

**WYRE FOREST DISTRICT COUNCIL  
CABINET**

**COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER  
20TH SEPTEMBER 2017 (6 PM)**

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**Present:**

Councillors: M J Hart (Chairman), N J Desmond, I Hardiman, C Rogers, J D Smith and R J Vale.

**Observers:**

Councillors: H E Dyke, N Knowles, M Rayner and J A Shaw.

**CAB.34 Apologies for Absence**

There were no apologies for absence.

**CAB.35 Declarations of Interests by Members**

No declarations of interest were made.

**CAB.36 Minutes**

**Decision: The minutes of the Cabinet meeting held on 11th July 2017 be confirmed as a correct record and signed by the Chairman.**

**CAB.37 Call Ins**

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

**CAB.38 Items Requiring Urgent Attention**

There were no items requiring urgent attention.

**CAB.39 The Introduction of a Public Space Protection Order (PSPO) in Place of Dog Control Orders**

A report was considered from the Corporate Director: Community Wellbeing and Environment which outlined the results of a public consultation exercise undertaken over a 10 week period commencing on 19 June 2017 about the proposed introduction of a new Public Spaces Protection Order (PSPO) in the District.

The Cabinet Member for Operational Services led Members through the report. She explained that in June 2017 Cabinet considered a report relating to the introduction of a PSPO in place of Dog Control Orders which were outdated. She advised that the ten week consultation was widely promoted

and an online survey was completed by 927 people, adding that most of the questions provided a clear consensus of what the public wanted in terms of what the PSPO would incorporate.

Councillor Nigel Knowles left the meeting at 6.03pm and returned at 6.04 pm.

The Cabinet Member for Operational Services advised members that the implementation of a PSPO would provide Civil and Enforcement Protection Officers with the necessary tools to undertake enforcement action where necessary. She emphasised that the majority of dog owners were responsible and the PSPO was aimed at people who let their dogs foul on public areas. She thanked the Overview and Scrutiny Committee for their recommendations and drew Members attention to question 6 of the survey in Appendix 1 of the report to Cabinet regarding the number of dogs one person may have under their control. She confirmed that 60% of respondents agreed the number should be limited however there was a split in terms of agreement on what the number should be. With this in mind, the PSPO would not limit the number of dogs one person can have under their control, but this would be reviewed after 3 years.

The Leader of the Council thanked members of the public and stakeholders who had responded to the consultation. He echoed the comments of the Cabinet Member for Operational Services and stated the PSPO will ensure that Civil Enforcement Officers have the right powers to cover the whole of the Wyre Forest District.

The Chair of the Overview and Scrutiny Committee advised Cabinet that the report had been fully debated at their meeting on 7<sup>th</sup> September 2017 and were happy to support the PSPO.

**Decision:**

**In line with recommendations 1 and 2 from the Overview and Scrutiny Committee, 7<sup>th</sup> September 2017**

**1.1 In response to the positive support for measures to control dogs, a Public Spaces Protection Order (PSPO) be made in the Wyre Forest District, under powers contained within the Anti-Social Behaviour, Crime and Policing Act 2014, commencing 1 October 2017 for a period of 3 years on the basis set out in the report to Cabinet.**

**1.2 The fixed penalty amount shall be £100 for each notice issued**

**CAB.40 Compulsory Acquisition of Land and Properties and Empty Property Strategy**

A report was considered from the Corporate Director: Economic Prosperity and Place which sought to agree the Council's approach to compulsorily acquiring privately owned empty residential properties and undeveloped land and to adopt an updated Empty Property Strategy.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration led Members through the report in depth. He advised Cabinet that the District Council continually needed to provide more good quality houses and acknowledged that the problem is a national one which the Government's White Paper: Fixing our Broken Housing Market sought to tackle. He advised that there were currently 397 empty properties in the district that had been empty for more than 6 months and the Council's Private Sector Housing Team worked proactively to bring these properties back to use.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration further explained that the Council had identified the Capital Portfolio Fund to enable the investment in revenue regeneration opportunities which could include new housing for private rented use by the Council acting as private landlord. He added that the Council already had the ability to use Compulsory Purchase Orders (CPO's) to acquire land and property and had used these powers sparingly to intervene in the market to facilitate major regeneration and development. It was envisaged that the active use of empty properties could be accelerated and the proposed establishment of the Local Authority Trading Company (LATC) would enable the Council to acquire properties and return them to private rented use. He explained that the costs of acquisition of land and property would either come from the Council's Capital Portfolio Fund which would require the business cases to be developed for each intended investment or through the Local Authority Trading Company directly.

The Cabinet Member for Housing, House and Wellbeing welcomed the report and commented that the recommendations would make Wyre Forest a smarter and tidier place to live in and would bring much needed housing back into use.

The Leader of the Council advised that he fully supported the report to Cabinet and emphasised that it was important to take into consideration the costs of enforcing Compulsory Purchase Orders and that it was right for the Council to bring empty properties back into use and reduce housing waiting lists.

The Chair of the Overview and Scrutiny Committee commented that the Compulsory Acquisition of Land and Properties and Empty Property Strategy was very clear and easy to understand and that Overview and Scrutiny were supportive of the recommendations.

### **Decision:**

**In line with the recommendations from the Overview and Scrutiny Committee, 7<sup>th</sup> September 2017**

- 1.1 The principle of the use of compulsory purchase powers under s17 of the Housing Act 1985 and s226(1)(a) of the Town & Country Planning Act 1990 to acquire vacant and /or under used land and empty properties be approved, subject to reports being received and approved on an individual case by case basis.**

**1.2 The Empty Property Strategy 2017-22; be approved.**

**CAB.41 Decision-making in respect of the Capital Portfolio Fund and Development Loan Fund**

A report was considered from the Chief Executive which considered arrangements to allow a swift and commercial approach to be taken, including creating a Cabinet sub-committee to take decisions on investments from the capital portfolio fund and on loans from the development loan fund.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration led Members through the report. He advised that in February 2017 Council approved the allocation of up to £35m in 2017-18, funded by borrowing, for investment in a capital portfolio fund and loans to third parties which was now known as the development loan fund. He explained that the fund would help deliver the Council's regeneration and economic development objectives in terms of both housing and commercial regeneration. He added that early experience of taking decisions on investments had demonstrated the need for an alternative approach to decision making to allow for swifter consideration and decisions. He further explained that the current arrangement of full business cases being considered by the Overview and Scrutiny Committee and Cabinet did not meet the demands of the market place and whilst this was not an issue with the Council's own assets as it was in control of timing, there was a need to act swiftly to secure potential investment opportunities available via third parties.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration commented that in order to support transparency, consideration by the Overview and Scrutiny Committee and Cabinet would be maintained. He added that under the current arrangements there was no authority for officers to make conditional offers to acquire assets for the capital portfolio fund and a more flexible approach was proposed for the Cabinets decision making which would involve delegating decisions on any investment from the capital portfolio fund or loans from the development loans from the development loan fund to a Cabinet sub-committee. He advised that the ability to make such conditional offers would allow the Council to respond to opportunities that may arise but without diluting any of the requirements for due diligence to be completed and for the Cabinet sub-committee's approval to be obtained before a purchase was finalised.

The Leader of the Council echoed the comments of the Deputy Leader and Cabinet Member for Planning and Economic Regeneration. He re-iterated that the proposals would allow the Council to operate in a commercial market in a timely and pragmatic way and be more flexible in its approach to convening meetings with clear oversight and provide Officers with the appropriate delegation to make in principle offers.

The Cabinet Member for Resources commented that this was a sensible proposal which provided flexibility to move forward and still embraced the

involvement of the Overview and Scrutiny committee.

The Chair of the Overview and Scrutiny committee referred Members to point 4.1 of the report to Cabinet. She agreed that it was important that Overview and Scrutiny Committee had involvement in decision making, and would be asking its Members to agree to similar arrangements for a scrutiny sub-committee to be in place.

**Decision:**

- 1.1 Decisions on investments from the capital portfolio fund and on loans from the development loan fund be DELEGATED to a sub committee**
- 1.2 membership of the sub-committee shall be any three members of the Cabinet, one of whom shall be the Leader or Deputy Leader and this person will chair any meeting of the sub-committee;**
- 1.3 DELEGATED authority be given to the Corporate Director: Economic Prosperity and Place in consultation with the Cabinet Member for Planning and Economic Regeneration authority to make conditional offers to acquire assets for the capital portfolio fund, subject to the conditions of the offer including the need to obtain approval from the Cabinet sub-committee.**

**CAB.42 Children and Young People's Plan (CYPP) 2017-2021**

A report was considered from the Corporate Director: Community Wellbeing and Environment which sought to endorse the Worcestershire Children and Young People's Plan (CYPP) in line with a recommendation from the Worcestershire Connecting Families Strategic Group.

The Cabinet Member for Culture, Leisure and Community Protection led Members through the report and explained that in February 2017 the Health and Wellbeing Board had approved the development of the new Children and Young People's Plan 2017-2021 (CYPP) She advised that the Plan was based on a range of partners working with children, young people and families which followed a vision that Worcestershire was a wonderful place for all children and young people to grow up.

The Cabinet Member for Housing, Health and Well-being commented that there had been a lot of reports in the press regarding failure of Children's Services therefore it was incumbent to implement the Plan and ensure its success for the good of children and young people in Wyre Forest and Worcestershire as a whole.

The Leader of the Council endorsed the comments of the Cabinet Member for Housing, Health and Well-being and added that the Children and Young People's Plan (CYPP) 2017-2021 had been approved by the Health and

Wellbeing Board and Worcestershire County Council. He added that the safeguarding of children should be at the heart of all decision making.

**Decision:**

- 1.1 The views of children, young people, parents/carers and practitioners and Scrutiny summarised in the report to Cabinet be noted;**
- 1.2 the new Children and Young People's Plan (CYPP) 2017-2021, set out at Appendix 1 of the report to Cabinet as approved by the Health and Wellbeing Board, as part of the a whole-system response to improving outcomes for children, young people and their families be endorsed; and**
- 1.3 Wyre Forest District Council to work with Worcestershire County Council and all other relevant agencies and organisations to draw up an action plan to put the CYPP into effect.**

**CAB.43 Worcestershire Office for Data and Analytics: Endorsement of Data Sharing Charter**

A report was considered from the Chief Executive which sought to endorse the data sharing charter that would underpin the work of the Worcestershire Office for Data and Analytics.

The Cabinet Member for Resources led Members through the report. He advised that this was a straightforward report which derived from the Worcestershire devolution process on public service reform in May 2016, where key public bodies across Worcestershire agreed to share data to improve public services. He explained that a 12 month pilot scheme was set up which would begin in November 2017 with a dedicated team comprising of a Chief Data Officer (CDO), an Information Governance group and a clear reporting process. He explained the six key areas identified in the report to Cabinet and advised that a business case would be formulated during the 12 month pilot which would identify whether the project would be financially viable and beneficial long term to the public bodies in Worcestershire. He emphasised that the authority is asked to endorse the Charter and explained that the financial contribution to the pilot stage is £5,000.

**Decision:**

**The Worcestershire data sharing charter in the Appendix of the report to Cabinet, be endorsed.**

**CAB.44 Budget Monitoring First Quarter 2017/18**

A report was considered from the Corporate Director: Resources which monitored the Revenue Budget and Capital Programme in accordance with the

Local Government Act 2003, informed Members of the Housing Benefit Overpayment debt position as at 30<sup>th</sup> June 2017 and informed Members of the Sundry/Property debt position as at 30<sup>th</sup> June 2017.

The Cabinet Member for Resources led Members through the report and commented that this was a straightforward report which projected an under spend of £300,200 in 1<sup>st</sup> Quarter 2017/18. He referred Members to Appendix 2 of the report to Cabinet which clearly set out major revenue variations. He advised that although the figures were for Quarter 1, the amount was an important measure for moving forward and he looked forward to further savings at Year End.

**Decision:**

**The projected budget variations and comments outlined within the report to Cabinet and appendices 2 to 6 be noted**

**CAB.45 Overview and Scrutiny Committee, 7<sup>th</sup> September 2017**

- **Wyre Forest Health and Wellbeing Plan**

The Chair of the Overview and Scrutiny Committee advised that Members had reviewed the projects undertaken over the last year and explained that a number of businesses and organisations had been involved in dementia friends schemes.

**Decision:**

**The Wyre Forest Health and Wellbeing Strategy and Health Action Plan 2017/21, as set out at Appendix 2 of the report to the Overview and Scrutiny Committee, be approved.**

- **Climate Change Update**

**Decision:**

**The Climate Change Action Plan 2017/18, as set out at Appendix 2 of the report to the Overview and Scrutiny Committee be approved.**

**CAB.46 Exclusion of Press and Public**

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

**CAB.47 Surrender of Lease on Property in Kidderminster**

A report was considered for the surrender of a lease on a property in

Kidderminster by the tenant, Telereal Trillium.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration led Members through the report. He advised that the success of town centres in the district was important to the Council's regeneration ambition, which was a key priority.

The Leader of the Council thanked the Corporate Director: Economic Prosperity and Place and his team for their best endeavours and hard work.

**Decision:**

**The principle of the surrender of the lease on a property in Kidderminster by the tenant on the terms set out in the confidential report to Cabinet be agreed and authority delegated to the Corporate Director: Economic Prosperity & Place, in consultation with the Solicitor to the Council and the Cabinet Member for Planning & Economic Regeneration, to complete the legal agreement to effect the surrender.**

There being no further business, the meeting ended at 6.59 pm.