

**Open**

# **Overview & Scrutiny Committee**

## **Agenda**

**To be held remotely  
6pm  
Thursday, 1st July 2021**



## Overview & Scrutiny Committee

### **Members of Committee:**

**Chairman: Councillor M J Hart**  
**Vice-Chairman: Councillor S E N Rook**

**Councillor S J Chambers**

**Councillor P Dyke**

**Councillor S Griffiths**

**Councillor S Miah**

**Councillor D R Sheppard**

**Councillor N J Desmond**

**Councillor C Edginton-White**

**Councillor A L L'Huillier**

**Councillor T L Onslow**

**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.

1. The Overview & Scrutiny Committee meeting is open to the public except for any exempt/confidential items. These items are normally discussed at the end of the meeting. Where a meeting is held remotely, "open" means available for live or subsequent viewing.
2. Members of the public will be able to hear and see the meetings by a live stream on the Council's website:  
<https://www.wyreforestdc.gov.uk/streaming.aspx>
3. This meeting is being held remotely online and will be recorded for play back. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. All streamed footage is the copyright of Wyre Forest District Council.

### **Declaration of Interests by Members – interests of members in contracts and other matters**

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct ("the Code") requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members' Code of Conduct as set out in Section 14 of the Council's constitution for full details.

### **Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)**

DPI's and ODI's are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council's Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

## **Co-opted Members**

Scrutiny Committees may wish to appoint Co-Opted Members to sit on their committee 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, Principal Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email [louisa.bright@wyreforestdc.gov.uk](mailto:louisa.bright@wyreforestdc.gov.uk)**

Wyre Forest District Council  
Overview & Scrutiny Committee

Thursday, 1st July 2021

To be held remotely

Part 1

Open to the press and public

<b>Agenda item</b>	<b>Subject</b>	<b>Page Number</b>
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, together with the name of the Councillor for whom he/she is acting.	
3.	<b>Declarations of Interests by Members</b>  In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered.  Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	<b>Minutes</b>  To confirm as a correct record the Minutes of the meeting held on the 3rd June 2021.	7
5.	<b>Update from Worcestershire County Council – Flooding Outcomes</b>  Representatives from Worcestershire County Council have been invited to attend the meeting to give an update to members.	
6.	<b>Climate Change Action Plan</b>  To consider a report from the Principal Health and Sustainability Officer to provide an update on the Climate Change Action Plan	10
7.	<b>Flood Mitigation Schemes</b>  To consider a report from the Head of Strategic Growth on external funding to be received from the nation flood schemes funding.	17

8.	<p><b>Review of Kidderminster Town Centre Public Space Protection Order (PSPO)</b></p> <p>To receive a report from the Community Services Manager which seeks approval to commence a review of the Kidderminster PSPO.</p>	21
9.	<p><b>Treasury Management Review Panel</b></p> <p>To request nominations for membership of the Treasury Management Review Panel for the current municipal year, and to appoint a Chairman for the Panel.</p> <p>Meeting dates:</p> <ul style="list-style-type: none"> <li>• Monday 20<sup>th</sup> September 2021 – 4pm Training for <b>all Members*</b>, 6pm meeting</li> <li>• Monday 1<sup>st</sup> November 2021 – 6pm meeting</li> <li>• Monday 31<sup>st</sup> January 2022 – 4pm Training for <b>all Members*</b>, 6pm meeting</li> </ul> <p><b>* The training is mandatory for those Members that sit on the Audit Committee and the Treasury Management Review Panel</b></p>	
10.	<p><b>Work Programme</b></p> <p>To review the work programme for the current municipal year with regard to the Corporate Plan Priority, Annual Priorities and the Forward Plan.</p>	26
11.	<p><b>Press Involvement</b></p> <p>To consider any future items for scrutiny that might require publicity.</p>	
12.	<p><b>To consider any other business, details of which have been communicated to the Solicitor of the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</b></p>	
13.	<p><b>Exclusion of the Press and Public</b></p> <p>To consider passing the following resolution:</p> <p>“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.</p>	

Part 2

Not open to the Press and Public

<b>14.</b>	<b>To consider any other business, details of which have been communicated to the Solicitor of the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.</b>	
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**WYRE FOREST DISTRICT COUNCIL**  
**OVERVIEW & SCRUTINY COMMITTEE**  
**HELD REMOTELY**  
**THURSDAY, 3RD JUNE 2021 (6PM)**

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**Present:**

Councillors: M J Hart (Chairman), S E N Rook (Vice-Chairman), S J Chambers, P Dyke, C Edginton-White, S Griffiths, K Henderson, A L L'Huillier, S Miah, T L Onslow and D R Sheppard.

**Observers**

Councillors: G W Ballinger, J F Byng, A Coleman, H E Dyke, I Hardiman, M Rayner, C Rogers, J W R Thomas and A Totty.

**OS.11 Apologies for Absence**

Apologies for absence were received from Councillor N J Desmond.

**OS.12 Appointment of Substitutes**

Councillor K Henderson was appointed as a substitute for Councillor N J Desmond.

**OS.13 Declarations of Interests by Members**

No declarations of interest were made.

**OS.14 Minutes**

**Decision: The minutes of the meeting held on 13th May 2021 be confirmed as a correct record and signed by the Chairman.**

**OS.15 Kidderminster Future High Streets Fund – Update**

The Committee considered a report from the Head of North Worcestershire Economic Development and Regeneration (NWEDR) which provided a high-level update on the progress of the Kidderminster Future High Streets Fund programme.

The Head of NWEDR presented the report and outlined the key issues. He advised that despite the delay from Central Government in the decision on the funding award, the deadline for spending the monies remained as March 2024. He gave a brief summary of the three projects that form the basis of the fund namely; the former magistrates court; Worcester Street / Bromsgrove Street connectivity and the former Crown House / Bull Ring site.

Members were advised that in addition to agreeing the governance arrangements, the Council had recently appointed external project and cost control managers to

assist with overseeing the delivery of the projects.

The Chairman lost his IT connection at 6.24pm; the Vice Chairman chaired the meeting in his absence.

The Chairman returned to the meeting at 6.28pm and resumed the Chair for the remainder of the meeting. Councillor M Rayner joined the meeting at 6.30pm.

The Committee fully considered the update. In response to a member question, the Head of NWedR assured members that despite the tight deadline, the team were working hard and was confident that the delivery of the programme would be achieved. He said that the Council had excellent external support, and the risk register was regularly monitored, and every effort was being made to mitigate potential issues and delivery risks.

A member congratulated the Head of NWedR on what had been achieved in the relatively short time following the announcement of the funding in December 2020. He said the projects would benefit the whole of Wyre Forest and the delivery programme was in a safe pair of hands.

**Agreed: The update be noted.**

**OS.16 Work Programme**

The Committee reviewed the work programme for the municipal year.

**OS.17 Press Involvement**

There were no future items for scrutiny that might require publicity.

**OS.18 Exempt Information**

**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 2, 6 and 7 of Part I of Schedule 12A of the Act.**

**OS.19 Kidderminster Property Acquisitions**

The Committee received a confidential report from the Corporate Director: Economic Prosperity & Place to agree the acquisition of properties in Kidderminster.

The Corporate Director: Economic Prosperity & Place presented the report. He gave a comprehensive and thorough explanation of the proposal including the location, valuation and tenancy details. He said the proposal was an opportunity for the Council to consider a more comprehensive redevelopment opportunity aligned with the FHSF and offered further added value to the overall regeneration of the town centre.

The Corporate Director: Resources gave an explanation of the financial implications of the proposal and highlighted the risk analysis as set out in the confidential report.



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

She assured members that appropriate due diligence had been undertaken.

The Committee fully scrutinised the report. Members agreed that this was an exciting opportunity for the authority and fully supported the recommendations to Cabinet.

Councillor D Sheppard had IT connection issues during the consideration of this item and was unable to vote on the proposal.

**Agreed: Recommend to Cabinet that the Council acquires the properties set out in the exempt report to create a comprehensive redevelopment opportunity and to recommend inclusion within the Capital Programme.**

There being no further business, the meeting ended at 7.30pm.

The full meeting is available for viewing on the Council's website

<https://www.wyreforestdc.gov.uk/your-council/councillors-committees-and-meetings/council-meetings/>



## Overview and Scrutiny Committee

### Briefing Paper

Report of: Jenny Moreton, Principal Health and Sustainability  
Officer  
Date: Thursday 1<sup>st</sup> July 2021

### Open Report

### Climate Change Update

#### 1. Summary

- 1.1 This report provides Members with an update on action to tackle climate change and seeks endorsement of the Wyre Forest Climate Change action plan for 2021-22.

#### 2. Background

- 2.1 The Health and Sustainability Team in Housing Services lead the co-ordination and delivery of work to tackle climate change issues in Wyre Forest.
- 2.2 The Wyre Forest Climate Change action plan focus on key areas where Wyre Forest District Council and partners can have the most impact in the district, within current resources. There are four key themes:
1. Warmer, healthier homes.
  2. Building a low carbon economy.
  3. Transport and infrastructure.
  4. Healthy and resilient communities.

#### 3. Key Issues

- 3.1 The United Nations Intergovernmental Panel on Climate Change (IPCC) releases an assessment report on the latest climate change science every five years. The latest report considered evidence from many independent scientific analyses and has been endorsed by all UN member States. Scientists are now all but certain that climate change is mostly caused by human action, and that it is already leading to changes in regional weather patterns, with extreme events such as flooding and heat waves on the increase. The IPCC has also concluded that we have until 2030 to avoid the worst impacts of climate change and for global warming to be kept to a maximum of 1.5C, beyond which even half a degree will significantly worsen the risks of drought, floods, extreme heat and poverty for hundreds of millions of people. The Paris Agreement, which came into force in 2016 and has so far been signed by 197 countries, aims to limit the rise in global temperatures to well below 2°C, to pursue efforts to hold it to 1.5°C and to reach net zero emissions in the second half of the century. In November 2021, Glasgow will host COP (Conference of the Parties) 26 where

world leaders will report back on progress since the Paris Agreement and make new decisions on cutting carbon.

- 3.2 The UK is already experiencing widespread change in the climate. According to the recent Independent Assessment of UK Climate Risk report by the UK Climate Change Committee, average land temperature has risen by around 1.2°C from pre-industrial levels, UK sea levels have risen by 16cm since 1900 and episodes of extreme heat are becoming more frequent. In May 2019, UK Parliament declared a motion to declare an environment and climate emergency. The UK Climate Change Act (2008) was subsequently amended to set a target of achieving net zero emissions by 2050. The previous target was to reduce carbon emissions by 80% (compared to 1990 levels) by 2050. Wyre Forest District Council (WFDC) is one of the more than 300 Local Authorities which have also declared a Climate Emergency to date.
- 3.3 Each year, central government releases per capita CO2 emissions figures for all local authorities. Between 2005 and 2018 (the latest data available) total emissions from housing, industry and transport fell by 40% in Wyre Forest and 35% across Worcestershire as a whole. Councils have a pivotal role in tackling climate change and, through local governance, can ensure climate change policies and programmes protect and help the most vulnerable, including the fuel poor. Local authorities are uniquely placed to assess the needs of their areas and local residents and to act as catalysts for change. The Home Energy Conservation Act (HECA) recognises local authorities' ability to use their position to improve the energy efficiency of all residential accommodation in their areas. HECA requires local authorities to produce a series of reports, setting out the energy conservation measures that considered practicable, cost-effective and likely to result in significant improvement in the energy efficiency of residential accommodation in its area. Fuel poverty is an issue for the district; latest statistics show that 15.5% of Wyre Forest households (7,123 households) are classed as being fuel poor. Living in cold, damp homes can exacerbate health conditions, particularly cardiovascular and respiratory illnesses. Worcestershire has slightly higher than average excess winter deaths, the majority of which tend to be caused by diseases of the cardiovascular system (such as stroke and heart attack) and respiratory illness (e.g. influenza).

Delivery of the 2020-21 Wyre Forest Health Climate Change Action Plan was different to originally anticipated as a result of the covid pandemic. Some actions were carried out as planned, some were carried out albeit in an alternative way, some will be carried forward into the new plan. The case studies below set out examples of some of the work undertaken.

### **Case study 1: Home energy conservation**

We continue to work with other local authorities and energy charity Act on Energy through the Warmer Worcestershire Network to bring advise and support residents in making their home more energy efficient to reduce both carbon emissions and running costs. Face to face advice sessions were cancelled due to the pandemic, however Act on Energy offered advice and information to 600 Wyre Forest residents in the year to April 2021 on their free phone helpline, to help them improve energy efficiency and reduce energy bills and referring on to available support. Work to channel in external funding through the Energy Company Obligation continues, supporting insulation and heating improvements. WFDC has also been awarded funding through the Green

Homes Grant Local Authority Delivery Scheme (LADS) to carry out a range of energy efficiency works across all tenures to both tackle fuel poverty and reduce carbon emissions. The private sector housing team work with private sector landlords on implementation of the minimum energy efficiency standards regulations to improve EPC ratings and thermal comfort.

### **Case study 2: Wyre Forest Green Alliance**

The recently formed Wyre Forest Green Alliance (WFGA) brings together a range of local organisations to help individuals and communities to learn more about environmental issues and learn how better to respond. This builds on previous partnership work to run events such as the Greener Living Fairs held over recent years. The WFGA has applied for funding to set up a Kidderminster Eco and Well-Being Hub (KEWB) which would provide a shared space for eco-conscious businesses and organisations. WFGA is also running a series of online talks about environmental issues and is organising an online art exhibition (Art 4 Planet Earth) to raise awareness ahead of the international climate talks being hosted in the UK later this year.

### **Case study 3: Tree planting**

18,000 trees were planted at Burlish Top former golf course during the 2020 winter months. This site was previously used for tipping of waste materials; the planting of trees in here will greatly add to the carbon capture capacity of the land. This follows on from the planting in 2019 of a total of 2650 trees were planted at Stour Valley and Stourport Riverside in a project involving WFDC's rangers, the Environment Agency and a local primary school. Carbon sequestration is an important factor in the tree planting programme, with consideration of concerns over ground disturbance impacting on carbon release offsetting the carbon capture of the trees planted. The soils at Stour Gateway site are thin and over the remains of a former industrial area; the tree species' planted will help build soil depth in these areas and effectively capture carbon.

3.7 An updated Climate Change Action Plan for 2021/22 is provided at Appendix 1.

## **4. Options**

4.1 The committee may wish to:

- Recommend to Cabinet that the Wyre Forest Climate Change Action Plan 2021-22, as attached at Appendix 1, is approved.
- Put forward alternative or additional proposals to recommend to Cabinet.

## **5. Consultation**

5.1 Green Advisory Panel considered the report on 21<sup>st</sup> May 2021 and Climate Change Action Plan and made amendments to the plan.

## **6. Related Decisions**

6.1 None

**7. Relevant Council Policies/Strategies**

7.1 [Wyre Forest Climate Change Strategy](#)

**8. Implications**

8.1 Resources: Projects undertaken by the council are funded from within existing resources or through bids to external funding sources.

8.2 Equalities: Not applicable

8.3 Partnership Working: The action plan requires partnership working, particularly the Warmer Worcestershire group.

8.4 Human Rights: Not applicable

8.5 E-Government: Not applicable

8.6 Transformation: Not applicable

**9. Equality Impact Needs Assessment**

9.1 An Equalities Impact Screening Assessment has been undertaken. The policy gives consideration to and has a positive impact for some younger/older people and those with a disability. There are no other implications identified for other groups with a protected characteristic.

**10. Wards affected**

10.1 All

**11. Appendices**

11.1 Appendix 1 Climate Change Action Plan 2021/22

**12. Background Papers**

12.1 [Worcestershire Climate Change Strategy](#)

12.2 [Worcestershire Energy Strategy](#)

**Officer Contact Details:**

Name: Jenny Moreton

Title: Principal Health and Sustainability Officer

Contact Number: 01562 732569

Email: [Jennifer.moreton@wyreforestdc.gov.uk](mailto:Jennifer.moreton@wyreforestdc.gov.uk)

A Climate for Change- 2021-22 DRAFT Action Plan

Warmer, Healthier Homes	Who?	Expected Outcomes/ Timescale	Resources	Notes/ Further Info
Ongoing promotion and delivery of schemes to install domestic energy efficiency and renewable energy measures.	Health & Sustainability Private Sector Housing Act on Energy	Ongoing promotion and delivery throughout the year. 150 measures to be installed through the various schemes.	Act on Energy SLA in place. Internal funding used for fuel poverty assistance where external funding not available.	<a href="#">WFDC Energy Efficiency page</a>
Develop and co-ordinate energy efficiency schemes, utilising external funding e.g. Energy Company Obligation (ECO), Green Homes Grant Local Authority Delivery Scheme.	Health & Sustainability Private Sector Housing team	Ongoing throughout the year.	County wide activity through the Warmer Worcestershire Network to bid for external funding and channel in ECO funding. LADS 1a and 2 funding streams	The <a href="#">Worcs. Statement of Intent</a> enables us to channel in ECO funds according to locally set criteria.
Run the Wyre Forest Big Energy Switch collective switching scheme.	Health & Sustainability iChoosr	100 + residents to switch through the Feb 2022 Auction (promotion begins Dec 2021)	Promoted using existing resources.	Since the scheme began, 369 Wyre Forest households have switched, saving £90k cumulatively. Energy efficiency is promoted alongside switching tariffs. Electricity tariffs offered now have to be 100% renewable.
Participate in collective scheme for domestic solar panel installation	Health and Sustainability Warmer Worcestershire Network	Spring 2022	Existing resource in place through Warmer Worcestershire Network	
Deliver a Winter Warmth awareness campaign in Wyre Forest	Health & Sustainability	Autumn/ Winter 2021/22	Promoted using existing resources.	Promotion of the various energy schemes through newsletters, social media, partnership work.
Energy advice/information/training sessions- online or face-to-face.	Act on Energy Health & Sustainability	12 sessions to be held throughout	Act on Energy SLA in place	To be promoted once details confirmed.

## Agenda Item No. 6 – Appendix 1

Agenda Item No. 6 – Appendix 1				
		Autumn/ Winter 2021/22		
Building a low carbon economy	Who?	Timescale	Resources	Notes/ Further Info
Publicise available resource efficiency / low carbon support to local businesses and encourage uptake.	Lead by Worcestershire County Council	Ongoing promotion throughout the year. 20 + Wyre Forest businesses to receive advice and/or grants.	Externally funded (EU)	<a href="#">Worcestershire Business Energy Efficiency Programme</a> and the <a href="#">Low Carbon Opportunities Programme</a> promoted locally by NWEDR, H&S.
Participate in county wide work on the low carbon economy sector	Health & Sustainability NWEDR	Ongoing	Staff time	<a href="#">Midlands and Worcestershire Low Carbon Economy Study Reports</a>
Investigate opportunities for renewable energy generation/ storage on council owned land.	WFDC	Ongoing- funding bid outcome due by August 2021.	External funding sought for feasibility and development work	
Transport and Infrastructure	Who?	Timescale	Resources	Notes/ Further Info
Ongoing support to the Wyre Forest Cycle Forum to strive for cycling infrastructure improvements and promote cycling opportunities.	Health & Sustainability Wyre Forest Cycle Forum	Ongoing throughout the year	Staff time	
Work with Cycle Forum to develop local, easy family friendly cycle routes	Health & Sustainability Wyre Forest Cycle Forum	Routes to be in place by Summer 2021	Funding already in place.	<a href="http://www.wyreforestdc.gov.uk/cycling">www.wyreforestdc.gov.uk/cycling</a>
Develop and implement planning policy as part of the Local Plan work- low carbon and renewable energy; sustainable transport , electric vehicle infrastructure.	Health & Sustainability Planning Policy	As per local plan review and implementation timetable	Staff time	
Increase provision of electric vehicle charge- points in WFDC car parks and encourage the owners of privately owned car parks to do likewise.	Health and Sustainability Planning		TBC	

## Agenda Item No. 6 – Appendix 1

Investigate opportunities for EV Taxi charging	Health and Sustainability. WRS. Worcs LEP.	Autumn 2021	External funding would be sought.	
Fleet review to look at carbon and fuel savings and opportunities for Ultra Low Emissions Vehicles.	Health and Sustainability. Fleet Management. Energy Savings Trust.	Fleet Review to be carried out in 2021	Review can be carried out for free by the Energy Savings Trust.	
<b>Healthy and resilient communities</b>	<b>Who?</b>	<b>Timescale</b>	<b>Resources</b>	<b>Notes/ Further Info</b>
Assist voluntary groups in promoting environmental initiatives e.g. Wyre Forest Repair Café, Art 4 Planet Earth exhibition.	Health & Sustainability	Ongoing	Existing resources.	
Support and work with the Wyre Forest Green Alliance, including identification of new/ shared projects on climate change.	Health & Sustainability WFGA	Ongoing	Staff time	
<b>Cross-cutting actions</b>	<b>Who?</b>	<b>Timescale</b>	<b>Resources</b>	<b>Notes/ Further Info</b>
Ongoing communications/ awareness on energy/ fuel efficiency etc (websites, newsletters, events, press releases, social media etc).	Health & Sustainability Communications.	Ongoing	Staff time.	





## Overview & Scrutiny Committee

Report of: Richard Osborne

Date: 1 July 2021

Open

### Flood Mitigation Schemes

#### Summary

Attached is a draft of a Cabinet report on this subject, which Cabinet is expected to consider on 6 July 2021.

The Overview and Scrutiny Committee is invited to consider the report and provide recommendations to Cabinet.

#### Officer Contact Details:

Name: Kate Bailey

Title: Head of Strategic Growth

Contact Number: 01562 732560

**WYRE FOREST DISTRICT COUNCIL****CABINET REPORT****6 July 2021****Flood Mitigation Schemes – externally funded**

<b>OPEN</b>	
<b>CABINET MEMBER:</b>	Nicky Martin - Cabinet Member for Housing, Health, Wellbeing and Democratic services
<b>RESPONSIBLE OFFICER:</b>	Kate Bailey - Head of Strategic Growth
<b>CONTACT OFFICER:</b>	Richard Osborne Richard.osborne@nwwm.org.uk 01562 732564
<b>APPENDICES:</b>	N/A

**1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to recommend amending the Capital Programme to include the external funding to be received from the national flood schemes funding for 3 flood mitigation schemes in Areley Kings in the Wyre Forest District, Plack Brook in the Redditch Borough and property level resilience measures in Bromsgrove and Redditch.

**2. RECOMMENDATION**

Cabinet is asked to **APPROVE** that:

- 2.1 There is an amendment to the Capital Programme of £115k for flood mitigation schemes funded from an external grant.

**3. BACKGROUND**

- 3.1 On behalf of the local authorities in North Worcestershire, the North Worcestershire Water Management service applied for funding towards the costs of flood mitigation schemes in various locations. Funding applications were made during 2020 to the national six year (2021 to 2027) Environment Agency led Project Application and Funding Service (PAFS). The programme of funding is agreed through consultation with the Regional Flood Committees that include representation from County Councils as well as the Environment Agency.
- 3.2 Funding requests were put in for locations where officers knew of properties affected and there appeared to be potential to mitigate flood risk through works to the landscape or properties themselves. For the Wyre Forest district the only project put forward was the Areley Kings scheme and this was successful. Areley Kings has suffered flooding of roads, gardens and some properties from the surface water network becoming overwhelmed by rainwater and silt run off. There are 5 properties on Pearl Lane that have had multiple significant flood events. The NWWM team has

been working over the last couple of years with Severn Trent Water to model the watercourse and drainage network and identify options for flood mitigation. Highways have given in principal approval for a scheme on their land at Pearl Lane.

**4. KEY ISSUES**

- 4.1 This funding has been awarded for reducing flood risk to properties in Wyre Forest, Bromsgrove and Redditch. Approximately 29 properties in the Wyre Forest district will have flood risk reduced and 7 of those will have a significant reduction in flood risk. Approximately 10 properties in Redditch and Bromsgrove will have flood risk reduced. Highway flooding will also be reduced.
- 4.2 The grant application was made to the Environment Agency and the capital will be drawn down from the Environment Agency who oversee the grants administration process.
- 4.3 The schemes include partnership working with Severn Trent Water, Worcestershire County Council Highways and the Environment Agency.
- 4.4 For Areley Kings this is a multi-agency project that is seeking to mitigate flooding from the integrated watercourse / storm water sewer system for 20+ homes and a number of roads in Areley Kings by creating upstream storage in the verge of Pearl Lane and improving conveyance in the currently piped sections in the downstream end of the system near Malvern Edge Court. The measures will be informed by holistic modelling of the system, undertaken in partnership with Severn Trent Water Ltd. The scheme will specifically reduce significant flood risk for 7 of those homes. The grant obtained for this scheme is £65k with some additional in-kind officer time from NWWM. The NWWM service have previously part funded some modelling for the scheme.
- 4.5 In Redditch the Plack Brook scheme is a diversion of a watercourse into an old unused watercourse creating habitat and space for flood waters and major clearance and some highways work to reduce flood risk to approximately 4 properties, reduce highways flood risk that impacts on residents and the nearby school. NWWM has been awarded a £40k grant and the total project costs are £65k. The remaining costs are to be met from officer in-kind time contributions, Worcestershire County Council Highways funding and Natural Network Funding for biodiversity gain.
- 4.6 For Redditch and Bromsgrove the Property Level Resilience scheme is a minor scheme to assist approximately 6 houses where the most practical measures are to provide property level protection measures such as flood resisting doors, replacement airbricks and non-return valves on the drainage systems. This is similar to the measures being undertaken on properties in Bewdley and Stourport where funding was bid for and allocated by DEFRA following the 2020 River Severn flooding. The grant is for £10k with a total budget of £20k based on householder contributions and officer in kind contributions.

**5. FINANCIAL IMPLICATIONS**

- 5.1 A Capital Programme amendment of £115k that will be fully funded by external grant from the Environment Agency, made up of £65k for Areley Kings, £40k for

Plack Brook and £10k property resilience (the latter two being in Redditch and Bromsgrove).

- 5.2 Since North Worcestershire Water Management have made the grant applications and will administer these schemes, the funding must be paid to Wyre Forest as the host and be included in our capital programme.
- 5.3 No additional council financial resources will be required to meet the total scheme costs but officers time will be a contribution in-kind.

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

- 6.1 Council on the 12<sup>th</sup> May 2021 approved a recommendation from December Cabinet to delegate authority to Cabinet to make amendments to the Cabinet Programme where the Council receives external grants and the resultant capital expenditure is fully funded.
- 6.2 The management of the schemes and procurement will be undertaken by North Worcestershire Water Management, the shared service hosted by Wyre Forest District Council.

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

- 7.1 A full Equalities Impact Assessment is not required as a screening assessment has not identified any potential impacts.

## **8. RISK MANAGEMENT**

- 8.1 The 3 local authorities have a successful long standing shared service and have experience of managing projects of this nature utilising grant funding.
- 8.2 The Environment Agency will monitor scheme delivery.

## **9. CONCLUSION**

- 9.1 The Council will has been awarded external funding to reduce flood risk to properties in North Worcestershire and therefore needs to amend the Capital Programme to include an additional provision of £115k into the programme to reflect this external funding and resultant expenditure.
- 9.2 The schemes will be delivered in partnership with the Environment Agency, who will give out the funding and monitor the delivery.

## **10. CONSULTEES**

- 10.1 CLT

## **11. BACKGROUND PAPERS**

- 11.1 Council 12<sup>th</sup> May 2021 – agenda item 20 (a) – approval of delegation to Cabinet for amendments to capital programme for fully externally funded schemes.



## Overview & Scrutiny Committee

Report of: Ian Miller, Chief Executive

Date: 1 July 2021

Open

### Review of Kidderminster Public Space Protection Order

#### Summary

Attached is a draft of a Strong Leader report on this subject which the Leader is expected to consider.

The Overview and Scrutiny Committee is invited to consider the report and provide recommendations to Cabinet.

#### Officer Contact Details:

Kathryn Underhill  
Community Services Manager  
01562 732956

To: Leader

From: Chief Executive

8 June 2021

## **Review of Kidderminster Public Space Protection Order (PSPO)**

### **1. PURPOSE**

- 1.1 To seek approval to commence a review of the PSPO restricting alcohol consumption in Kidderminster and subject to the findings of the evidence gathering exercise to begin a consultation period.

### **2. RECOMMENDATION**

That the Leader is asked to DECIDE that:

- 2.1 **A review of the PSPO restricting alcohol consumption in Kidderminster is commenced.**
- 2.2 **Delegated authority is given to the Chief Executive, in consultation with the Cabinet Member for Culture, Leisure and Community Protection to commence a consultation period on the PSPO, subject to the findings of the evidence-gathering exercise demonstrating to his satisfaction that it is appropriate and proportionate to make a further PSPO.**

### **3. BACKGROUND**

- 3.1 On 28 August 2018, a PSPO in relation to restricting alcohol consumption in Kidderminster came into force. This was an extension for a further three year period having first been implemented in August 2015.
- 3.2 The PSPO allows Police Officers, Police Community Support Officers and any other Authorised Person to request individuals to stop drinking and to surrender their alcohol if they are deemed to be acting antisocially. It is an offence to fail to comply with a request to stop drinking or surrender alcohol in the area covered by the PSPO.
- 3.4 The review process is outlined in the Home Office's 'Anti-Social Behaviour, Crime and Policing Act 2014: Anti-social behaviour powers statutory guidance for frontline professionals'. The guidance indicates that a PSPO must be reviewed by the local authority that made the order after three years to determine whether an extension is valid and reasonable, or whether the PSPO should be varied or discharged.

#### **4. EVIDENCE GATHERING PROCESS**

- 4.1 The Council will need to be satisfied that the legislative requirements are met before an Order can be made and obtaining clear evidence to support this is important. Collating information about the nature and impact of the anti-social behaviour (ASB) subject to the PSPO are core elements of the evidence gathering and consultation process and will help inform the Council's view as to whether the requirements under section 59 of the Act have been fulfilled. The evidence will need to be weighed up before the authority can determine whether or not it is appropriate and proportionate to make a PSPO at all.
- 4.2 The most robust Orders will be supported by a solid evidence base and rationale that sets out how the statutory criteria for each of the proposed restrictions have been met and demonstrates a direct link between the ASB and the PSPO being proposed in response. The nature of this evidence and how it should be weighted is largely down to the Council to determine, although obtaining a range of data from different sources as part of this process will be particularly useful in informing decision making and may help to avoid challenge further down the line.
- 4.3 Evidence demonstrating the effectiveness of the Order over the last three years will need to be considered and analysed before undertaking the consultation period.

#### **5. CONSULTATION PROCESS**

- 5.1 Once the evidence gathering processes have been completed and the draft order has been prepared by the Council, consultation will be carried out following the statutory guidance. A number of stakeholders will be contacted directly for their response to the consultation. The Council must consult with West Mercia Police and this should be done formally through the Chief Constable and the Police and Crime Commissioner. Owners or occupiers of land within the affected area should be consulted including Worcestershire County Council as the Highway Authority. The Council must consult with whatever community representatives it thinks is appropriate and a list has been drawn up which will include Ward Members, town and parish councils, local MP and businesses within the area proposed for designation.
- 5.2 The Council must also ensure that specific groups likely to have a particular interest are also consulted. The guidance leaves it to the Council to decide how best to identify and consult with interested parties. Consideration must also be given to ensure the views of those who will be directly affected by the prohibitions or may be opposed to the proposals are adequately captured.
- 5.3 Currently it is proposed that consultation is undertaken electronically for a period of one month during July 2021 and it will be promoted on social media and in the local press.

- 5.4 The consultation will seek views on the effectiveness of the present Order; whether the present controls should be maintained; and to test whether there is substantial demand for any extension of controls.

## **6. ENFORCEMENT**

- 6.1 Prior to the commencement of a PSPO an enforcement plan will be put in place. It is anticipated that enforcement will continue to be undertaken by West Mercia Police and Authorised Persons from Wyre Forest District Council.

## **7. DURATION OF ORDER**

- 7.1 To ensure a co-ordinated review process of all PSPOs, any new Order will be timed to run out at the same time as the other existing PSPOs, in September 2023. Therefore it is anticipated, that if this Order is made, it would run from 28 August 2021 to 30 September 2023.

## **8. FINANCIAL IMPLICATIONS**

- 8.1 The evidence gathering and consultation stages do not incur any financial costs apart from officer time.
- 8.2 Once the consultation stage has been completed and the wording of the Orders has been agreed, the Orders must be published with a notice placed in the local newspaper, which has a cost. There will also be costs for new or additional signage to be produced and erected; these costs are to be met within existing budgets.

## **9. LEGAL AND POLICY IMPLICATIONS**

- 9.1 The Anti Social Behaviour, Crime and Policing Act 2014 requires that PSPOs are reviewed every three years (or earlier) to enable them to be extended or varied, providing the Order remains necessary in order to prevent:
- further activities identified in the order from taking place, or
  - the frequency of seriousness of those activities increasing after that time.
- 9.2 For a PSPO to be made, varied, or extended the Council has to be satisfied on reasonable grounds that the activities that are being carried out, or likely to be carried out in the identified public space –
- has had or is likely to have a detrimental effect on the quality of life of those in the locality
  - is, or is likely to be, persistent or continuing in nature
  - is or is likely to be unreasonable and
  - justifies the restrictions



- 9.3 The Council must also have regard to Section 17 of the Crime and Disorder Act 1998 and consider the impact of their decisions and actions on crime and disorder in the local area.

## **10. CONCLUSION**

- 10.1 Reviewing the PSPO is a statutory requirement and must be undertaken in order to meet the 28 August 2021 deadline. PSPOs support the Council's Corporate Plan priority to keep the district a safe, clean and green living environment.

## **11. RISK MANAGEMENT**

- 11.1 If the PSPO is not reviewed then it would lapse without the opportunity to consider whether important powers to help keep the district a safe, clean and green living environment should be retained.

## **12. EQUALITY IMPACT NEEDS ASSESSMENT**

- 12.1 At this stage an impact needs assessment is not required. This will be completed at the appropriate step in the review process.

## **13. CONSULTEES**

- 13.1 Corporate Management Team
- 13.2 Principal Solicitor
- 13.3 Head of Community and Environment Services
- 13.4 Senior Community and Environmental Protection Officer

## **14. APPENDICES**

- 14.1 None

## **15. BACKGROUND PAPERS**

- 15.1 Home Office 'Anti-Social Behaviour, Crime and Policing Act 2014: Anti-social behaviour powers statutory guidance for frontline professionals'.
- 15.2 Local Government Association 'Public Spaces Protection Orders Guidance for councils'

**Overview & Scrutiny Committee  
Work Programme 2021-2022**

**May 2021**

“How are we doing?” Q4 update (Housing and Planning)  
Update from the Environment Agency – Flooding Outcomes  
Wyre Forest Health and Wellbeing Plan Update (Recs to Cabinet)  
Kidderminster 2040 - A Town Centre Vision

**June 2021**

Kidderminster Future High Street Fund – Update  
Kidderminster Property Acquisitions – EXEMPT

Information Items:

Recommendation Tracking 2020-2021  
Feedback from Cabinet 19-05-2021

**July 2021**

Update from the WCC – Flooding Outcomes  
Climate Change Action Plan (Recs to Cabinet)  
Flood Mitigation Schemes  
Review of Kidderminster Town Centre Public Space Protection Order (PSPO)  
Nominations for Treasury Management Review Panel (Chair to be appointed)

**September 2021**

“How are we doing?” Q1 update  
Recommendations from the Fireworks Review Panel  
Future High Streets Fund update report  
Capital Portfolio Fund Quarterly Performance Report (Qtr ending June 2021) –  
EXEMPT Appendix

**October 2021**

Treasury Management Strategy Statement and Annual Investment Strategy  
Backward Look 2020/21 & recs from the TMRP 20-09-2021

**November 2021**

“How are we doing?” Q2 update  
Treasury Management Strategy Statement and Annual Investment Strategy Mid-year  
Review Report 2021-22 & recs from the TMRP 01-11-2021

**December 2021**

Update on Future High Streets Programme delivery

**February 2022**

“How are we doing?” Q3 update  
Treasury Management Strategy 2022-23 & recs from the TMRP 31-01-2022