housing Officer  
Date: Thursday 6<sup>th</sup> October 2011  
Open

### Wyre Forest District Council Empty Property Strategy 2011-2014

#### 1. Summary

1.1 The report presents the refreshed Wyre Forest District Council Empty Property Strategy 2011-2014 for Members' consideration.

#### 2. Background

2.1 The Empty Property Strategy 2011-2014 replaces the 2008-2011 Empty Property Strategy and Action Plan.

2.2 Whilst not a statutory requirement to produce a strategy, the production of an Empty Property Strategy separate to the overarching Worcestershire Housing Strategy signals the importance of this issue.

2.3 The requirement to make more effective use of the housing stock in the County is a priority for action in the Worcestershire Housing Strategy, which includes returning empty properties to use.

2.4 Empty Properties, distinct from being a wasted resource that could be providing affordable housing, cause many problems to the communities affected including:

- Visual impact of run down properties
- Attraction of vandalism, burglary and anti social behaviour
- Loss of value of nearby properties
- Difficulty in selling nearby properties
- Can be hot spots for rats and mice
- Psychological impact for the local community
- Disrepair leading to the impact on neighbouring properties e.g. roof leak leading to damp to adjacent properties
- Significant neglected properties becoming imminently dangerous

2.5 The Council has a range of potential actions to encourage properties back into use. This can include advice and information, financial assistance, enforcement regarding public health or safety issues, improvement notices and Empty Dwelling Management Orders through which the Council can take over the management of a property. These options are able to be considered under the Housing Enforcement Policy and the Private Sector Housing Assistance Policy.

2.6 The Council has a local performance indicator target of returning 20 empty properties to use annually. In 2009/10 the Council were involved in returning 38

properties to use. However, despite this, there are still 594 properties in the district which have been empty for longer than 6 months.

**3. Key Issues**

- 3.1 The existing Empty Property Strategy (2008-11) is now out of date and needs to be refreshed.
- 3.2 Due to the right to buy sales of Community Housing stock over many years, there has been a net loss of affordable housing available. This trend is now levelling out but there is a rising need for affordable housing as the Councils waiting list continues to increase. Empty Properties are therefore a very valuable potential resource to assist meeting a local need.
- 3.3 This revised strategy builds from the achievements to date and provides a framework for the use of advice, assistance and enforcement powers to meet the overall aim of bringing empty properties back into use. The properties that have been empty for the longest period of time will be targeted first, along with those properties that are giving specific concerns to the local community.

**4. Options**

- 4.1 Members are asked to recommend the adoption of the 2011-2014 Empty Property Strategy to Cabinet, or
- 4.2 Members are asked to recommend the 2011-2014 Empty Property Strategy subject to comment/amendments made by the committee.

**5. Consultation**

- 5.1 Director of Resources
- 5.2 Director of Planning and Regulatory Services
- 5.3 Principal Solicitor
- 5.4 Development Manager
- 5.5 Principal Building Control Officer

**6. Related Decisions**

- 6.1 None

**7. Relevant Council Policies/Strategies**

- 7.1 The Private Sector Housing Assistance Policy
- 7.2 The Housing Enforcement Policy
- 7.3 The Empty Property Strategy 2008-11

7.4 The Worcestershire Housing Strategy

**8. Implications**

8.1 Resources: The potential of using funding to fund a specific Empty Property Officer post from the New Homes Bonus will be explored

8.2 Equalities: There are no implications

8.3 Partnership working: Bringing empty properties back into use is based upon a joined up approach, linking different sections of the Council, working with local residents, property owners and estate agents for the overall benefit of the community.

8.4 Human Rights: There are no implications

8.5 E-Government: There are no implications

8.6 Best Value: There are no implications

**9. Wards affected**

9.1 This is a strategy which will impact upon all wards within the District.

**10. Appendices**

10.1 Wyre Forest District Council Empty Property Strategy 2011-2014

**11. Background Papers**

11.1 None

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Wyre Forest District Council

# Empty Property Strategy

## 2011 - 2014



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## **Summary**

Wyre Forest District is situated within North West Worcestershire. The District is comprised of three towns, Kidderminster, Bewdley and Stourport-on-Severn together with a rural hinterland which includes a number of small villages. It has a population of 98,600 which has grown at a modest rate since 1991. There are approximately 43,785 dwellings in the District. Below average wage rates result in substantial demand for affordable housing provision across the District. In particular there is an unmet demand for more affordable 2 and 4 bed dwellings. Evidence of the last five years suggests social re-lets will decrease; therefore extra pressure will be placed on increasing the supply of affordable housing. There are currently 5,159 people on Wyre Forest District Councils waiting list and as this increases year on year, the District Council will look to ensure that all housing stock is fully utilised.

At 1<sup>st</sup> April 2011, Wyre Forest District Council had 1087 empty properties, 594 of which were long term empties. Empty properties often have a negative impact upon the neighbouring area and at a time when the housing waiting list is increasing, the District Council needs to return properties in all sectors of the stock back to use.

This strategy is an update on the earlier 2008-2010 Empty Property Strategy and the purpose of this update is to report on the District Councils progress in tackling the problem of Empty Properties in the district and how it plans to continue this work from 2011 onwards.

We have identified four key objectives to help achieve this goal:

- To raise awareness of empty properties across the district and to promote the advice and assistance available.
- To reduce the number of homes becoming empty for more than six months by improving the process of identifying the appropriate action needed to address them.
- To establish and maintain an accurate database of empty properties in the district and gather other relevant up to date information to help establish trends and priorities for action.
- To work closely with partners to gain the necessary co-operation and commitment to tackle the issues associated with empty properties and to identify solutions.

These objectives will be achieved by engaging in positive dialogue with owners, effective partnership working and where necessary, the use of statutory action.

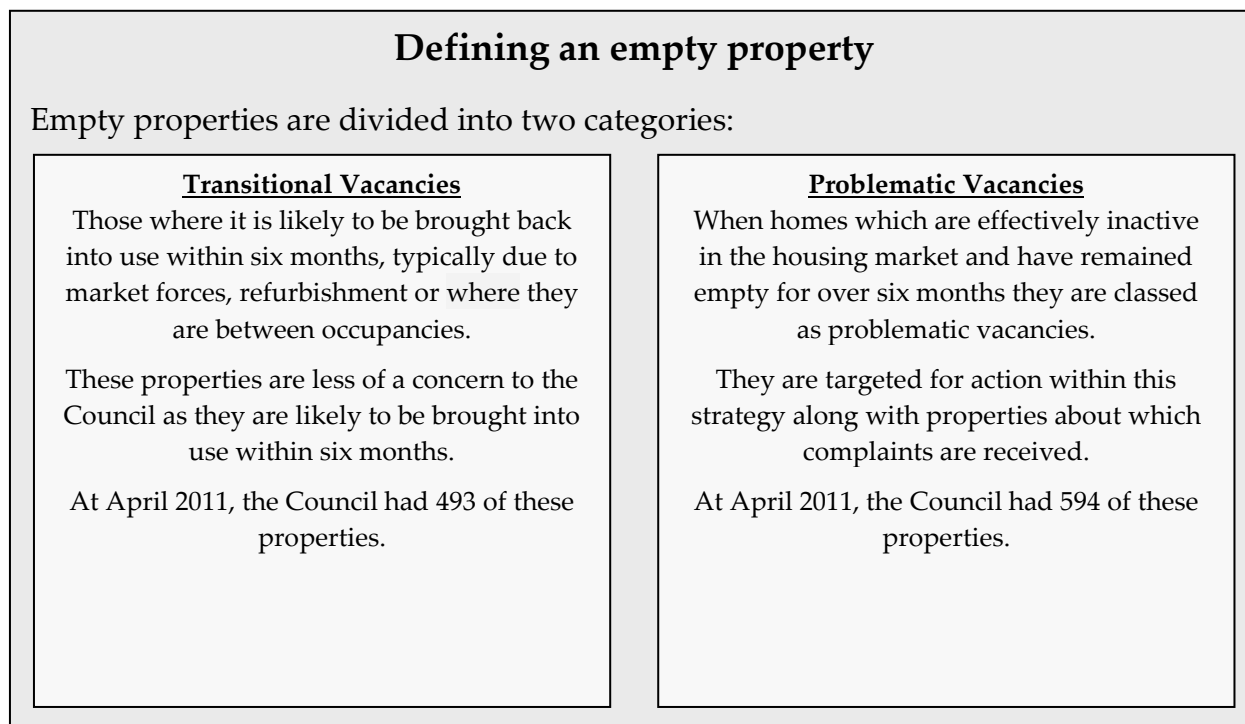
The strategy contains an action plan that sets out specific and measurable targets to achieve each of the priorities indicating which officer is responsible for taking appropriate action.

## **Introduction**

The Wyre Forest District Council Empty Property Strategy 2011-2015 states how the Council will continue to tackle the issue of empty properties in the District. This strategy provides an update on the previous strategy, providing information on its achievements and stating how the Council will continue to work alongside its partners to continue its work in returning empty properties to use.

### **The Definition of an Empty Property**

This Strategy uses the DCLG definition of an empty property which is stated in Figure 1 below:



**Figure 1: Source DCLG**

The concentration of this strategy is upon those empty properties defined as problematic vacancies which have been empty for longer than 6 months.

### **Why do homes remain empty?**

To effectively tackle problematic vacancies and for this strategy to be successful it is important to understand why the properties remain empty. There are a variety of reasons that contribute to this situation and a sound understanding of them and a sensitive and diplomatic approach to dealing with them is vital. The reasons include:

- A low market demand. The owner is unable to find an interested tenant or buyer.
- Over supply. In some circumstances there may be an oversupply of certain types of housing.
- Unresolved ownership.
- Bankruptcy of the owner
- Owner unaware of the property’s existence.
- Acquired for investment purposes only.
- The owner has a lack of expertise or understanding.
- Repossession or negative equity
- The owner has a lack of funding to carry out maintenance or improvements.

Often a property may be empty or appear empty but it is not classed as empty.

A property is not classed as empty if it:

- is a second home or a holiday home;
- could be in the process of being developed or marked for demolition;
- has pending planning permission or is awaiting refurbishment or new occupants
- only appears empty due to an overgrown garden or through disrepair
- is in the process of being brought back into use
- is owned by someone who is living elsewhere to provide or receive personal care
- is owned by a serving member of the armed forces who is absent as a result.

In all of these scenarios, information is always sought to confirm the situation and monitoring is done where appropriate.

**Empty Property Strategy 2008-11: Achievements to Date**

This strategy replaces the 2008-2011 Empty Property Strategy. The actions from the previous strategy along with comments on how the actions were met are in the table below:

Action	Comment
Identify ways in which empty properties can be brought back into use	Wyre Forest District Council are members of the West Midlands Empty Property Group and it is at this forum that best practice is shared regarding returning empty properties to use.
Actively encourage owners of empty properties to bring their properties back into use through a range of incentives	The District Council has worked with empty property owners in a range of ways to ensure properties have been brought back into use. These have included using grants to help owners improve their properties (in return for housing households from the waiting list), providing advice and assistance, which includes facilitating the sale of properties.
To raise awareness of empty property issues	All owners of long term empty properties have been contacted by the District Council to find out why properties are empty and offer advice and assistance.
To work with regularly updated information from the Council Tax System	Housing work with Council Tax on a regular basis. Officers use Council Tax data to identify long term empties and send out questionnaires to owners. The responses are then used to update Council Tax information where necessary.
To investigate the appropriate use of enforcement action	A range of enforcement powers have been considered for use, including no longer receiving a Council Tax exemption after 6 months.

During the period of the 2008-2011 Empty Property Strategy, 60 properties have been returned to use, through the direct intervention of Wyre Forest District Council. However, despite this work, at 1<sup>st</sup> April 2011, 594 were classed as long term empty (empty for more than 6 months). As a percentage of the overall stock (2.43% of the overall stock), Wyre Forest has the lowest level of empty properties in Worcestershire. However, at a time of significant housing need, the Local Authority needs to ensure that all existing housing stock is utilised.



## The Strategic Context

### The National Context

Policy at a national level underlines the need to utilise existing housing stock as much as possible. There are around 740,000 empty homes in England and local authorities are seen as having a key role in identifying them and working with their owners to bring them back into use. This figure equates to one empty property for every two families in need. The Homes and Communities Agency published an [Empty homes toolkit](#) in May 2011 with the aim of pulling together the skills and expertise of people experienced at bringing empty properties back to use to help end this situation.

The government has also introduced financial incentives:

**The Empty Homes Fund** is available to local authorities, house-builders and developers, affordable housing providers and local community groups, who can all bid for a share of the funding to bring long-term empty properties - which would not come back into use without intervention - to become homes once again.

**The New Homes Bonus** is designed to incentivise local authorities to facilitate housing growth. It works by matching council tax collected from a property that previously stood empty for six years, with the extra funding being spent to benefit the local community.

### The Regional Context

The following table shows how the percentage of empty properties in the West Midlands region compares with the other regions across England.

North West	4.36%
Yorkshire & the Humber	4.02%
North East	3.94%
East Midlands	3.46%
West Midlands	3.17%
South West	2.97%
East of England	2.77%
London	2.40%
South East	2.09%

Source: Emptyhomes.com 2010 data

#### Worcestershire

Worcestershire as a whole has a lower level of empty properties than the average for the West Midlands.

The following table shows how Wyre Forest currently compares with its Worcestershire neighbours both in terms of the number of vacancies and their percentage that these make up from the total dwelling stock.

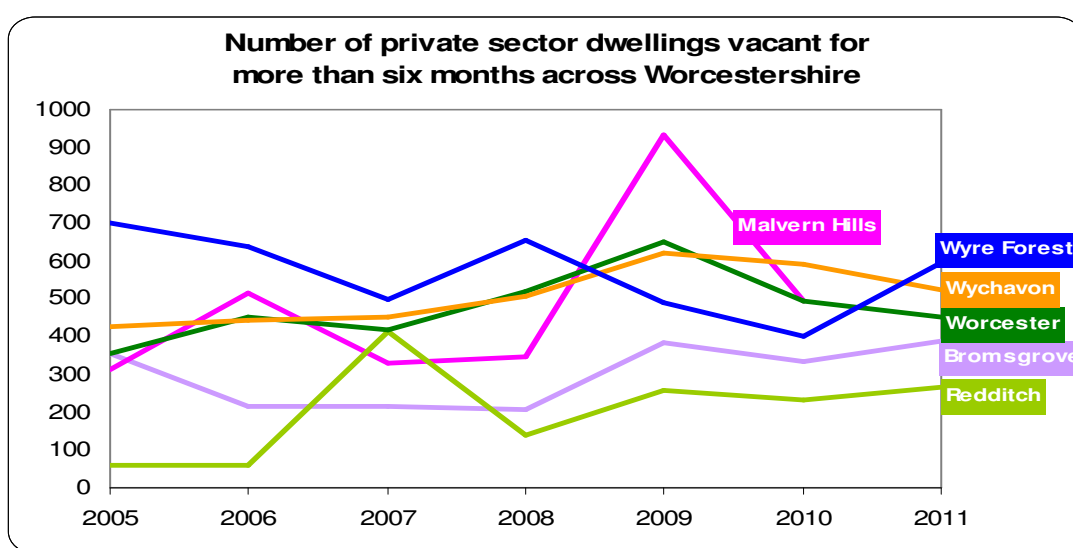
	Dwelling Stock	Vacant properties	Percentage of vacant properties from dwelling stock
Bromsgrove	39,164	992	2.53%
Malvern Hills	33,494	1122	3.35%
Redditch	35,281	885	2.51%
Worcester City	43,179	1274	2.71%
Wychavon	51,559	1326	2.58%
<b>Wyre Forest</b>	<b>44,777</b>	<b>1087</b>	<b>2.43%</b>
TOTAL	213960	5564	2.60%

Source: HSSA 2011 data.

The number of private sector dwellings vacant for more than six months in Wyre Forest has shown a decline over the last six years and this is shown below.

	2005	2006	2007	2008	2009	2010	2011
<b>Bromsgrove</b>	356	217	215	205	384	332	389
<b>Malvern Hills</b>	314	514	330	348	934	494	507
<b>Redditch</b>	60	60	415	138	257	231	265
<b>Worcester</b>	353	453	416	520	648	494	452
<b>Wychavon</b>	427	442	451	507	620	592	524
<b>Wyre Forest</b>	700	639	500	655	488	400	594

Source: HSSA 2011 data.



Empty properties is an issue that affects all areas of Worcestershire and at the 1<sup>st</sup> April 2011, Worcestershire had a total of 5564 empty properties of which 2731 were classed as long term empties.

**The District Context**

The 2011-2015 Empty Property Strategy is set against a context of Corporate and Service Plans that it will contribute towards. This includes the Corporate Plan 2011-14, the Worcestershire Housing Strategy, the Private Sector Action Plan and the Temporary Accommodation Reduction Plan.

**Wyre Forest District Council Corporate Plan 2011-2014:**

The Councils Corporate Plan sets out the strategic direction and its priorities for the period 2011-2014. It builds on the achievements of the previous plan for 2008-11 and draws from the Sustainable Community Strategy [‘Making a Real Difference 2008–2014’](#) produced by the Local Strategic Partnership (LSP) Wyre Forest Matters.

The Plan sets out the Council’s Vision and Values, together with the agreed priorities for improvement, what action will be taken and how it will be measured our success.

The Plan has three Priorities which represent what the Council wants to achieve for the social, economic and environmental well-being of the District.

They are:

1. Securing the economic Prosperity of the District
2. Delivering Together, With Less
3. Improving Community Well Being

Within these, there are a number of objectives and the Empty Property Strategy will assist in meeting a number of these as stated below:

#### **1. Securing the economic prosperity of the district**

##### **Supporting regeneration and enterprise**

Making previously empty properties available once again for occupation will help to regenerate areas and encourage rental incomes and investment.

##### **Creating a cleaner and greener local environment**

Bringing properties back to use will mean they are no longer a focus for graffiti and other crime, helping to improve the local environment

##### **Promoting tourism**

A reduction in unsightly or derelict properties in the district will mean it is more attractive to visitors and will help promote a more vibrant and attractive place to visit.

#### **2. Delivering together, with less**

##### **Maintaining the Council's financial viability**

Utilising an unused resource like empty homes will help to increase council tax revenue and reduce pressure on the housing waiting list. Any enforcement work will also be chargeable and so costs will be recovered.

#### **3. Improving community well-being**

##### **Working towards meeting current and future housing needs**

The strategy will assist in increasing the supply of quality affordable homes in the district. Properties that can be let at a more affordable rent level will be prioritised for action.

##### **Addressing inequalities and deprivation**

Reducing empty properties helps to stop areas falling into decline

#### **Worcestershire Housing Strategy**

Wyre Forest District Council is participating in a joint housing strategy with the 5 other local authorities within Worcestershire. The requirement to make more effective use of the housing stock in the County is a priority for action in the Worcestershire Housing Strategy. This follows a consultation exercise undertaken as part of the County Housing Strategy that found that 97.2% of respondents thought ensuring reuse of empty properties is of the highest importance.

#### **The Private Sector Action Plan**

The Private Sector Action Plan prioritises bringing empty properties back into use in order to fulfil housing need in the District and sets a goal for the Local Authority in returning 20 empty properties per annum.

#### **Temporary Accommodation Reduction Plan**

There are 5189 people currently on the Wyre Forest District Council Housing List, of which 989 people are in significant housing need. Significant housing need is defined as people who are homeless, at threat of homelessness or inappropriately housed due to a medical, social or overcrowding problem. As part of its statutory duty, the Local Authority provides interim accommodation when investigating a homelessness application. The type of accommodation used can include B&Bs which can be expensive for the authority and not the most appropriate accommodation for households. Therefore the aim is to reduce the use of Temporary Accommodation and one such aim is to do this through bringing empty properties back into use and encouraging property owners to let properties to people on the Councils waiting list. An example of how this has been achieved is in the case study below:

#### Case Study: Park Street Empty Properties

Wyre Forest District Council has been working with owners of empty properties for a number of years.

Park Street is one of the success stories:



In June 2010, St Basils opened the 24 hour supported emergency housing project at Park Street. The 6 privately owned partially complete new build flats had been empty since 2004 and despite numerous attempts by the Council to bring them back into use over the years, it was not until 2009 when the Council and St Basils expressed an interest in leasing them from the landlord that the properties were completed and brought back into use.

In order to facilitate the completion of the works, WFDC committed capital funding for the installation of central heating and CCTV. The grant which was paid to the landlord was on the condition that the properties would be leased to St Basils for use as emergency accommodation for homeless young people (aged 16-25) and whom the Council were likely to have a statutory duty to house.

The intention being that the 8 bed spaces would be used to accommodate young people who would have previously been accommodated in Bed and Breakfast.

## Delivering the Strategy

Although Wyre Forest District Council has achieved much in tackling empty properties in the three years of the last strategy, long term problematic vacant properties continue to be an issue in Wyre Forest. This section of the strategy states how the District Council will continue its work.

The strategy has four objectives and they are as follows:

- To raise awareness of empty properties across the district and to promote the advice and assistance available.
- To reduce the number of homes becoming empty for more than six months by improving the process of identifying the appropriate action needed to address them.
- To establish and maintain an accurate database of empty properties in the district and gather other relevant up to date information to help establish trends and priorities for action.
- To work closely with partners to gain the necessary co-operation and commitment to tackle the issues associated with empty properties and to identify solutions.

## Delivering the objectives

### **1. To raise awareness of empty properties across the district and to promote the advice and assistance available.**

Publicity and direct communication with empty property owners have been some of the most effective tools that officers have used in tackling empty properties over the period of the last strategy. Work has included sending out questionnaires to empty property owners who have been identified through the use of the Council tax database, running articles in the local press, having a dedicated empty properties page of the Councils website and promoting the empty property work at a range of events and meetings. This work needs to continue and specific actions around this theme are stated in the action plan at the end of this strategy.

A publicity campaign needs to be implemented; this is to include:

Appendix 1

- Articles in the local press
- Meetings and presentations with landlords through the landlords' forum / awareness raising event
- An Empty Homes hotline.
- Dedicated empty homes area on the council website.
- Establishment of an Empty Property Grants Scheme.
- Establishment of an Empty Property Loans scheme
- Development and distribution of promotional material, including a series of 'Fact Sheets' detailing where and what support owners and landlords may receive.
- Survey owners of properties empty 6 months or more.

A key component to achieving success will be increased awareness amongst the public and property owners of our work in bringing empty homes back into use.

We will provide clear information on how residents can report empty homes in their area.

We will work with property owners to inform them about the advice and assistance available to them to ensure a property does not become or remain vacant for long periods.

We will inform local residents of the range of actions we take to bring empty homes back into use in their neighbourhoods, highlighting the benefits for the local community.

### **2. To establish and maintain an accurate database of empty properties in the district and gather other relevant up to date information to help establish trends and priorities for action.**







The responses to the Empty Property questionnaires are being monitored, as are complaints received from the public about empty properties. However, the next stage of that work is to undertake analysis of the data to understand if there are particular areas of the district that have long term vacant properties and what the main reasons are for leaving properties empty so that action can be targeted at tackling those areas and/or issues.

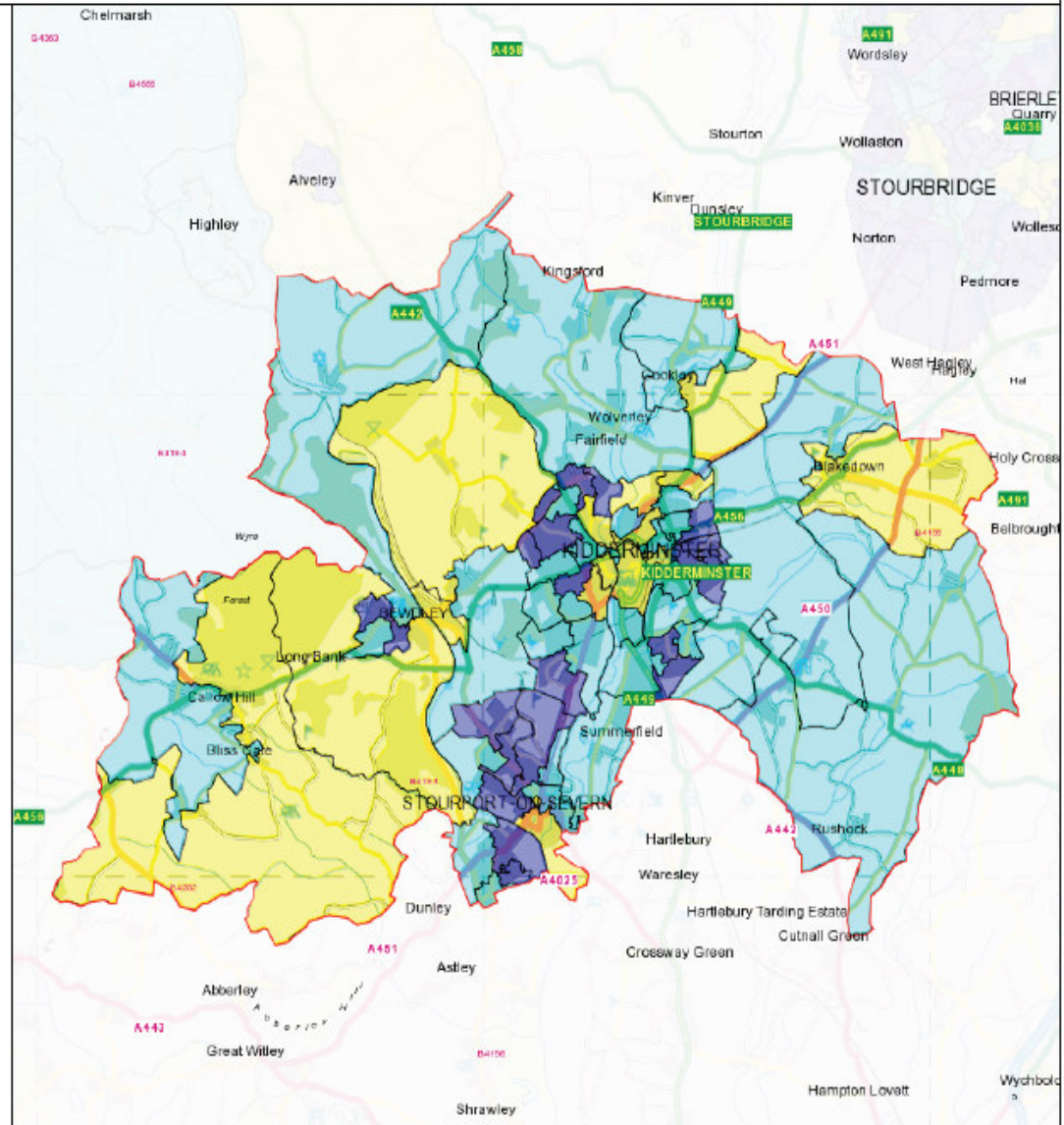
Data obtained from the Homes and Communities Agency suggests that the main concentration of empty properties are within the wards that have the older stock in Kidderminster and some of the more rural outlying districts. See Figure xx below:

# Long Term Vacant Dwellings by LSOA, Wyre Forest

 Extent  
Ordnance Survey (OS)

Long Term Vacant Dwelling as a percentage of all Dwellings

-  more than 10%
-  5-10%
-  2-5%
-  1-2%
-  0-1%
-  0% or null return



#### **3. To reduce the number of homes becoming empty for more than six months by improving the process of identifying the appropriate action needed to address them.**

The focus of the Councils action has been upon working in partnership with empty property owners to return their properties to use. This has been done by undertaking a proactive, firm and cost effective approach for bringing empty properties back into use by providing property owners with both reasonable time and support to take action in the first instance. Where required, work has been undertaken under the Home Repair Assistance part of the 2010 Housing Assistance Policy (the Home Repair Assistance is an interest free loan that can be used to bring properties back into a reasonable state of repair but where owners do not have the finances to undertake that work. The money is a charge against the property that is recovered once the property is sold). Whilst this approach has been successful in the main, there are owners who continue to resist the advice and assistance of the Council. Therefore where necessary, enforcement powers will need to be used to return these problematic vacants to use.

#### **4. To work closely with partners to gain the necessary co-operation and commitment to tackle the issues associated with empty properties and to identify solutions**

In order for this strategy to be successful the relationship between all partners involved is considered vital. Housing already works closely with Council Tax, Planning and the Health and Sustainability team. However, this needs to be extended to work with external agencies, including registered providers and the Home and Communities agency (HCA).

## **Enforcement Powers**

Wyre Forest District Council has a range of enforcement powers at its disposal in tackling empty properties, the use of which is informed by the Council's Enforcement Policy for Housing. Legislation that the Local Authority can use is as follows:

### **Local Government (Miscellaneous Provisions) Act 1982**

Section 29 notices can be served on the owner in the event that the property has been broken into and needs securing.

### **Town and Country and Planning Act 1990**

Section 215 notices can be served on owners for land or buildings where they affect the amenity of an area.

### **Building Act 1984**

Provides powers to tackle 'dangerous and ruinous' structures.

### **Housing Act 2004**

The Housing Act gives the Local Authority power to serve improvement notices upon the owner to ensure the property is in a habitable condition

### **Compulsory Purchase (CPO)**

This option enables the local authority to acquire the property from the owner through a legal process. The owner is compensated and the legal costs are met by the Council. The property is sold onto a chosen partner – for example a registered provider – for redevelopment. This option can be a lengthy process and can take in excess of a year to complete.

### **Enforced Sale**

Carried out under s.103 of the Law and Property Act 1925, this act of Parliament enables local authorities to force the sale of a property with a local land charge registered against it. It is a follow-on step from works in default action by the local authority (where the local authority has paid for works to be done in lieu of the owner who is unwilling to act or untraceable).

If the owner fails to repay the debt, the council may be able to enforce the sale by order of the court. The council does not acquire the property it is sold to a third party.

The procedure is considered to have a number of social and financial benefits and is considered more expedient than a compulsory purchase order.

**Empty Dwelling Management Orders**

This is a new enforcement tool introduced as part of the Housing Act 2004. It is also the first piece of legislation to specifically target empty homes. It provides a discretionary power for local authorities to take over the management of long-term privately owned empty properties.

It effectively allows local authorities to ‘step into the shoes’ of the owner of the ‘unoccupied building and to secure occupation and the proper management of the privately owned dwellings that have been unoccupied for a specified period of time and where certain other conditions are met. Management costs and any refurbishment costs can be reclaimed from the rental income with any balance going to the owner.

Also Housing Act 2004 Improvement notices to require the owner to improve the property to a standard acceptable for occupation.



## Action Plan

**Objective One** - To raise awareness of empty properties across the district and to promote the advice and assistance available.

	Measured outcome	Target Date	Resources	Lead
1.1	Develop a promotional campaign to increase awareness	Ongoing starting October 2011	Staff time Financial resources for leaflets and printing	Housing Services Officer
1.2	Have clear, effective information available to the public through a variety of different media channels.	Ongoing starting October 2011	Staff time Financial resources for leaflets and printing	Housing Services Officer
1.3	Continue with questionnaires to empty property owners on the Council tax waiting list	Ongoing	Staff time Financial resources for printing	Housing Services Officer

**Objective Two** - To reduce the number of homes becoming empty for more than six months by improving the process of identifying the appropriate action needed to address them. (Also speed up turnaround of short term empties)

	Measured Outcome	Target Date	Resources	Lead
2.1	20 properties brought back into use through intervention on an annual basis	31 <sup>st</sup> March 2012	Staff time	Private Sector Housing
2.2	Develop and adopt an enforced sale policy to ensure recovery of cost incurred in resolving problems with empty and other properties.	March 2012	Staff time	Principal Strategic Housing Officer
2.3	Investigate use of the New Homes Bonus to incentivise communities to work together to tackle empty properties in their area	January 2012	Staff time	Strategic Housing Services Manager

## Agenda Item No. 8

### Appendix 1

**Objective Three** - To establish and maintain an accurate database of empty properties in the district and gather other relevant up to date information to help establish trends and priorities for action.

	Measured Outcome	Target Date	Resources	Lead
3.1	Evaluate current accuracy of data and investigate alternate methods of collecting data	March 2012	Staff time	Housing Services Officer
3.2	Map empty properties on GIS	March 2012	Staff time	Housing Services Officer
3.3	Identify areas where empty homes are likely to be an issue through analysis of historical information	Ongoing	Staff time	Housing Services Officer

**Objective Four** - To work closely with partners to gain the necessary co-operation and commitment to tackle the issues associated with empty properties and to identify solutions

	Measured Outcome	Target Date	Resources	Lead
4.1	Continue work with Council tax to access databases and provide updated information as and when it becomes available	Ongoing	Staff time	Housing Services Officer
4.2	Continue to attend the West Midlands Empty Property Officer Group	Ongoing	Staff time	Principal Environmental Health Officer (Housing)/ Principal Strategic Housing Officer
4.3	Seek to maximise funding streams	Ongoing	Staff time	Principal Strategic Housing Officer

**APPENDICES**

**Enforcement Powers**

The principal statutory enforcement powers available to local authorities are set out below:

<b>Problem</b>	<b>Legislation</b>	<b>Power Granted</b>
Dangerous or dilapidated buildings or structures	<i>Building Act 1984 ss77 &amp; 78</i> <i>Housing Act 2004 Part I</i>	To require the owner to make the property safe (Section 77) or enable the Local Authority to take emergency action to make the building safe (Section 78). Under the Housing Health and Safety Rating System local authorities can evaluate the potential risks to health and safety arising from deficiencies within properties and take appropriate enforcement action.
Unsecured properties (where it poses the risk that it may be entered or suffer vandalism, arson or similar).	<i>Building Act 1984, s78</i> <i>Local Government (Miscellaneous Provisions) Act 1982, s29</i>	To allow the Local Authority to fence off the property. To require the owner to take steps to secure a property or allow the Local Authority to board it up in an emergency.
Blocked or defective drainage or private sewers.	<i>Local Government (Miscellaneous Provisions) Act 1976, s35</i> <i>Building Act 1984, s59.</i> <i>Public Health Act 1961, s17.</i>	To require the owner to address obstructed private sewers. To require the owner to address blocked or defective drainage. To require the owner to address defective drainage or private sewers.

**Agenda Item No. 8**

Appendix 1

<p>Vermin (where it is either present or there is a risk of attracting vermin that may detrimentally affect people's health).</p>	<p><i>Public Health Act 1961, s34.</i>  <i>Prevention of Damage by Pests Act, s4.</i>  <i>Public Health Act 1936, s83.</i>  <i>Environmental Protection Act 1990, s80.</i>  <i>Building Act 1984, s76.</i></p>	<p>To require the owner to remove waste so that vermin is not attracted to the site.</p>
<p>Unsightly land and property affecting the amenity of an area.</p>	<p><i>Public Health Act 1961, s34</i>          (see above).  <i>Town and Country Planning Act 1990, s215.</i>  <i>Building Act 1984, s79</i></p>	<p>To require the owner to remove waste from the property. (see above).          To require the owner to take steps to address a property adversely affecting the amenity of an area through its disrepair. This would be enforced through planning enforcement and legal services.          To require the owner to address unsightly land or the external appearance of a property</p>

Source: House of Commons, Empty Housing Standard Note: Sn/SP/3012 – March 2011



## Overview and Scrutiny Committee

Agenda Item No. 9

### Briefing Paper

Report of: Peter Bassett, Conservation Officer

Date: Thursday 6<sup>th</sup> October 2011

Open

### Green Street Conservation Area Designation and Draft Character Appraisal and Management Plan

#### 1. Summary

- 1.1 The purpose of this paper is to advise Members on the proposals to designate Green Street as a Conservation Area, to update Members on the content of the draft Conservation Area Character Appraisal and Management Plan and to seek approval to go out for public consultation on these draft documents.

#### 2. Background

- 2.1 The Green Street area represents one of the last historic industrial areas of Kidderminster and has considerable heritage townscape value. There are three listed carpet manufactories and a number of prominent landmark buildings including Grade II\* Listed Caldwell Hall, Castle Mills, Elgar House and the Pumping Station.
- 2.2 The Design Quality Supplementary Planning Guidance (SPG) produced in 2004 introduced the concept of Green Street and New Road as "Heritage Processions" to the town centre. Specific proposals and policies for this area are contained within the Kidderminster Central Area Action Plan (KCAAP), for which a Preferred Options paper was published for public consultation in May 2011. This document contains two overall objectives which are to:
- a) designate the Green Street area as a Conservation Area and
  - b) ensure that heritage assets are maintained, enhanced and integrated into the urban environment.
- 2.3 Wyre Forest District Council has engaged Rodney Melville and Partners, Conservation Accredited Architects and Historic Building Consultants to produce a draft Conservation Area Appraisal and Management Plan, on which the documentation for the proposed public consultation has been based.

#### 3. Key Issues

- 3.1 The designation of the Green Street Conservation Area will recognise it as having special historic interest, character or architectural appearance. The historic environment contributes to the character,

## **Agenda Item No. 9**

local identity and distinctiveness of Kidderminster and can make a significant contribution to regeneration.

- 3.2 Designation enables special planning controls to be applied and more detailed attention given to the protection of buildings, spaces and trees. Any new development should take account of the existing character of the area and make a positive contribution to it.
- 3.3 The Green Street area covers flat, low-lying land in the plain of the River Stour. It is within one kilometre of Kidderminster town centre and contains one of the most important and ancient buildings in the Wyre Forest, Caldwell Hall, but is predominantly an area of former carpet manufactories developed between 1850 and 1925. This group of industrial buildings, including one of the most intact factory complexes in the town, is of great significance.
- 3.4 The Conservation Area Appraisal assesses why the Green Street area is considered to have special interest in terms of its location, setting, archaeology, historic evolution, architectural qualities and biodiversity. It identifies the heritage assets within the area and makes suggestions for additions to the Local List. The proposed conservation area boundary is identified, taking into account the historic townscape, and some modern fabric in order to encourage and ensure future enhancement.
- 3.5 In order to progress the Conservation Area proposal, a consultation process will be undertaken with all affected persons. This will include the local Civic Societies, the owners and/or occupiers of properties within the boundary of the Area, The Charter Trustees, and other interested parties. The consultation will take the form of public notification of intent, through public displays, and through a mail-drop to each individual property and interested party, as outlined above, enclosing a leaflet describing the proposals, the effects on the owner/occupier. The consultation will run for a period of 6 weeks, from the beginning of November 2011 to mid-December 2011.

## **4. Options**

- 4.1 The Committee recommends to Cabinet that:
  - a) Consultation be undertaken on the proposal to designate a Green Street Conservation Area.
  - b) Consultation be undertaken on the:
    - Proposed Conservation Area Designation: Green Street Area of Kidderminster: Volume 1: Draft Conservation Appraisal and Management Plan: October 2011.
    - Proposed Conservation Area Designation: Green Street Area of Kidderminster: Volume 2: Maps and Photographs: October 2011.

## **Agenda Item No. 9**

- c) That the Director of Planning and Regulatory Services be given delegated authority to determine the final format and presentation of the papers.

4.2 Suggest alternative proposals to be considered by Cabinet.

### **5. Consultation**

5.1 Discussions have taken place with English Heritage on site and their initial feedback is that the proposed conservation area is viable.

### **6. Related Decisions**

6.1 None.

### **7. Relevant Council Policies/Strategies**

- Adopted Core Strategy.
- Adopted Local Plan.
- Site Allocations and Policies DPD Preferred Options Paper.
- Kidderminster Central Area Action Plan DPD Preferred Options Paper.

### **8. Wards affected**

8.1 Greenhill

### **9. Appendices**

- Appendix 1: Proposed Conservation Area Designation: Green Street Area of Kidderminster: Volume 1: Appraisal and Management Plan: October 2011
- Appendix 2: Proposed Conservation Area Designation: Green Street Area of Kidderminster: Volume 2: Maps and Photographs: October 2011

The appendices to this report have been circulated electronically, and a public inspection copy is available on request.

### **10. Background Papers**

- English Heritage: *Understanding Place: Conservation Area Designation, Appraisal and Management*, 2011.

#### **Officer Contact Details:**

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## Overview and Scrutiny Committee Agenda Item No. 10

### Briefing Paper

Report of: Maria Dunn, Senior Forward Planning Officer  
Date: Thursday 6<sup>th</sup> October 2011  
Open

### Draft National Planning Policy Framework

#### 1. Summary

1.1 This report sets provides an overview of the National Planning Policy Framework (NPPF) which is currently out to consultation. Appendix 1 to this report sets out a proposed response.

#### 2. Background – Overview of the NPPF

2.1 The Government is currently consulting on a Draft National Planning Policy Framework (as set out at Appendix 2) which condenses all existing national Planning Policy Guidance Notes and Planning Policy Statements into a single document.

2.2 The NPPF sets out a number of Core Planning Principles seeking a planning system which is transparent, effective and efficient and easier for the public to get involved with. The emphasis is still on a plan led system at the local level, with a strong role for Local Plans and Neighbourhood Plans and the opportunities for community involvement which comes with these, in shaping places. Planning applications will still be considered on their merits with regard to local and national policies.

2.3 The NPPF is due to be published in early 2012 subject to the level of consultation responses.

#### **Presumption in Favour of Sustainable Development**

2.4 The NPPF places a strong emphasis on economic growth. The 'presumption in favour of sustainable development' lies at its heart and applies to both the plan-making and the development management processes. Sustainable development is widely taken as '*meeting the needs of today without compromising the ability of future generations to meet their own needs*', although a specific definition is missing within the draft NPPF. All plans must take the presumption as their starting point and set out clear policies on how it will be applied locally. Where the plan is absent, silent or indeterminate or where the relevant policies are out of date, development management decisions should assume the default answer is 'yes' unless adverse impacts would significantly outweigh the benefits.



**Plan Making**

- 2.5 The NPPF strongly promotes the plan-led system and emphasises the need for Local Plans to be up-to-date and consistent with the framework. Local Plans should be aspirational but realistic and should address the spatial implications of environmental, economic and social change. Local Plans should also set guidance on what development will and will not be permitted where and should set out the strategic priorities for the area. Where up-to-date plans are not in place, the NPPF will form the basis of development management decisions. The importance of founding Local Plans on a robust evidence base is maintained.
- 2.6 The NPPF places emphasis on the importance of cross-boundary working between planning authorities. It also draws attention to the need for two-tier authorities to work with the County Council as well as authorities working in collaboration with Local Enterprise Partnerships (LEPs).
- 2.7 Local Plans will be subject to an Examination in Public, the process being similar to that currently in operation, however, the NPPF requires the Inspector to assess whether the plan has been prepared in accordance with the Duty to Co-operate, legal and procedural requirements, and whether it is sound. An additional test of soundness is included within the NPPF which is that the plan has been positively prepared, meaning that it seeks to meet development and infrastructure requirements, including unmet requirements from neighbouring authorities where practical and that it is consistent with the presumption in favour of sustainable development.
- 2.8 In addition to Local Plans, the NPPF also provides the framework for the preparation of Neighbourhood Plans, which can be prepared by Parishes and neighbourhood forums. Neighbourhood Plans must be in conformity with Local Plans where they are in place, however, Neighbourhood Plans will have the opportunity to promote a greater level of development than set out within the Local Plan.

**Development Management**

- 2.9 The NPPF focuses on the role of development management in delivering sustainable development, highlighting the importance of the presumption in favour of sustainable development. The Framework also places greater emphasis on the pre-application process, and sets out the role of Local Development Orders and Neighbourhood and Community Right to Build Orders in order to allow certain types of development in certain areas to come forward without the need for further planning permission. There is also guidance on Planning conditions and obligations which emphasises avoiding unnecessary conditions or obligations particularly where these would render development unviable.

**Planning for Prosperity**

*Business and Economic Development*

- 2.10 The Framework places a considerable degree of emphasis on the need to plan positively for sustainable economic growth stressing that the presumption in favour of sustainable development should be applied and solutions should be sought to overcome substantial planning objections where practical and consistent with the Framework. The Framework also stipulates that planning policies should avoid the long-term protection of employment land, and applications for alternative uses should be treated on their merits.
- 2.11 The NPPF also includes specific reference to promoting the vitality and viability of town centres and to provide high quality and accessible retail facilities.

*Transport*

- 2.12 The key change from what is set out in PPG13 is that the NPPF enables local authorities to set their own local parking standards for development.

*Communications Infrastructure*

- 2.13 There is increased emphasis on facilitating the growth of new and existing telecommunications services in order that people have a choice of providers and services, and equitable access to the latest technology.

*Minerals*

- 2.14 The Government's objective for the planning system is to secure an adequate and steady supply of indigenous minerals needed to support sustainable growth, whilst encouraging the recycling of suitable materials to minimise the requirement for new primary extraction and facilitate the sustainable use of energy minerals.

**Planning for People**

*Housing*

- 2.15 The Government's key objective is to increase significantly the delivery of new homes. The main changes introduced by the NPPF are as follows:
- Housing land supply should include an additional allowance of at least 20% to ensure choice and competition in the market for land.
  - The removal of the brownfield target for housing development.
  - Allowing an element of market housing on rural exception sites where this would facilitate the provision of significant additional affordable housing to meet local needs.

*Design*

- 2.16 The NPPF places a strong emphasis on the importance of achieving good quality design, a key element in delivering sustainable development. Local Plans should develop set out the quality of development that will be expected for an area. The NPPF also states

that permission should be refused where design is obviously of poor quality and that proposals that demonstrate community involvement in design should be looked upon more favourably.

*Sustainable Communities*

- 2.17 The NPPF emphasises the importance of local involvement in plan-making and development management decisions. Specifically in planning for schools, local authorities should attach very significant weight to the desirability of establishing new schools and to enabling local people to do so.

*Green Belt*

- 2.18 The NPPF retains the emphasis on the Green Belt boundary and is similar in its approach to PPG2. The main change is that development brought forward under a Community Right to Build Order will be permissible development in the Green Belt, provided it preserves the openness of, and does not conflict with the purposes of the Green Belt

**Planning for Places**

*Climate Change, Flooding and Coastal Change*

- 2.19 The NPPF continues to stress the important role which planning should play in tackling climate change and moving towards a low carbon economy. Local Authorities are expected to plan for new development in locations and ways which reduce greenhouse gas emissions but are not expected to set local renewable energy targets, however authorities are expected to consider identifying areas for renewable and low carbon energy and supporting infrastructure. The NPPF also places a strong emphasis on the need to minimise vulnerability to climate change and manage flood risk.

*Natural Environment*

- 2.20 The NPPF encourages a strategic approach to green infrastructure, with local plans setting out policies for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. The Framework continues to safeguard the best and most versatile agricultural land moves towards planning for biodiversity at the landscape scale across Local Authority boundaries.

*Historic Environment*

- 2.21 The historic environment section streamlines the current PPS5.

**3. Key Issues**

- 3.1 The Draft NPPF raises a number of concerns which are primarily related to two areas, firstly, the policy vacuum which it is anticipated will arise from the condensing of a series of Planning Policy Statements and Guidance Notes into a single succinct framework; and secondly, some significant changes in policy direction.

3.2 The condensing of national planning policy into a single framework will inevitably result in a loss of detail which is currently set out at the national level. The move towards localism means less guidance at the national level and more detailed Local Plans and Neighbourhood Plans at the local level. This is likely to have a significant impact for Wyre Forest District because we currently have an Adopted Core Strategy which was prepared at a time when guidance stipulated that national planning policy should not be duplicated at the local level. The NPPF will therefore leave a policy vacuum in some areas and although this can still be addressed through the emerging site specific DPDs, the NPPF is due to be in place before these documents are adopted. The draft Framework provides little advice on transitional arrangements so greater clarity will be sought on this from Government.

3.3 The introduction of the NPPF represents a fundamental shift in policy direction. The framework introduces the 'presumption in favour of sustainable development' on the basis of creating a planning system that is more responsive and supportive of economic growth. Whilst this principle is to be generally welcomed, there is concern that economic factors will outweigh the consideration of important social and environmental factors in the absence of a detailed definition of sustainable development.

Whilst Government have stated the intention to include a full definition in the final NPPF, there is considerable concern that this will result in an increase in planning appeals as a result of a less clear policy approach being set out. This will undoubtedly have financial implications for the District Council.

3.4 The NPPF also makes a significant change to housing land availability by requiring that an additional allowance of at least 20% of the total requirement is included within the 5 year housing land supply in order to promote competitiveness in the market. There is significant concern over the implications that this will have for brownfield regeneration as a greater choice in sites will result in the more challenging sites remaining undeveloped as easier development sites (greenfield, single ownership, no contamination) will come forward.

3.5 Another significant concern relates to the cumulative impacts that the NPPF could have on town centre regeneration. The removal of a brownfield target for residential development which takes the focus off the regeneration of brownfield land and places increasing pressure upon the release of Greenfield sites. This is particularly important in relation to the District's development strategy as it is often the development of the more complex brownfield sites that have the potential to unlock economic opportunities and have the greatest regeneration impact.

3.6 Continuing this regeneration theme, there is concern that the NPPF fails to put enough emphasis on the importance of locating retail and

leisure uses within the town centre, which could lead to a an increase in edge-of-centre and out-of-centre retail and leisure developments at the expense of developing more complex town centre sites, exacerbating the decline of traditional town centres.

- 3.7 Additionally, there is concern that proposals to remove the long term protection of employment land could comprise long term supply and employment uses could be severely compromised in favour of housing delivery. Maintaining a good supply of employment land to meet short, medium and long term business needs and requirements is a fundamental part of delivering economic growth. Releasing such land for alternative uses without the support of a robust employment land review can only undermine the delivery of economic growth that lies at the heart of the NPPF.
- 3.8 The introduction of Neighbourhood Plans raises a number of issues, including when Neighbourhood plans may be most appropriate, the resource implications both financially and staffing wise on the District, and uncertainties about the relationship between Local Plans and Neighbourhood Plans where Neighbourhood Plans promote greater levels of development than Local Plans.
- 3.9 The Development Management section of the NPPF is considered to be very limited and has no reference to enforcement matters and their role in the Development Management process. However, the section does set out very strong support for the use of pre-application discussions which is welcomed. Despite this, it is felt that the framework should place greater emphasis on determining how a building is designed and operated at pre-application stage as design and layout can have a significant impact on the environmental sustainability of a building as well as being an important part of ensuring a high quality urban environment.

#### **4. Options**

- 4.1 The Committee may wish to:
- Recommend to Cabinet that the proposed response set out at Appendix 1 to this report be submitted to DCLG.
  - Recommend to Cabinet that an alternative response be submitted to DCLG.

#### **5. Consultation**

- 5.1 North Worcestershire Regeneration and Economic Development Team.

#### **6. Related Decisions**

- 6.1 None.

**7. Relevant Council Policies/Strategies**

7.1 None.

**8. Wards affected**

8.1 District-wide.

**9. Appendices**

9.1 Appendix 1: Proposed response to Draft National Planning Policy Statement.

9.2 Appendix 2: Draft National Planning Policy Framework

The appendices to this report have been circulated electronically, and a public inspection copy is available on request.

**10. Background Papers**

- Draft National Planning Policy Framework  
<http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/>
- Draft National Planning Policy Framework Impact Assessment  
<http://www.communities.gov.uk/planningandbuilding/planningsystem/planningpolicy/planningpolicyframework/>

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WYRE FOREST DISTRICT COUNCIL

FEEDBACK FROM CABINET

MEETING HELD ON TUESDAY 20<sup>TH</sup> SEPTEMBER 2011

Agenda  
Item No.

DECISION

7.1 Wyre Forest District Local Development Framework (LDF) Potential sites for Gypsies, Travellers and Travelling Showpeople

Decision:

The following sites be included in the public consultation for potential new sites for Gypsies, Travellers and Travelling Showpeople:

- a. Site at Stourport Road, Bewdley
- b. Former Sion Hill school site, Kidderminster
- c. Lea Castle Hospital site, Cookley, Nr. Kidderminster
- d. Land adjacent Nunn's Corner, Stourport-on-Severn
- e. Saiwen, Stourport-on-Severn
- f. The Gables Yard, Stourport-on-Severn
- g. Farm, St. John's Road, Stourport-on-Severn

The consultation should proceed in October 2011 for a period of six weeks and public meetings be held covering the proposed sites, in conjunction with the local Parish or Town Councils were appropriate.

9.1 Annual Report on the Treasury Management Service and Actual Prudential Indicators 2010/11

Decision:

1. The actual 2010/11 prudential and treasury indicators be approved.
2. The annual treasury management report for 2010/11 be noted.

10.1 Shared Land Drainage Service

Decision:

1. Wyre Forest District Council enters into arrangements to establish a new North Worcestershire Land Drainage service, along with Bromsgrove District and Redditch Borough Councils.
2. Wyre Forest District Council enters into arrangements with Worcestershire County Council on an agency basis to deliver the County Council's Flooding & Water Management Act 2010 responsibilities for the North Worcestershire area and that such arrangements are embodied into the arrangements described at 1 above.

- 3. The Director of Planning & Regulatory Services, in consultation with the Director of Resources and the Director of Legal & Corporate Services and the Cabinet Member for Place Shaping, be given delegated authority to agree the terms of any necessary agreements for the implementation of the shared service/agency proposals and to conclude such agreements.**
- 4. The Director of Legal & Corporate Services be given delegated authority to undertake any necessary action relating to employee and union matters regarding the transfer of relevant employees from Redditch and Bromsgrove Councils, including any temporary arrangements under S113 of the Local Government Act 1972 in accordance with the principles of TUPE; and, in conjunction with the Director of Planning & Regulatory Services, to make any necessary staffing arrangements in relation to the provision of the new service with the Council.**
- 5. The Chief Executive, in conjunction with the Director of Planning & Regulatory Services, be given delegated authority to appoint the Council's other representatives to the proposed Client Management Group.**

**10.2 Wyre Forest District Local Development Framework, Site Allocations and Policies and Kidderminster Central Area Action Plan DPDs: Preferred Options Consultation-Representations**

**Decision: Officer responses to the representations received on the Site Allocations and Policies DPD and Kidderminster Central Area Action Plan DPD Preferred Options Papers as set out at Appendices 1-3 to the Cabinet report be agreed.**

**10.3 Wyre Forest District Local Development Framework (LDF) Churchfields Masterplan Supplementary Planning Guidance: Responses to Draft Consultation Paper and Final Masterplan for Adoption**

**Decision: Officer responses to the representations received on the Churchfields masterplan as set out in Appendix 2 to the Cabinet report be agreed.**

**Recommended to Council:**

- 1. The Churchfields Masterplan (Draft) Supplementary Planning Document as amended by the recommended changes set out in Appendix 2 to the Cabinet Report as the "Churchfields Masterplan" Supplementary Planning Document, in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004 be adopted.**
- 2. The Director of Planning & Regulatory Services be authorised to prepare and publish the necessary documents in accordance with Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2004.**
- 3. Delegated authority to the Director of Planning & Regulatory Services to make any necessary presentational amendments be granted.**



11.1 Recommendations from Overview & Scrutiny Committee 8th September 2011

- **Recording Equipment, Blogging and Social Media Review Panel**

**Decision:** The recommendations as set out below be noted:

- a. The Council should record and broadcast its public meetings online following the move to the new Council Headquarters.**
- b. Video / Audio Recording of meetings by the press and public should not be allowed.**
- c. The use of Social Media by the press and public during meetings should be permitted.**
- d. The use of Social Media by Councillors and Officers whilst in a meeting should be prohibited.**
- e. The use of Social Media by the Council should be encouraged.**
- f. The use of Social Media by Councillors outside of meetings should be encouraged and guidelines and training be provided.**
- g. Worcestershire Leadership Group be encouraged to develop a county wide media protocol for Members.**

**Overview & Scrutiny Committee 2011/2012  
Work Programme**

**June**

Recommendations from Sports & Leisure Review Panel  
Set up Treasury Management Review Panel  
New Council HQ - update  
Directorate Business Plans – Allocate  
Quarterly Scrutiny Briefings

**July**

Finance update to incorporate progress report on Wyre Forest Forward  
Community Housing Contract - Performance Review  
Co-option of Members

**September**

Recommendations from Recording Equipment, Blogging and Social Media Review  
Scoping Form – Cllr Yarranton  
Qtr exception reporting incorporate directorate business plans  
Flooding & Watercourse Shared Service  
Churchfields Masterplan Supplementary Planning Guidance – adoption  
Responses to current LDF framework consultation  
Gypsy/traveller site allocation

**October**

Waste Management Review  
Finance update to incorporate progress report on Wyre Forest Forward  
New Council HQ - update  
Empty Housing Strategy  
Green Street Conservation Area Designation – Consultation  
National Planning Policy Framework Consultation from CLG

**November**

Worcestershire Health & Overview Scrutiny Committee - Update  
Homelessness Review (Review of Housing Advice & Homelessness Contract)  
Universal credits replacing housing benefit.  
Backward looking - 2010 performance  
Finance update to incorporate progress report on WF Forward  
Qtr exception reporting incorporate directorate business plans  
Areley Kings appraisal  
Grants to Voluntary Bodies  
Landscape Charter Assessment Supplementary Guidance

**December**

New Council HQ - update  
Budget Review Panel – Terms of Reference  
Recommendations from Waste Review Panel  
Asset Transfer – To be confirmed  
Crime & Disorder - update

**January**

Recommendations from Treasury Review Panel (TM strategy statement for 2012/13)  
County Homelessness Strategy  
Enforced Sale Policy

**February**

Budget Review Panel Recommendations  
Finance update to incorporate progress report on WF Forward  
LDF Publication document  
Qtr exception reporting incorporate directorate business plans

**March**

New Council HQ - update  
Climate Change/Affordable Warmth

**April**

Finance update to incorporate progress report on WF Forward  
Qtr exception reporting incorporate directorate business plans  
Tracking Recommendations