

**WYRE FOREST DISTRICT COUNCIL
CABINET**

**COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER
27TH MARCH 2018 (6 PM)**

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 and N Knowles.

CAB.80 Apologies for Absence

There were no apologies for absence.

CAB.81 Declarations of Interests by Members

No declarations of interest were made.

CAB.82 Minutes

Decision: The minutes of the Cabinet meeting held on 7th February 2018 and the Cabinet Sub-Committee meeting held on 15th March 2018 be confirmed as a correct record and signed by the Chairman.

CAB.83 Call Ins

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

CAB.84 Items Requiring Urgent Attention

There were no items requiring urgent attention.

CAB.85 Capital Strategy 2018-21

A report was considered from the Corporate Director: Resources and the Corporate Director: Economic Prosperity and Place which provided Members with information on the new Investment Guidance and considered a Capital Strategy for 2018-21 that had regard to the requirements of the new investment guidance with particular reference to non financial investments.

The Cabinet Member for Resources led Members through the report. He explained that the Government had issued new statutory Guidance on Local Government Investments in early February 2018. One of the key requirements of the guidance was the requirement of a Capital Strategy including a number

of additional disclosures for non financial investments to be approved by Full Council. He added that the strategy highlighted the risks involved, and emphasised the importance of being open and transparent with regards to the risks involved over the medium and long term.

The Cabinet Member for Resources added that the current limit for expenditure on the Capital Portfolio Fund is £25m, to be funded in full from prudential borrowing. He explained that it was not proposed to spend the amount in one venture, it would be spread across a whole range of different investments when due diligence has been done. He added that investments would support economic regeneration and could include housing provision.

The Leader of the Council echoed the Cabinet Member for Resources' comments and agreed that the report was clear, open and transparent.

The Chair of the Overview and Scrutiny Committee advised Members that the Overview and Scrutiny Committee were happy to support the recommendations made in the report. She thanked the Officers for their hard work on what was a complex and detailed report.

In answer to a Members question regarding the contribution the Council makes within the Local Enterprise Partnership (LEP) geographies the Leader of the Council explained that Cabinet had taken the view to invest in the LEP s' areas in order to have a wider range of projects. He added that indirectly the revenue raised would benefit the residents of Wyre Forest.

Decision:

In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 22nd March 2018:

RECOMMENDED TO COUNCIL:

- 1.1 The Capital Strategy 2018-21 including the associated Quantitative Indicators in Appendix 1 and the updated Strategy for Capital Portfolio Fund set out in Appendix 2 of the report to Cabinet be approved.**
- 1.2 The limits for gross debt of non treasury investments compared to net service expenditure and for commercial income as a percentage of net service expenditure as set out in Appendix 1 of the report to Cabinet be approved.**
- 1.3 The limits for loan investments as set out in Section 5.1 of the report to Cabinet be approved.**

CAB.86 Budget Monitoring Third Quarter 2017-18

A report was considered from the Corporate Director: Resources which briefed Members on the Council's financial performance for the period ending 31st December 2017 and to present the current projected outturn position for the

2017-18 financial year.

The Cabinet Member for Resources led Members through the report. He commented that the report clearly set out an under spend at year end. He added that this was very positive at this stage of the financial year.

The Leader of the Council echoed the comments of the Cabinet Member for Resources and said that, although the under spend was modest in the broad scheme, it was pleasing.

Decision:

The projected budget variations and comments outlined within the report to Cabinet and appendices 2 to 5 be noted.

CAB.87 Acquisition of Land in Broadwaters Ward

A report was considered from the Property and Investment Manager which sought support to acquire a vacant parcel of land at Radford Avenue / Horsefair in Kidderminster, using its compulsory purchase powers (CPO) if necessary, to enable the bringing forward of a development scheme at a prominent position within the Horsefair.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration led Members through the report. He explained that the Council had an ambition to facilitate the redevelopment of the land which was located on a key gateway into Kidderminster and had been vacant for many years. He added that the Council had been in discussion with the landowner for a number of years to discuss the prospect of redevelopment, but no agreement had been reached and there had been little active dialogue since 2014. He emphasised that the Council remained committed to acquiring the land by private treaty negotiation where practicable. However compulsory purchase powers may be necessary to enable a scheme to be brought forward within a reasonable timescale.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration explained that the Council's intention was to continue to finesse a redevelopment proposal with a view to bringing forward a proposal through the Council's Capital Portfolio fund for the Council to undertake the redevelopment of the site. He confirmed that should the proposal not be financially viable the intention would be to obtain a planning permission and dispose of the land on the open market for a private developer to deliver. An offer had been made for the purchase of the land and a response was awaited from the land owner. It was suggested that a three month period be allowed from the date of the Cabinet meeting and if satisfactory progress was not made to negotiate the purchase of the land during that time the Council should proceed with the CPO process.

The Leader of the Council commented that Councils had the power under the Town and Country Planning Act 1990 to acquire land compulsorily for strategic redevelopment. He added that the land was currently an eyesore and its

regeneration would be to the benefit of local residents and businesses.

The Chair of the Overview and Scrutiny Committee commented that she was sure residents would be pleased to see something so positive happen to this site and added that there was full support for the proposals at the Overview and Scrutiny Committee.

Decision:

In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 1st March 2018:

If satisfactory progress has not been made to acquire the land at Radford Avenue described in the report to Cabinet through private treaty within three months of this decision:

- 1.1 The Council makes a Compulsory Purchase Order (“CPO”) under section 226(i) (a) of the Town and Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 for the acquisition of the land and new rights within the areas shown edged on the attached Plan for the purpose of securing the redevelopment of the land.**
- 1.2 The Corporate Director: Economic Prosperity and Place in consultation with the Solicitor to the Council be authorised to:**
 - 1.2.1 Take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order, including the publication and service of all notices and the presentation of the Council’s case at any Public Inquiry.**
 - 1.2.2 Acquire interests in land and new rights within the Compulsory Purchase Order either by agreement or compulsorily.**
 - 1.2.3 Approve agreements with land owners setting out the terms for the withdrawal of objections to the Order, including, where appropriate, seeking exclusion of land from the Order and/or making arrangements for relocation of occupiers.**
- 1.3 The Corporate Director: Economic Prosperity and Place in consultation with the Cabinet Member for Planning & Economic Regeneration be given delegated authority to determine the most appropriate method by which the site will be developed in a timely manner, whether by the Council or through disposal.**

CAB.88 Acquisition of Land in Areley Kings and Riverside Ward and Procurement of a Development Partner

A report was considered from the Corporate Director: Economic Prosperity and Place which considered the future use of a Compulsory Purchase Order (CPO) to acquire land at Severn Road, Stourport (known as Carpets of Worth Land) to bring the land forward for residential led redevelopment (including consideration of the potential of also incorporating a medical centre, depending on discussions with NHS England) and to agree the identification and selection of a Development Partner that the Council can work with to deliver housing.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration led Members through the report. He explained that dialogues with house builder contacts suggested that owner aspiration concerning price was the most probable barrier to the sale of the Land and consequently the housing coming forward. He advised that should the land be marketed at a value which reflected the current market value it was considered that it would generate strong interest from national house buyers, affordable housing providers and regional house builders. He explained that the Council was also aware of interest in the site from the NHS as a potential location for a medical centre in Stourport if the health centre were to relocate from the existing County Buildings location on Bewdley Road.

The Deputy Leader and Cabinet Member for Planning and Regeneration further explained that, in December 2017, Bruton Knowles were instructed by the Council to contact the landowners to identify their intentions for the land. However unfortunately Bruton Knowles had been unable to establish a dialogue with the owners. He advised that the position of a substantial undeveloped housing site was unsustainable in regard to both local and national requirements for an increased supply of housing. He confirmed that if the landowner continued to resist or chose to continue their lack of engagement, matters may need to progress to a full CPO. Should this be the case, the Council would need to identify and secure a development partner to acquire the land and subsequently to deliver housing.

Councillor N Knowles left the meeting at this point (6.44 PM)

The Leader of the Council commented that the report to Cabinet set down a marker to the landowner and the public that the Council is prepared to use all best endeavours to redevelop brownfield sites. He explained that there was an expectation from the Government for Councils to acquire land but, as the Government do not provide funding, it was necessary to secure a development partner. He added he wholeheartedly supported the recommendations.

The Chair of the Overview and Scrutiny Committee commented that this was a site that had attracted attention at the commencement of the Local Plan Review and residents were keen that the land be developed. The Leader of the Council agreed that he hoped for positive progress on the site in a timely fashion.

In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 1st March 2018:

1.1 The following be agreed:

- The principle of acquiring the subject land through 'Private Treaty' negotiation.
- The principle of using CPO powers to acquire the land, should 'Private Treaty' negotiations prove to be unsuccessful. (A more detailed report would be submitted should the use of CPO Powers be requested)
- Authorise the procurement of a 'Development Partner' to whom the Land would pass upon acquisition.

1.2 Delegated authority be given to the Corporate Director: Director Economic Prosperity and Place in consultation with the Solicitor to the Council and the Cabinet Member for Planning & Economic Regeneration to:

1.2.1 Enter into negotiations for the acquisition of land at the former Carpets of Worth, Severn Road, Stourport on Severn.

1.2.2 Procure and appoint a suitable 'Development Partner' to work with the Council to acquire the Land including agreeing the evaluation model for procuring such a development partner based on financial advantage, deliverability and securing planning policy objectives and appointing based on the outcome of the evaluation.

1.3 Once a Development Partner has been identified and subject to the submission to Cabinet of a detailed report for approval, the principle of future use of Compulsory Purchase Powers over land at the former Carpets of Worth, Severn Road, Stourport-on-Severn in the event that the current landowner is unwilling to dispose of the Land.

CAB.89 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.90 Lion Fields Parcel Two – Former Magistrates Court – Development Proposals

A report was considered from the Head of Economic Development and

Regeneration – North Worcestershire which sought to agree the development strategy for Parcel Two of the Lion Fields site.

The Deputy Leader and Cabinet Member for Planning and Economic Regeneration moved the recommendations set out in the confidential report to Cabinet, which were seconded by the Leader of the Council, who added that he fully supported the redevelopment scheme.

Decision:

In line with the recommendations from the Overview and Scrutiny Committee from its meeting on 22nd March 2018:

Delegated authority be given to the Corporate Director: Economic Prosperity and Place, in consultation with the Solicitor to the Council and Corporate Director: Resources and Cabinet Member for Planning and Economic Regeneration to take all necessary action to deliver a viable redevelopment scheme as set out in the confidential report to Cabinet.

There being no further business, the meeting ended at 6.57 PM.