

NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I, Helen Dyke, as Strong Leader, delegate the decision to agree disposal of the land in Kidderminster outlined in the accompanying report to the Cabinet Member detailed below:

Cabinet Member for Operational Services- Councillor John Thomas

Dated: 23rd June 2022

A handwritten signature in black ink that reads "H. E. Dyke". The signature is written in a cursive style with a large, looped 'D'.

Signed:

Leader of the Council

NOTICE OF DECISION OF CABINET MEMBER

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me by the Leader, I have made the following decision:

Subject	Decision	Reason for decision	Date for Decision to be taken
Disposal of land	<p>Delegated authority be given to the Head of Strategic Growth and the Solicitor to the Council in consultation with the Leader and Cabinet Member for Operational Services to;</p> <p>2.1.1 advertise the proposed transfer of land as shown on the attached plan as required by s 123 of the Local Government Act 1972 and to consider any objections made as a result of the advertisement and to take the final decision on disposal in the event of objections having been received.</p> <p>2.1.2 subject to satisfactory completion of the requirements of 2.1.1 to dispose of the freehold of the land owned by Wyre Forest District Council located at Clensmore Street, Kidderminster to Citizen Housing on the terms set out in this</p>	To advertise disposal of the land, which is currently a redundant netball/basketball court, to a registered provider for the purposes of affordable housing. The disposal needs to be advertised and any objections considered before taking the final decision. If it is agreed to dispose then terms would be agreed as per the report for a disposal to Citizen housing or another Registered Provider for the purposes of affordable housing.	23 rd June 2022

	Report.		
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I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.

Dated: 23rd June 2022

A handwritten signature in blue ink, consisting of a large, stylized initial 'J' followed by a long, sweeping horizontal stroke.

Signed:

Councillor: John Thomas
Cabinet Member

WYRE FOREST DISTRICT COUNCIL**DISPOSAL OF LAND AT CLENSMORE STREET, KIDDERMINSTER**

OPEN	
CABINET MEMBER:	Cllr John Thomas, Cabinet Member for Operational Services
RESPONSIBLE OFFICER:	Kate Bailey -Head of Strategic Growth 01562 732560
CONTACT OFFICER:	Barbara Sarbinowska - Principal Strategic Housing Officer. Barbara.Sarbinowska@wyreforestdc.gov.uk 01562 732181
Appendices	Appendix One – site plan

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to recommend the disposal of land at Clensmore Street, Kidderminster to a Registered Provider (RP) for the provision of affordable housing.

2. RECOMMENDATION

For the Cabinet Member for Operational Services to agree that;

- 2.1 Delegated authority be given to the Head of Strategic Growth and the Solicitor to the Council in consultation with the Leader and Cabinet Member for Operational Services to;

2.1.1 advertise the proposed transfer of land as shown on the attached plan as required by s 123 of the Local Government Act 1972 and to consider any objections made as a result of the advertisement and to take the final decision on disposal in the event of objections having been received.

2.1.2 subject to satisfactory completion of the requirements of 2.1.1 to dispose of the freehold of the land owned by Wyre Forest District Council located at Clensmore Street, Kidderminster to Citizen Housing on the terms set out in this Report.

3. BACKGROUND

- 3.1 This site, backing onto canal adjacent to St. Mary's Church, was previously occupied by small dwellings prior to post-war clearance and Clensmore Wharf. The site slopes down (east to west) from Clensmore Street towards the Staffordshire and Worcestershire canal and comprises of a parcel of land, primarily consisting of overgrown vegetation and a former tarmacadam surface basketball court in the centre.

- 3.2 The site has been abandoned for a number of years and is sometimes used by rough sleepers who set up camp on the site.
- 3.3 Officers approached Citizen Housing, who are one of our preferred Registered Providers, as they have had experience of delivering supported accommodation in other Local Authorities and we have previously worked with them on the young people's supported accommodation. Discussions with Citizen Housing have been positive regarding the option for them to acquire the land, develop the scheme and then retain the accommodation for social housing.
- 3.4 With regard to the support provision for the move on accommodation, Citizen Housing have expressed an interest in providing this service. They currently provide both the accommodation and support to a similar scheme in Coventry and are in the process of developing another one in Hereford. An early discussion with Council officers regarding exempt supported accommodation charges has taken place.
- 3.5 Providing temporary accommodation through the use of Bed and Breakfasts and Hotels is an expensive form of provision as any Housing Benefit the household is entitled to is not covered in full by the subsidy the Council receives from Central Government. This is illustrated in Table One below which highlights the average cost for B&B accommodation for different household types. If the household is in receipt of benefits, housing costs can be claimed by the Council to cover some (but not all) of the cost of the B&B placement and so the net cost to the council is shown below;

Table one: Net cost of temporary accommodation 2016 – 2021

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Revenue Costs						
Gross cost of emergency housing	48,109	72,226	84,482	123,878	188,109	303,567
Benefit Clawback	25,417	47,657	34,399	50,166	92,597	124,450
Total Expenditure	73,526	119,883	118,881	174,044	280,706	428,017
Income						
Benefit Receipts	(42,002)	(71,440)	(66,985)	(91,294)	(168,377)	(199,336)
Contributions towards Non-Eligible Costs	(262)	(1,308)	0	(7,818)	(5189)	(7675)
Total Income	(42,264)	(72,748)	(66,985)	(99,112)	(173,566)	(207,011)
Net Revenue Position	31,262	47,135	51,896	74,932	107,140	221,006

- 3.6 The provision of 'move-on' accommodation would reduce the length of time homeless households are spending in our commissioned emergency accommodation, and avoid "bed blocking" due to the lack of supported move on options.

- 3.7 This site, along with the adjacent piece of land in private ownership, was included in the Housing Infrastructure Bid to Homes England for funding works to the roundabout on the A456. There is therefore a requirement to deliver housing within a fixed period of time or Homes England could impose a clawback mechanism.
- 3.8 In previous discussions with the landowner of the adjacent site, the current owner did not wish to bring forward their land for development at the offered (market) value for the site.

4. KEY ISSUES

- 4.1 The site is open space and therefore a public consultation would be required.

Section 123 of the Local Government Act 1972 stipulates that:

“(2A) A principal council may not dispose under subsection (1) above of any land consisting or forming part of an open space unless before disposing of the land they cause notice of their intention to do so, specifying the land in question, to be advertised in two consecutive weeks in a newspaper circulating in the area in which the land is situated and consider any objections to the proposed disposal which may be made to them.”

- 4.2 Increasing the supply of good quality accommodation at or near to Local Housing Allowance levels fits strategically with both the Corporate Plan (2021 – 2023) in the strategic objection “good quality and affordable homes for all” and the Homelessness and Rough Sleeping Strategy (2019 - 2022) priority “Improve supply of / access to good quality, affordable housing “.
- 4.3 The proposed scheme will deliver much needed supported move on accommodation and disabled adapted family sized affordable housing and a capital receipt to the Council’s Evergreen Investment Fund.
- 4.4 Officers have agreed the following timetable with Homes England with regards to the disposal and build out of the site.

Table Two: Indicative timeline

Stage	Date
Negotiation with Citizen	Completed June 2022
Contractual discussions with Citizen	To conclude 31/08/2022
Submission of Planning Application	Nov / Dec 2022
Planning permission secured	March 2023
Start on site	July 2023
Completion	November 2024

5. FINANCIAL IMPLICATIONS

- 5.1 The land was valued by Sanderson Weatherall to ascertain market value and the price to be paid by Citizen Housing is the market value advised in that valuation.
- 5.2 WFDC will need to meet the cost of advertising the Council’s intention to dispose of the open space land.

- 5.3 The capital receipt will go into the Council's Evergreen Investment Fund for further investment in the District.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The Council has wide powers in the Local Government Act 1972 and other legislation to acquire and dispose of land.
- 6.2 The disposal will need to be advertised in accordance with the requirements set out in paragraph 4.1 of this report and any objection received to the loss of the public open space considered against the community benefits to be gained from the proposed development.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 This report relates to disposal of land owned by the District Council. It is not considered that an equality impact assessment is required.
- 7.2 Accessibility and other relevant issues would be addressed in the design of the development and its associated planning application.

8. RISK MANAGEMENT

- 8.1 The sale will be conditional on the grant of planning permission for the development.
- 8.2 HIF bid clawback will kick in if the works on site are not concluded by March 2025. The current proposed timetable is within this timescale but there could be a risk to meeting this if the RP withdrew interest.

9. CONCLUSION

- 9.1 The disposal of this land, which is currently unused, will bring forward much needed accommodation to meet the needs of families with disabilities who are often waiting for a considerable length of time to be rehoused. It will also facilitate an improved move on rate and the avoidance of expensive emergency accommodation by offering move on accommodation to enhance the District offer.
- 9.2 HIF bid requires that the site is developed by March 2025. The current timeline meets this objective with some margin for delays.

10. CONSULTEES

- 10.1 CLT and Councillors Nicky Martin, John Thomas and Helen Dyke.

11. BACKGROUND PAPERS

- 11.1 Valuation Report by Sanderson Weatherall.

Appendix 1

