

**Open**

# **Overview & Scrutiny Committee**

## **Agenda**

**6pm**  
**Thursday, 2 March 2023**  
**Council Chamber**  
**Wyre Forest House**  
**Finepoint Way**  
**Kidderminster**



## Overview & Scrutiny Committee

### **Members of Committee:**

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

**Councillor J Aston**

**Councillor V Caulfield**

**Councillor N J Desmond**

**Councillor P Dyke**

**Councillor C Edginton-White**

**Councillor S Miah**

**Councillor T L Onslow**

**Councillor C Rogers**

**Councillor D Ross**

**Councillor D R Sheppard**

**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.

### **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 Karen Morton, Assistant Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732740 or email: [committee.section@wyreforestdc.gov.uk](mailto:committee.section@wyreforestdc.gov.uk)**

Wyre Forest District Council

Overview & Scrutiny Committee

Thursday, 2 March 2023

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

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 2nd February 2023.	6
5.	<b>Annual Review of the North Worcestershire Community Safety Partnership 2022/23</b>  To receive a presentation from the Community & Strategic Projects Manager on the annual review of the North Worcestershire CSP (NWCSP) 2022/23.	8
6.	<b>Draft Budget and Performance Monitoring Third Quarter 2022-23</b>  To receive a briefing from the Head of Resources and s151 Officer on the Council's financial and other performance at the end of Quarter 3 ending 31 <sup>st</sup> December 2022 and to present the current projected outturn position for the 2022-23 financial year.	43
7.	<b>Chaddesley Corbett Revised Neighbourhood Plan 2022 to 2036 – Referendum</b>  To consider a Cabinet report from the Head of Strategic Growth to seek agreement that the Chaddesley Corbett Neighbourhood Plan	91

	should be made part of the Development Plan for Wyre Forest District following the referendum which was held on Wednesday 8 <sup>th</sup> February 2023.	
<b>8.</b>	<b>Report on Local Enforcement Plan</b>  To consider a Cabinet report from the Head of Strategic Growth to seek approval for the Wyre Forest District Council (WFDC) Local Enforcement Plan (LEP) which covers action to be taken in cases of planning enforcement.	97
<b>9.</b>	<b>Localism Including Bewdley Leisure Centre</b>  To agree a report from the Chief Executive about various asset transfers and disposals as part of the localism agenda.	116
<b>10.</b>	<b>Work Programme</b>  To review the work programme for the current municipal year with regard to the Corporate Plan Priority, Annual Priorities and the Forward Plan.	128
<b>11.</b>	<b>Press Involvement</b>  To consider any future items for scrutiny that might require publicity.	
<b>12.</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>	
<b>13.</b>	<b>Exclusion of the Press and Public</b>  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”.	

Part 2

Not open to the Press and Public

<b>15.</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

COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER

THURSDAY, 2 FEBRUARY 2023 (6PM)

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**Present:**

Councillors: M J Hart (Chairman), S E N Rook (Vice-Chairman), J Aston, B Brookes, S J Chambers, R H Coleman, P Dyke, C Edginton-White, S Miah, T L Onslow, C Rogers and D R Sheppard.

**Observers**

Observed remotely: Councillors: G W Ballinger, I Hardiman, M Rayner and L Whitehouse.

**OS.44 Apologies for Absence**

Apologies for absence were received from Councillors: V Caulfield, N J Desmond and D Ross.

**OS.45 Appointment of Substitutes**

Councillor B Brookes was a substitute for Councillor D Ross.  
Councillor S J Chambers was a substitute for Councillor N Desmond.  
Councillor R H Coleman was a substitute for Councillor V Caulfield.

**OS.46 Declarations of Interests by Members**

No declarations of interest were made.

**OS.47 Minutes**

**Decision: The minutes of the meeting held on 1 December 2022 be confirmed as a correct record and signed by the Chairman.**

**OS.48 Health Supplementary Planning Document**

The Committee considered a draft of a Cabinet report from the Head of Strategic Growth that presented the draft Wyre Forest District Council (WFDC) Health and Wellbeing Supplementary Planning Document (SPD) for public consultation.

The Senior Planning Policy Officer presented the report and outlined the key issues. Members were advised that the SPD was required to support the implementation of policies in the Council's adopted Local Plan 2016-2036, specifically policies SP.16 Health and Wellbeing and DM.18 Hot food takeaways.

The Senior Planning Policy Officer explained that the authority was required under

## **Agenda Item No. 4**

the Town and Country Planning (Local Planning) (England) Regulations 2012 to consult on an SPD for a minimum of four weeks; it was proposed that the public consultation be undertaken for a period of six weeks. She added that the online consultation would be promoted via the website and social media. In response to a member question, the Senior Planning Officer confirmed that there would be an option to have face to face consultation meetings if required.

The Senior Planning Policy Officer further explained that following the consultation period Members would be presented with a consultation statement and the final draft of the SPD which will show how the comments had been incorporated into the SPD.

The Committee fully scrutinised the report and appendices. Members highlighted several areas within the SPD where they felt refinement was needed. This included the reference to the location of hot food takeaways as it was felt this was a broad spectrum and there are now many more healthy options available from hot food retailers; clarification of what was meant by a poor-quality job; and where there was a reference to national issues, such as demand for allotment plots, it should have a sharper focus on the context of Wyre Forest.

### **Agreed: Recommendation to Cabinet:**

**The Overview and Scrutiny Committee endorse the document for consultation, subject to refinement in the areas mentioned and the final proposed policy document coming back to the Overview and Scrutiny Committee before going to Cabinet for final adoption.**

### **OS.49 Work Programme**

The Committee reviewed and noted the work programme for the remainder of the municipal year.

### **OS.50 Press Involvement**

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

There being no further business, the meeting ended at 6.38pm.



# Overview & Scrutiny Committee

## Briefing Paper

Report of: Kathryn Underhill, Community & Strategic Projects  
Manager  
Date: Thursday, 2 March 2023  
Open

### Annual Review of the North Worcestershire Community Safety Partnership 2022/23

#### 1. Summary

1.1 To receive a presentation on the annual review of the North Worcestershire CSP (NWCSP) 2022/23. This will provide an update on the priorities, performance, successes and challenges in relation to the NWCSP.

#### 2. Background

2.1 NWCSP has been in existence since May 2013, following the merger of the three district CSPs in Bromsgrove, Redditch and Wyre Forest. The community safety teams/functions that support and administer the Partnership continue to sit within the respective local authorities.

2.2 Local authority representation on the NWCSP is fulfilled through a number of positions. Wyre Forest District Council's Elected Member representative is the Cabinet Member for Culture, Leisure and Community Safety, Councillor Graham Ballinger. Steve Brant, Head of Community and Environment Services is the Council's Responsible Authority representative and is also the Vice Chair of the NWCSP. The Council's Community and Strategic Projects Manager, Kathryn Underhill, provides support to the NWCSP, is chair of the Safer Wyre Forest Operational Group and manages the Council's community safety functions.

2.3 Scrutiny arrangements for the CSP remain unchanged with local authorities having a statutory duty to scrutinise the work of its local CSP, under Section 19 of the Police and Justice Act.

2.4 Alongside the relationship the Council has with the CSP, there is also a direct role in holding the West Mercia Police and Crime Commissioner (PCC), John Campion, to account through the West Mercia Police and Crime Panel (PCP). Wyre Forest District Council's representative on the PCP is Councillor Graham Ballinger. The most recent West Mercia PCP meeting was held in November 2022 and the public papers can be accessed here: [West Mercia Police and Crime Panel - Friday, 3rd February, 2023 11.00 am](#)



### 3. Current Position

#### 3.1 North Worcestershire CSP Plan 2021-24

NWCSP has a statutory duty to produce a three-year rolling plan outlining how the Partnership intends to address key crime and community safety priorities, as identified through its annual strategic assessment.

The strategic assessment gathers research, evidence and intelligence from national and regional sources, as well as drawing on professional expertise of those working locally. It is designed to be a point of reference and guide to resourcing community safety initiatives working with partner agencies across the area.

Informed by the strategic assessment, the Community Safety Partnership Plan sets out the priorities that the CSP will focus on for a 3 year period. Due to the disruption of Covid-19 and partner agencies prioritisation of community support during the pandemic, the Community Safety Partnership Plan was delayed slightly and has since been agreed for 2021-24.

The North Worcestershire Community Safety Partnership plan focuses on the following priorities for the year as follows:

- I. **Reducing Violence and Abuse:** including violence in public places, sexual offending, domestic abuse and Child Sexual Exploitation (CSE)
- II. **Reducing Theft and Acquisitive crime:** including shoplifting, thefts and burglaries
- III. **Reducing Anti-Social Behaviour, Damage and Nuisance:** including criminal damage, environmental issues and deliberate fires/arson
- IV. **Protecting vulnerable communities:** including reducing targeted harassment and threatening behaviour motivated by Hate
- V. **Reducing Offending and Reducing the Harm caused by Drug and Alcohol Misuse** are cross cutting themes which impact on all priorities

The North Worcestershire Community Safety Partnership Plan 2021-24 can be found at **Appendix 1**

#### 3.2 John Campion, West Mercia Police and Crime Commissioner

John Campion was first elected as West Mercia PCC in May 2016 and, following the postponement of national elections due to the Coronavirus pandemic in 2020, was re-elected for a second term in May 2021.

The PCC has a duty to co-operate with all CSPs in his geographical area to reduce crime and disorder. There is also a reciprocal duty on CSPs to collaborate with the PCC and both bodies must have due regard for each

other's priorities within their respective plans. The PCC's Safer West Mercia Plan 2021-2025 can be read here - [Safer West Mercia Plan \(westmercia-pcc.gov.uk\)](https://www.westmercia-pcc.gov.uk)

In November 2021, the Commissioner also appointed two new Assistant PCCs. Paul Middleborough and Nicola Lowery work closely to represent the PCC within communities across West Mercia, with portfolios that includes rural, business and cyber-crime, victims' services and commissioning. [Assistant PCC's Will Reflect The Voice of Communities - West Mercia Police Crime Commissioner](#)

In September 2022, Marc Bayliss (former Leader of Worcester City Council) was appointed as the Deputy Police and Crime Commissioner for West Mercia following Tracey Onslow's decision to step down after six years in the role.

CSPs work closely with the Deputy and Assistant PCCs as part of the West Mercia PCC's model of commissioning crime reduction activity. Established commissioning areas include CCTV improvement, the coordination of Data Analysis support and consolidation of funding for Integrated Offender Management across the force area. More recently the PCC released a tender for delivery of a Hate Crime Support service across West Mercia, which was won by Victim Support West Mercia. The PCC also opened a Fly Tipping fund that CSPs could bid into to support private landowners to address environmental crime issues. This commissioning model has led to more PCC funding being provided at a West Mercia force level to deliver activities in these key thematic areas.

**PCC's CCTV Capital Fund:** Back in 2017-18 the PCC allocated significant funding to develop and upgrade CCTV across the West Mercia force area. NWCSF first received an allocation of £195,000 of grant funding for improvements to the area's CCTV scheme. The CSP, on behalf of the three Local Authorities, used this capital contribution to modernise the CCTV infrastructure that serves the three district areas. This upgrade introduced Internet Protocol Recording with greatly improved technological capabilities for digital processing. The whole CCTV scheme now has enhanced digital capability, improved image quality and a greater capacity to expand the scheme and/or link up to other digital systems across the region.

The funding amounts involved made this project the most ambitious undertaken by the CSP and the project was also match funded by the three District Councils with additional revenue, capital and in-kind support. A total amount of £339,000 of CSP funding was allocated to the project up to March 2020.

In 2020-21 the PCC allocated an additional amount of £65k capital funding towards CCTV and a further 65k of capital funding was awarded to NWCSF in 2021-22. The Project Team implemented spending proposals agreed by the CSP which have continued to enhance the capability and capacity of the CCTV Monitoring Scheme and improve the technological aspects of the Monitoring Centre and cameras which will have benefits for years to come. A further funding allocation of £20,000 was given to NWCSF for 2022/23.

**PCC's Fly Tipping Fund:** In Sept 2021, the PCC released a £100K grant fund available over 2 years in order to work with CSPs to address the problem of fly-tipping on private land. The grant fund was launched with a closing date for applications on the 4<sup>th</sup> October. The PCC's Office approved 5 applications – one each for North Worcestershire, South Worcestershire, Telford & Wrekin, Herefordshire and one West Mercia wide bid (for a SmartWater tyre tagging scheme) allocating the total £100K funding pot - [West Mercia Police and Crime Commissioner to invest £100k to tackle fly-tippers and introduce tyre-tagging scheme](#)

The NWCSP allocation of £22,000 is supporting the work of a new NW District Council Fly Tipping Prevention Group and the grant funding is being managed by the three district council environmental services teams in order to:

- a) Develop a landowners' charter across North Worcestershire reflecting guidance of best practice amongst landowners as set out by the National Flytipping Prevention Group (NFPG).
- b) Introduce a co-ordinated prevention and enforcement scheme which will include:
  - the use of covert CCTV (to be managed by the Councils)
  - signage
  - target hardening advice from the Councils
  - following up on any evidence gathered from fly tipped waste and/or captured on CCTV and issue Fixed Penalty Notices or prosecute.
- c) Establish and manage a network of landowners who are signed up to the charter where best practice, convictions and information can be shared.

### **3.3 NWCSP core grant funding from the PCC 2022-23**

In addition to the CCTV Capital Grant and the Fly Tipping Fund, NWCSP is allocated an annual ring-fenced amount from the PCC of £139,250 for 2022/23 and details of the CSPs agreed project spend can be found in Appendix 2.

The progress of these grant funded projects is reported quarterly to the PCC and at the end of the financial year there is a requirement to provide a comprehensive evaluation of all the funded projects. This includes a full breakdown of project expenditure and the outputs/outcomes that the funding has achieved.

### **3.4 Local Delivery, Key Projects and Progress**

Local delivery of community safety projects and initiatives falls under the remit of the Community Safety Operational Groups. The Safer Wyre Forest group is a multi-agency partnership forum chaired by the Council's Community and Strategic Projects Manager. Alongside coordination of the CSP sub-groups, the Community and Strategic Projects Manager also monitors and responds to

district community safety issues, co-ordinating local operational delivery with wider partners. The officer is often a first point of contact for residents and partners with concerns about local crime and disorder issues and they are able to call upon other community safety partners when solutions to local concerns require a multi-agency response.

They are also available to provide information, support and guidance to residents, council colleagues, external partners and elected members on a variety of crime prevention and community safety concerns and issues.

A presentation will provide an update on the key community safety project activity that has taken place in 2022/23.

### **3.5 ASB, Problem Solving and Partner Engagement**

To be circulated, at Appendix 3, is a brief overview of reported ASB in North Worcestershire and Wyre Forest to date.

#### **Use of ASB Tools and Powers**

Working with our partner agencies there are a number of tools and remedies available when dealing with cases of ASB. Support is provided throughout each process with referrals to other organisations made as and when it is appropriate.

**Community Trigger/ASB Case Review** - A Community Trigger/ASB Case Review is a process that was introduced as part of the ASB Crime and Policing Act 2014 and provides a facility for victims of ASB to request a review of their reported case, if they feel that no action has been taken. Relevant agencies have to come together to review their responses to the reported problem and identify if there is any further action that can be taken.

In 2022/23, the Community and Strategic Projects Manager received one Community Trigger application for issues relating to disruptive neighbour nuisance and three requests for application forms, which may proceed to a Community Trigger application.

The ASB Case review process is owned by NWCSP and is administered by the Council's Community and Strategic Projects Manager. As laid out in the 2014 Act, there are a number of timescales that need to be met to ensure that the applicants receive timely responses to their concerns.

**Requests for Service** - The Community and Strategic Projects Manager receives a number of calls for advice and assistance from other council service areas and partner agencies requiring expertise in implementing crime & ASB prevention measures, problem solving processes and community safety interventions to assist in resolving complex issues and cases. Requests for support and information are received from members of the public, Elected Members, voluntary and community groups and other external agencies and

can include complaints about neighbourhood issues, concerns around domestic abuse, use of illegal substances, home security, personal safety and environmental crime concerns.

**4. Options**

- 4.1 That progress by the North Worcestershire Community Safety Partnership and the Safer Wyre Forest Operational Group be noted.
- 4.2 Members note the partnership activity engaged in tackling the North Worcestershire Community Safety Partnership priorities in Wyre Forest.

**5. Consultation**

- 5.1 Member for Culture, Leisure and Community Safety, Councillor Graham Ballinger
- 5.2 Head of Community and Environment Services
- 5.3 Community and Environment Strategic Manager

**6. Related Decisions**

- 6.1 None

**7. Relevant Council Policies/Strategies**

- 7.1 Wyre Forest District Council Corporate Plan 2021-23

**8. Implications**

- 8.1 Resources: Staff time and funding from internal and external budgets.
- 8.2 Equalities: There are no negative impacts on equality, which arise as a result of the NWCSP and its associated activities.
- 8.3 Partnership working: The NWCSP Strategic Group and its delivery groups involve a number of partners at a strategic and operational level.
- 8.4 Human Rights: No direct implications from this report.
- 8.5 E-Government: No direct implications from this report.
- 8.6 Transformation: No direct implications from this report.

**9. Equality Impact Needs Assessment**

9.1 As this is an update report, no equality impact needs assessment is required.

**10. Wards affected**

10.1 All wards and across the administrative boundaries of Bromsgrove, Redditch and Wyre Forest.

**11. Appendices**

11.1 Appendix One: North Worcestershire Partnership Plan 2021-24

11.2 Appendix Two: NWCSP core grant funding from the PCC 2022-23

11.3. Appendix Three: Wyre Forest ASB Report

**12. Background Papers**

West Mercia PCC's Safer West Mercia Plan 2021-25

[Committee details - West Mercia Police and Crime Panel - Worcestershire County Council \(moderngov.co.uk\)](#)

**Officer Contact Details:**

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# Partnership Plan 2021-24

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## FOREWORD

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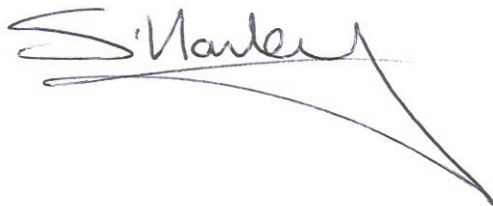
**I am pleased to present North Worcestershire Community Safety Partnership's (NWCSP) Community Safety Plan for 2021-24. It outlines our priorities over the next three years and the actions we will take to address them.**

NWCSP is committed to building on the progress made in recent years and will continue to drive down crime and disorder across Bromsgrove, Redditch and Wyre Forest. Our partnership is innovative and full of people who are passionate about creating a safe environment for our communities.

Our aim for this plan is to continue to build safer, stronger and more confident communities whilst navigating and adapting to the challenges brought about by the Covid-19 global pandemic.

We will do this by working together to decrease crime, improve community safety and address the threats, harms and risks associated with criminality; and at the same time implementing and responding to the requirements and regulations necessary to support our communities to move toward post-Covid recovery.

In the following pages, we have captured the areas of work that we will focus on as a partnership and the actions we will take to achieve our aims. I hope by reading this plan, you will see how NWCSP works together toward these aims, for the benefit of all who live, work in and visit our towns and villages.

A handwritten signature in black ink, appearing to read 'S. Hanley', with a long, sweeping underline that extends to the right and then curves downwards.

**Sue Hanley**  
**Chair of the North Worcestershire Community Safety Partnership**

## INTRODUCTION

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This partnership plan has been prepared by NWCSP to help set out its community safety objectives and aims for 2021-24 in the context of the Covid 19 pandemic.

Since the first national lockdown implemented in March 2020 Covid-19 has continued to pose significant challenges to public agencies, local businesses and voluntary & community sector organisations as they work to support, protect and maintain services to our local residents.

Our partners continue to meet the ongoing challenges of redesigning processes and altering ways of working to provide services that are Covid-safe for both customers and employees alike and this has meant significant change, at an extraordinarily quick pace. Despite this, there also remains a consistent level of customer service and support offered by all partner agencies whilst adapting to and working within the various restrictions and requirements of national Coronavirus policy and regulation.

Both individually and collectively, Community Safety Partnership members are managing the effects of this unprecedented situation, constantly adapting service delivery and working practices in order to continue to support customers and clients, many of whom have been deeply affected by the many and sometimes life-changing consequences of the coronavirus pandemic.

Whilst the long term effect Covid-19 will have on crime, disorder and anti-social behaviour is unknown; this Partnership Plan is intended to inform residents, parish and town councils, and other stakeholders including the West Mercia Police and Crime Commissioner of the specific community safety actions NWCSP will carry out during the forthcoming years.

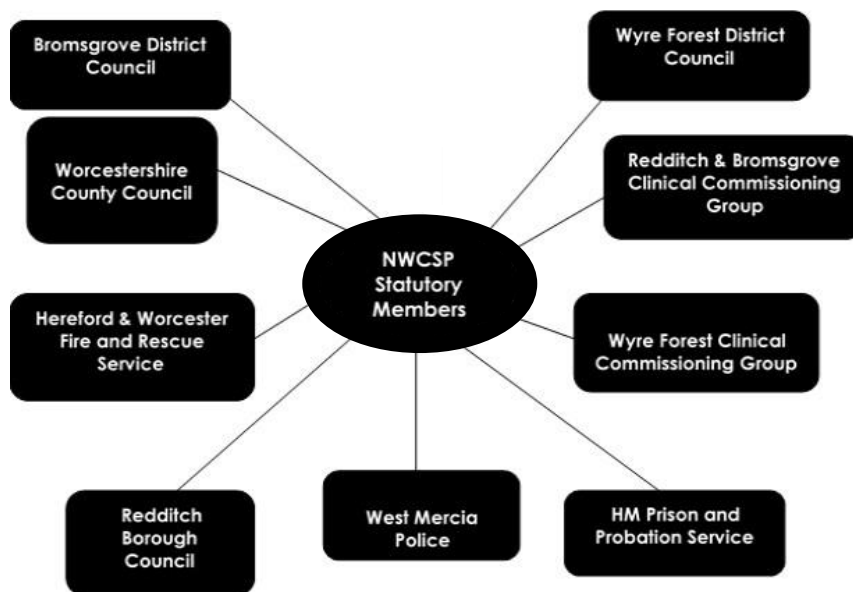
The Partnership vision for North Worcestershire is: -

‘to keep North Worcestershire a safe place to live, work and visit’.

## NORTH WORCESTERSHIRE COMMUNITY SAFETY PARTNERSHIP (NWCSP)

NWCSP is a strategic partnership, bringing agencies together to reduce crime and offending in accordance with the Crime and Disorder Act 1998, Police Reform and Social Responsibility Act 2011 and the Anti Social Behaviour, Crime and Policing Act 2014.

The Partnership is made up of the following statutory organisations, together with a wider range of local agencies such as victim support services, housing associations and voluntary & community sector organisations. NWCSP aims to provide added value to the individual partnership agencies' day to day functions; working together to reduce the risks and harms associated with crime, disorder and anti-social behaviour.



NWCSP could not achieve its objectives without help from the public. It is the responsibility of everyone to play their part in helping to make themselves and their communities safer. Anyone can contribute to crime reduction and prevention by reporting crime and disorder when it happens; supporting criminal justice agencies by providing information and intelligence about offences that have taken place; and by taking responsibility for personal safety and the safety of others, particularly the most vulnerable in society.

For ideas on other ways to get involved, please visit [www.nwcsp.org](http://www.nwcsp.org)

## HOW WE WORK TOGETHER

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The Partnership has a statutory duty to produce an annual Strategic Assessment which provides the data and evidence for proposed community safety activities and actions, as set out in the Partnership Plan. The Strategic Assessment also provides the framework for the CSP to measure performance and progress towards meeting its agreed outcomes for each of the community safety priorities.

Usually the Strategic Assessment collates the latest information and data, detailing recent levels of crime and ASB. This allows the CSP to consider the current position and assess any changing circumstances or emerging issues that could require multi-agency approaches or interventions. However, this year Covid-19 has had a significant effect on crime figures and data reporting.

Following a report by the Office for National Statistics Centre for Crime and Justice (ONS) released on 3<sup>rd</sup> Feb 2021, statisticians stated that:

*“The coronavirus pandemic and related lockdown restrictions have resulted in fluctuations in the level of crime experienced in England and Wales. Data from the survey [Telephone operated Crime Survey for England and Wales 2020] showed decreases in crime at the start of the pandemic, with rises seen over the summer months, specifically in theft, following the easing of lockdown measures, with overall crime now back at pre-lockdown levels of January to March 2020. There were also fluctuations in police recorded crime, but total recorded offences for July to September 2020 were below that seen in the same period in 2019.”*

[ONS - Crime in England and Wales: year ending September 2020](#)

In light of the challenge of 2020/21 crime data, the Partnership has also utilised Strategic Assessments and other CSP data products from previous years to inform priority setting for the refreshed Partnership plan. Alongside this, certain other considerations are also taken into account, such as:

- Level of harm – the impact offences have on victims and wider communities.

- Community concern – the level of priority that local residents attribute to a particular offence.
- Partnership added value – the extent to which multi-agency working can enhance the ability of agencies to tackle a particular pattern of offending behaviour.

This year's priority setting has also been developed with due regard to:

- Existing and emerging national priorities
- NWCSP's statutory duties and obligations
- West Mercia Police and Crime Commissioner's (PCC) Plan – Safer West Mercia
- Policing priorities included in the West Mercia Force Control Strategy
- Worcestershire Safer Communities Board's Community Safety Agreement

## ***West Mercia Police and Crime Commissioner***

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John Champion was re-elected as the Police and Crime Commissioner for West Mercia on 6th May 2021. Mr Champion's focus will be on increasing the number of police officers on the streets and ensuring they are visible and accessible to communities. He has also prioritised the fight to reduce crime, bring criminals to justice and spend the public's money on efficient and effective policing. The PCC will be producing a new Police and Crime Plan, which will set out the strategic aims and priorities for his second term in office.

The PCC has a duty to co-operate with CSPs to reduce crime and disorder and there is a reciprocal duty on CSPs to collaborate with the PCC. The PCC and the CSP must also have regard for each other's priorities within their respective plans. PCC's vision has focused on four key areas:

- Building a More Secure West Mercia
- Reassuring West Mercia's Communities
- Putting Victims and Witnesses First
- Reforming West Mercia

This North Worcestershire CSP Plan has been developed to ensure that it aligns with the PCC's vision for policing across West Mercia and will continue to support the aims and objectives of the next West Mercia Police and Crime Plan.

### ***Serious Violence Statutory Duty***

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In July 2019, the Government announced plans for a new legal duty on public bodies to prevent and tackle serious violence. The new 'public health duty' will cover the police, local councils, local health bodies such as NHS Trusts, education representatives and youth offending services.

The Home Office's intention is that the duty will ensure that relevant services work together to share data, intelligence and knowledge to understand and address the root causes of serious violence including knife crime. It will also allow those services to target their interventions to prevent and stop violence altogether.

The Government intends to amend the Crime and Disorder Act 1998 to ensure that serious violence is an explicit priority for Community Safety Partnerships, by making sure they have a strategy in place to tackle violent crime.

At the time of writing, NWCSP is still waiting for further information about what this new duty will mean in practice for the Partnership and will respond accordingly to any requirements emerging from the government's Serious Violence Strategy and any related legislation.

### ***Delivering the Partnership Plan***

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The key to delivering North Worcestershire's priorities is effective and strong partnership working, as no individual agency alone can deliver the objectives of the CSP.

As a partnership we will set and monitor performance indicators that reflect the priorities, in order to measure progress toward the Partnership's delivery outcomes. We will measure and assess our activities a minimum of four times a year to check that we are achieving positive outcomes and making progress toward the aims of the plan.

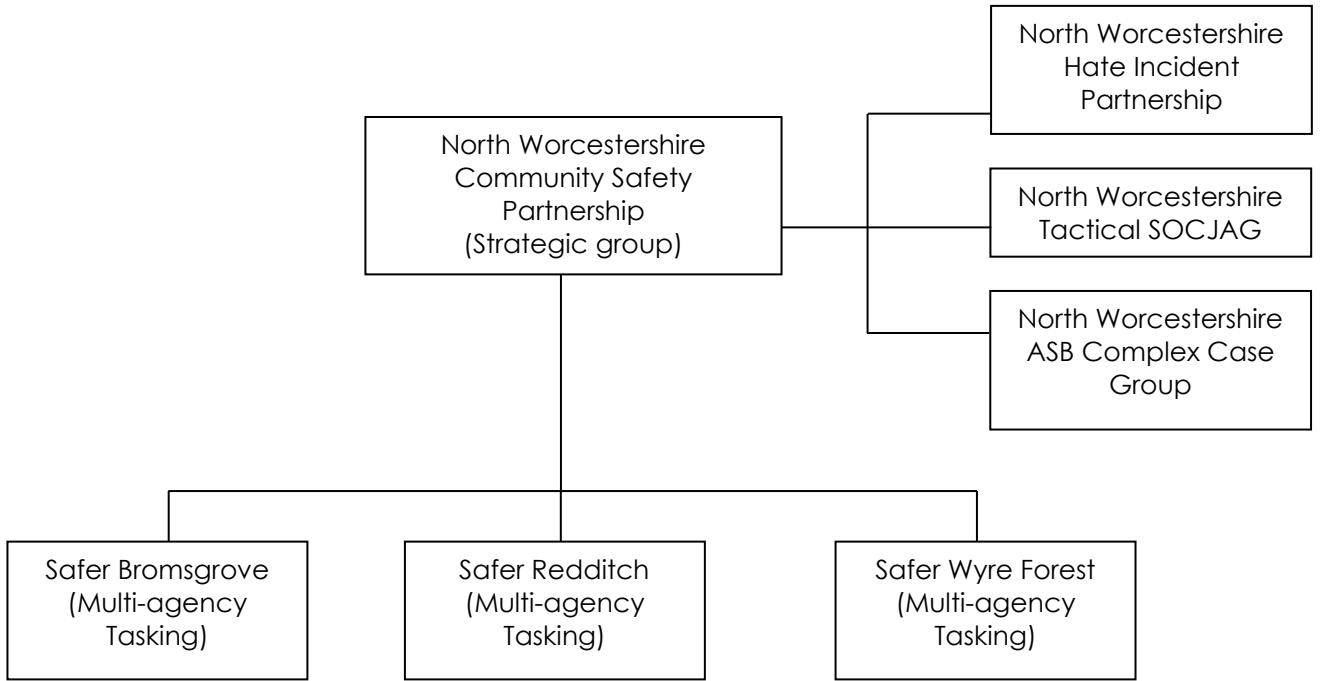
Effective crime reduction relies on understanding what and where our problems are. This enables us to direct partnership resources efficiently and effectively – to the right place at the right time. Crime trends and patterns are regularly monitored and NWCSPP receives regular reports from key officers to enable collective monitoring of actions, performance and outcomes.

The Partnership consists of senior managers from the statutory Responsible Authorities alongside co-operating organisations and the Elected Councillors with responsibility for community safety, from each of the member Local Authorities. To provide oversight of the work of the Partnership, Elected Councillors hold community safety specific scrutiny committees which inspect the Partnership's performance. West Mercia's PCC is the public's elected representative for all policing matters and as such Community Safety Partnerships and the PCC have a duty to collaborate and pay due regard to each other's action plans. In fulfilling this duty, the PCC maintains strong links with each of the Community Safety Partnerships within the West Mercia force area.

Operational delivery of the partnership plan is carried out by a number of community safety sub-groups and forums. Safer Groups in each of the district areas are the core delivery arm of the CSP, where much of the on-the-ground activity is developed and undertaken. These groups co-ordinate partnership activity at an operational district level to solve current and emerging local problems.

**NWCSP Structure**

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## OUR PRIORITIES

Partners use the Strategic Assessment and other sources to assess and prioritise the key crime and disorder issues that require multi-agency action within the Partnership's area of focus. When setting and reviewing CSP priorities consideration is also given to the local Policing objectives in the area. Partnership priorities are reviewed regularly and refreshed annually to ensure the CSP is always focused on addressing the issues that affect local communities the most.

The following priorities have been agreed by partners for 2021/22:

Priority	Aim: To Reduce/Prevent
Violence and Abuse	Public Place Violence
	Domestic Abuse and Sexual Violence
	Child Sexual Exploitation
Theft and Acquisitive Crime	Theft from Stores
	Burglary, Doorstep Crimes & Scams
	Rural & Business Crime
ASB, Damage and Nuisance	Neighbourhood Nuisance
	Criminal Damage
	Environmental Problems and Deliberate Fires
Protecting Vulnerable Communities	Hate Crime & Targeted Harassment
	Criminal Exploitation, County Lines & Modern Slavery
	Violent Extremism
Reducing the Harm Caused by Drugs & Alcohol	
Reducing Reoffending	

A summary of the type of activity the Partnership will undertake to address these priorities is provided below.

## Priority: To Reduce Violence and Abuse

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### **Public Place Violence** - Summary of CSP Activity:

- Work with local businesses, regulatory services and public health to develop further understanding and intelligence around public place violence; particularly related to the Night-time Economy as town centres and licensed premises move toward post Covid recovery.
- Respond to and implement any requirements emerging from the government's Serious Violence Strategy and any related legislation.
- District Safer Groups to develop and co-ordinate specific actions and initiatives in response to local public place violence issues.

### **Domestic Abuse and Sexual Violence** - Summary of CSP Activity:

- Through MARAC and commissioned Domestic Abuse services, continue to develop and improve agency responses to high risk victims.
- Work with Domestic Abuse and Sexual Violence support services to develop and promote initiatives that focus on increasing reporting, early help and education.
- Increase and promote training opportunities to ensure all services are able to identify and offer support to customers at risk of or experiencing Domestic Abuse or Sexual Violence.
- Work with services to ensure all victims are able to access the right support to meet their needs, including male victims, victims from Black Asian and Minority Ethnic communities and victims of historical sexual violence.
- Through Drive, the Worcestershire Domestic Abuse Perpetrator Programme work with services to reduce offending and prevent risk and harm.
- Respond to any legislative requirements emerging from the Domestic Abuse Bill 2020 and the Violence against Women and Girls Strategy 2021-2024.
- Implement learning and recommendations from Domestic Homicide Reviews

**Child Sexual Exploitation** - Summary of CSP Activity:

- Support and expand the community safety Respect Programme in partnership with local schools to continue to provide therapeutic support to young people at risk of exploitation.
- Promote and deliver training and awareness raising to ensure parents, support workers and service providers are able to identify and support young people vulnerable to exploitation.
- Through work with schools, the local Respect Programme and other providers, to ensure children and young people have access to education on healthy relationships.
- Work with the Children's Safeguarding Partnership to promote Get Safe, the countywide safeguarding approach to addressing issues of Child Exploitation. [GET SAFE = **G**angs, **S**exual **E**xploitation, **T**rafficking, **M**odern Day **S**lavery **A**bsent or **M**issing, **F**orced Marriage, **C**riminal **E**xploitation]

**Priority: To Reduce theft and acquisitive crime**

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**Theft from Stores** - Summary of CSP Activity:

- Work with partners such as the North Worcestershire Economic Development and Regeneration (NWEDR) Unit, business networks and retail partnerships to identify opportunities for crime prevention, improving store security and improved data collection and analysis.
- Work with Integrated Offender Management (IOM) partners in the criminal justice system, to ensure prolific and persistent offenders are brought to justice.
- Work with commissioned Drug and Alcohol services and IOM to promote support options and interventions to reduce reliance on theft to support addictions.

**Burglary, Doorstep Crimes and Scams** - Summary of CSP Activity:

- Raise awareness of criminality and provide residents with the tools and information to protect their homes and property.
- Offer support, information and advice to Burglary victims to reduce the risk of re-victimisation.
- Promote and expand the CSP's Nominated Neighbour scheme to encourage residents to look out for and protect the most vulnerable members of their local communities.
- Promote the PCC's SmartWater Village Scheme and the Police We Don't Buy Crime initiative to support a co-ordinated approach to protecting local rural areas.
- Raise awareness of scams, fraud and cyber-crime, focusing on the most vulnerable and those most at risk of being targeted.
- Deliver seasonal initiatives to raising awareness and provide advice to the public on how to reduce the risk of becoming a victim of these crimes.
- Targeted joint-agency work to engage with and raise the awareness of residents/communities in areas where issues such as scams and distraction burglary are more prevalent (e.g. elderly residents).

**Rural and Business Crime** - Summary of CSP Activity:

- Promote the PCC's SmartWater Scheme and the Police We Don't Buy Crime initiative to support a co-ordinated approach to protecting local businesses communities and rural areas.
- Support and promote business community and rural area networks, such as Farm Watches and Business Links, providing crime prevention information and sharing intelligence to prevent victimisation.
- Support West Mercia PCCs Business and Rural crime strategies and work with local affected communities to understand and address the issues they are facing.

## **Priority: To reduce antisocial behaviour (ASB), damage and nuisance**

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### **Neighbour Nuisance** - Summary of CSP Activity:

- Promote and utilise the powers and legislation available to the Police, Councils and other partners to tackle ASB and nuisance.
- Raise awareness of support services and provide residents with pathways to raise concerns and request action i.e. Tenancy Panels, Complaints processes, Community Trigger/ASB Case Review etc.
- Offer support, information and advice to vulnerable victims of ASB victims to reduce the risk of continued re-victimisation or escalation.
- Respond to any legislative requirements emerging from the Social Housing White Paper 2020 in relation to ASB and Safer Homes & Neighbourhoods.
- North Worcestershire ASB Complex Case Group to develop and co-ordinate specific actions and initiatives in response to local concerns about ASB issues.

### **Criminal Damage** - Summary of CSP Activity:

- Utilise improved CCTV capabilities across North Worcestershire to identify and take action against perpetrators.
- Utilise and support the work of established Detached Youth Work teams in each district area to engage with young people in local neighbourhoods at risk of becoming involved in ASB and criminality.
- Make use of opportunities for community resolution and restorative justice with offenders to repair damage in public spaces.

### **Environmental Problems and Deliberate Fires** - Summary of CSP Activity:

- Promote and utilise the powers and legislation available to the Councils, Regulatory Services and other partners to tackle environmental problems and crimes.
- Publicise environmental crime prosecutions and enforcement action taken against offenders in order to prevent and deter further offending.

- Work with partners to improve data collection and shared intelligence around environmental problems and deliberate fires in order to identify patterns of behaviour and target resources more effectively.
- Raising awareness of the dangers of fire raising and deliver fire safety messages within local communities.

## **Priority: Protecting Vulnerable Communities**

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### **Reducing Hate Crime and Targeted Harassment** - Summary of CSP Activity:

- Through North Worcestershire Hate Incident Partnership continue to raise awareness of hate crime in all its forms, providing appropriate support information and increasing opportunities to report incidents securely and safely.
- Offer support, information and interventions to vulnerable victims of Hate Incidents/crimes to reduce the risk of continued re-victimisation or escalation.
- Increase and promote training opportunities to ensure all services are able to identify and offer support to customers at risk of or experiencing Hate Crime and Targeted Harassment.

### **Reducing Criminal Exploitation, County Lines & Modern Slavery** - Summary of CSP Activity:

- Through North Worcestershire Serious Organised Crime Joint Action Group (SOCJAG) continue to raise awareness of organised crime and exploitation across agencies and with the public.
- Support and engage with the SOCJAG and MATE processes to identify areas of concern, share intelligence and take joint action to disrupt Organised Crime Groups (OCGs) operating in our areas.
- Further develop our knowledge and understanding of criminal exploitation, county lines and modern slavery locally, including areas and communities that may be more vulnerable to targeting by criminals.
- Raise awareness and provide support and information to services, businesses and organisations likely to come into contact with those vulnerable to exploitation.

**Preventing Violent Extremism-** Summary of CSP Activity:

- Through Worcestershire Prevent Strategy Group to raise awareness of Prevent and organisations statutory duties under the Counter-Terrorism and Security Act 2015 (as amended)
- Support and engage with the Channel Process and ensure that support is available for young people and vulnerable adults at risk of radicalisation. SOCJAG and MATE processes to identify areas of concern, share intelligence and take joint action to disrupt Organised Crime Groups (OCGs) operating in our areas.
- Further develop our knowledge and understanding of terrorism and risks of radicalisation locally, including areas or communities that may be more vulnerable to targeting by extremists.

## **Cross Cutting Themes**

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Reducing the Harm caused by Drugs and Alcohol and Reducing Re-offending remain cross cutting areas of work for partners that impact on all CSP priorities. NWCSP works closely with Public Health and Commissioned Drug and Alcohol Services and is also represented on the Worcestershire Reducing Reoffending Strategy Group.

NWCSP activity in these areas as part of the plan will include:

- Support and encourage joint Police and Licensing Team visits to licensed premises in North Worcestershire to ensure adherence to licensing conditions and to encourage the responsible sale of alcohol as premises move toward post Covid recovery.
- Support and facilitate the referral of vulnerable individuals at risk of exploitation to local support services to safeguard them against harm e.g. risk of cuckooing of a vulnerable tenant's property due to substance dependency.
- Use of enforcement powers e.g. Criminal Behaviour Order, to take action against identified persistent offenders engaging in ASB where behaviour is alcohol-related.
- Support and resource targeted outreach work delivered by youth workers to engage with young people at risk of drug or alcohol-related ASB.

## **Agenda Item No. 5 Appendix 1**

- Promote use of Dispersal Orders and Community Protection Warning letters/Notices for those individuals repeatedly involved alcohol or drug-related crime.
- Continue work with Integrated Offender Management (IOM) partners in the criminal justice system, to ensure offenders are brought to justice.
- Seek to publicise prosecutions and enforcement action taken against offenders, where appropriate, in order to prevent and deter further offending.
- Make full use of both permanent and deployable CCTV camera systems in our district areas to deter offending behaviour, capture evidence and improve public safety.
- Share intelligence through the district Safer Groups and other CSP sub-groups to help bring offenders to justice.



## CONTACT DETAILS

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North Worcestershire Community Safety Partnership  
[www.nwcsp.org.uk](http://www.nwcsp.org.uk)

Crime Stoppers 0800 555 111  
[www.crimestoppers-uk.org](http://www.crimestoppers-uk.org)

West Mercia Police non-emergency number 101  
[www.westmercia.police.uk](http://www.westmercia.police.uk)

Hereford and Worcester Fire & Rescue Service  
[www.hwfire.org.uk](http://www.hwfire.org.uk)

Bromsgrove District Council  
[www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk)

Redditch Borough Council  
[www.redditch.gov.uk](http://www.redditch.gov.uk)

Wyre Forest District Council  
[www.wyreforestdc.gov.uk](http://www.wyreforestdc.gov.uk)

Worcestershire County Council  
[www.worcestershire.gov.uk](http://www.worcestershire.gov.uk)

NHS Redditch and Bromsgrove Clinical Commissioning Group  
[www.redditchandbromsgroveccg.nhs.uk](http://www.redditchandbromsgroveccg.nhs.uk)

NHS Wyre Forest Clinical Commissioning Group  
[www.wyreforestccg.nhs.uk](http://www.wyreforestccg.nhs.uk)


HM Prison and Probation Service  
[www.gov.uk](http://www.gov.uk)

Warwickshire and West Mercia Community Rehabilitation Company  
[www.westmerciaprobation.org.uk](http://www.westmerciaprobation.org.uk)

Appendix Two

Allocation of NWCSP Core Funding - 2022/23

<b>Area of Benefit</b>	<b>PCC Grant</b>
Partnership Analyst (top sliced)	£20,000
West Mercia Integrated Offender Management (top sliced)	£5,000
Crimestoppers (top sliced)	£1,700
Hate Crime (top sliced)	£11,000
North Worcestershire Domestic Homicide Review Support	£20,000
Wyre Forest Detached Youth Team	£20,000
Bromsgrove and Redditch Youth Outreach	£27,067
Safer Wyre Forest Tasking	£10,183.34
Safer Redditch Tasking	£13,650.33
Safer Bromsgrove Tasking	£10,649.33
<b>Total</b>	<b>£139,250</b>



Providing a quality  
policing service,  
protecting  
people from harm.

# Wyre Forest Anti-Social Behaviour 01/04/2021 – 31/01/2023

GS Classification	<b>OFFICIAL</b>
Reference number	SPI/2023/064
Version	FINAL
Purpose	To provide intelligence on ASB in the Wyre Forest District of North Worcestershire from 1 April 2021 – 31 Jan 2023.
Author/s	Tom Lawley – Partnership Analyst
Peer review	George Stephens – Partnership Analyst
QA	Michele Callaghan – Senior Crime Intelligence Analyst
Owner	Wyre Forest District Council
Publication date	15/02/2023
File path	J:\A&SI\SPI West Mercia\SPI Shared Area\Registry of Products\2023 Completed Products


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**Freedom of information**  
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Wyre Forest Seasonal Distribution	6
Wyre Forest Wards	7
Wyre Forest Incident Types	8
Wyre Forest Key Streets	9


# Key Findings




The total volume of incidents is lower in 2022/2023 than the previous twelve months.




Average volume for the two year period: n = 227



Wyre Forest (n=1669) recorded the highest total number of incidents in 2022/23 compared to Bromsgrove and Redditch.



AS Nuisance saw the largest projected decrease from 2021/22 to 2022/23 (n=-1074).  
AS personal saw the largest projected percentage decrease over the same period (n=-51%).



The largest projected decreases from 2021/22 to 2022/2023 were observed in Blakebrook and Habberley South Ward (n=-343) and Foley Park and Hoobrook Ward (n=-179).

# Data and Methodology

**Location**

North Worcestershire

**Period**

01 April 2021 – 31 January 2023

**Data Sources**

BI42 to extract: All SAFE incidents where 'ASB' was the initial or final incident code.

- Incidents that had an initial 'ASB' code, but were assigned a different incident closing code were removed from the data set.

**Methodology**

- This product reports on ASB by financial year. Where 2021-2022 is referenced then this refers to financial year starting on 1 April and ending on 31 March.
- Data for the financial year 2022-2023 is incomplete, ending 31 January 2023, to ensure an appropriate comparison the below approaches have been used to allow comparison:
  - Twelve month estimates for 2022-2023, calculated using a monthly average, based on the period from 01 April 2022 and 31 January 2023, and using this to estimate values for February and March 2023.
  - Daily rates, calculated by dividing volume of reported incidents by the number of days within the time period.
- Incidents have been analysed including geographic and trend analysis. Inferences were drawn from analysis.
- Throughout this product, the 'probability yardstick', as defined by the Professional Head of Intelligence Assessment or PHIA, has been used to ensure consistency across the different threats and themes when assessing probability. The following defines the probability ranges considered when such language is used:

Qualitative Statement	Remote Chance	Highly Unlikely	Unlikely	Realistic Possibility	Likely or Probable	Highly Likely	Almost Certain
Probability Range	0-5%	10-20%	25-35%	40-50%	55-75%	80-90%	95-100%

**Caveats**

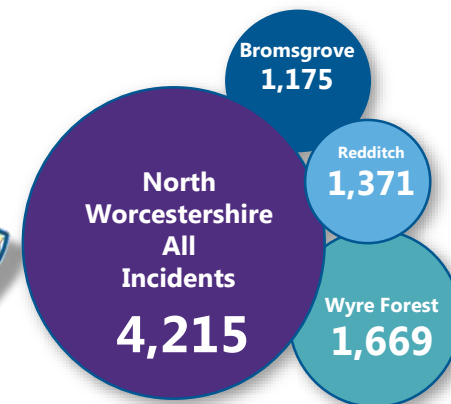
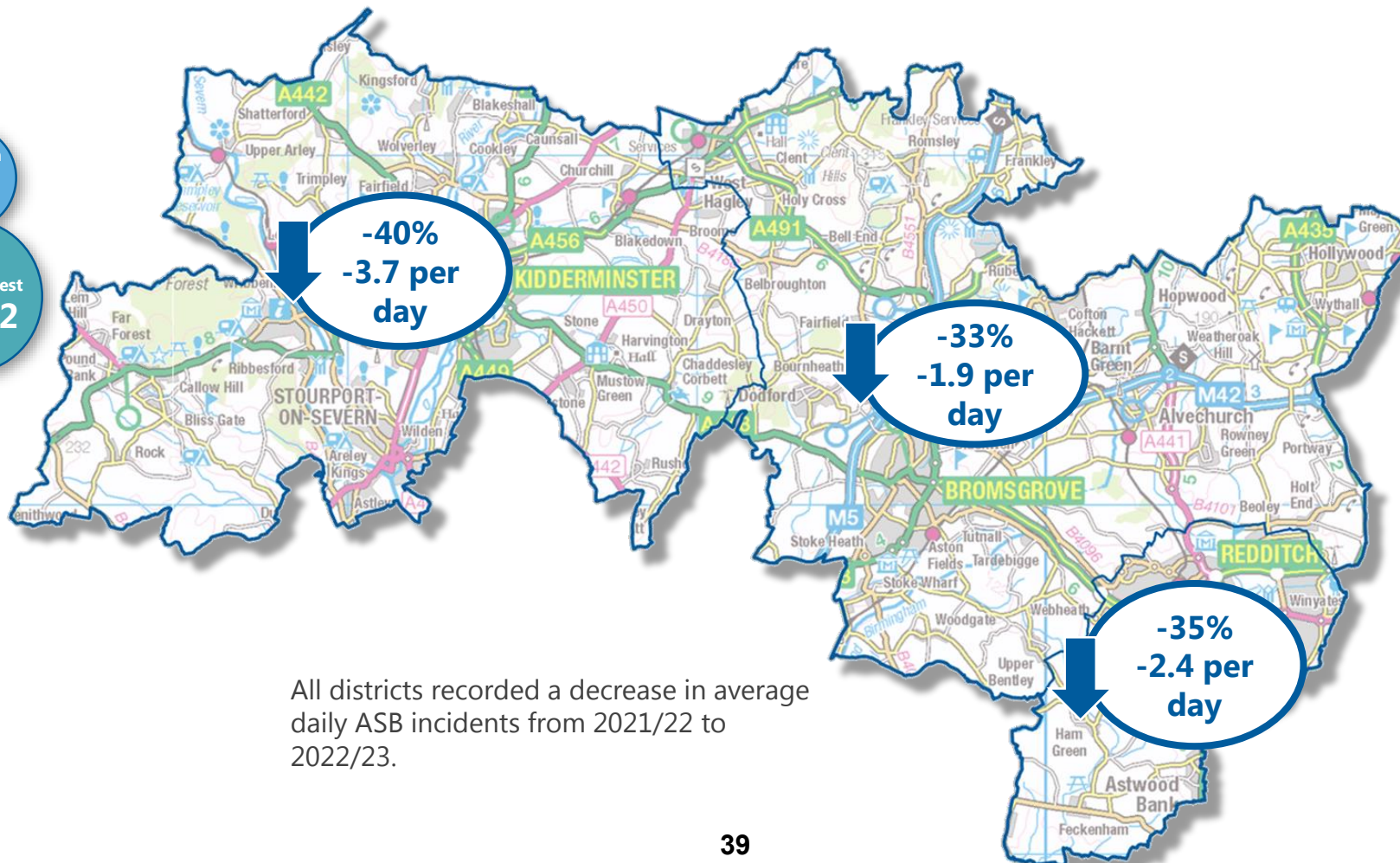
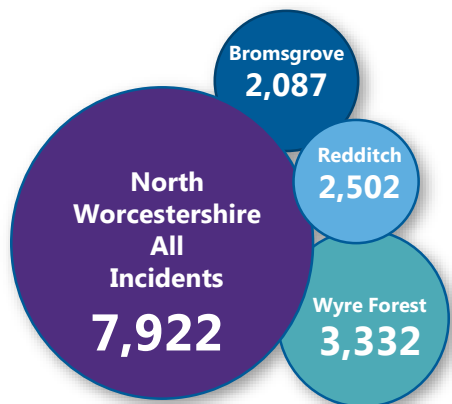
- Repeat streets are based upon grouping variations of the same address and postcode.

# North Worcestershire and Districts

01 April 2021 to  
31 March 2022

There were 44% fewer incidents of antisocial behaviour recorded across North Worcestershire between 1 April 2022 and 31 January 2023 than during the same period the previous year. (n=-1,313).

01 April 2022 to  
31 January 2023



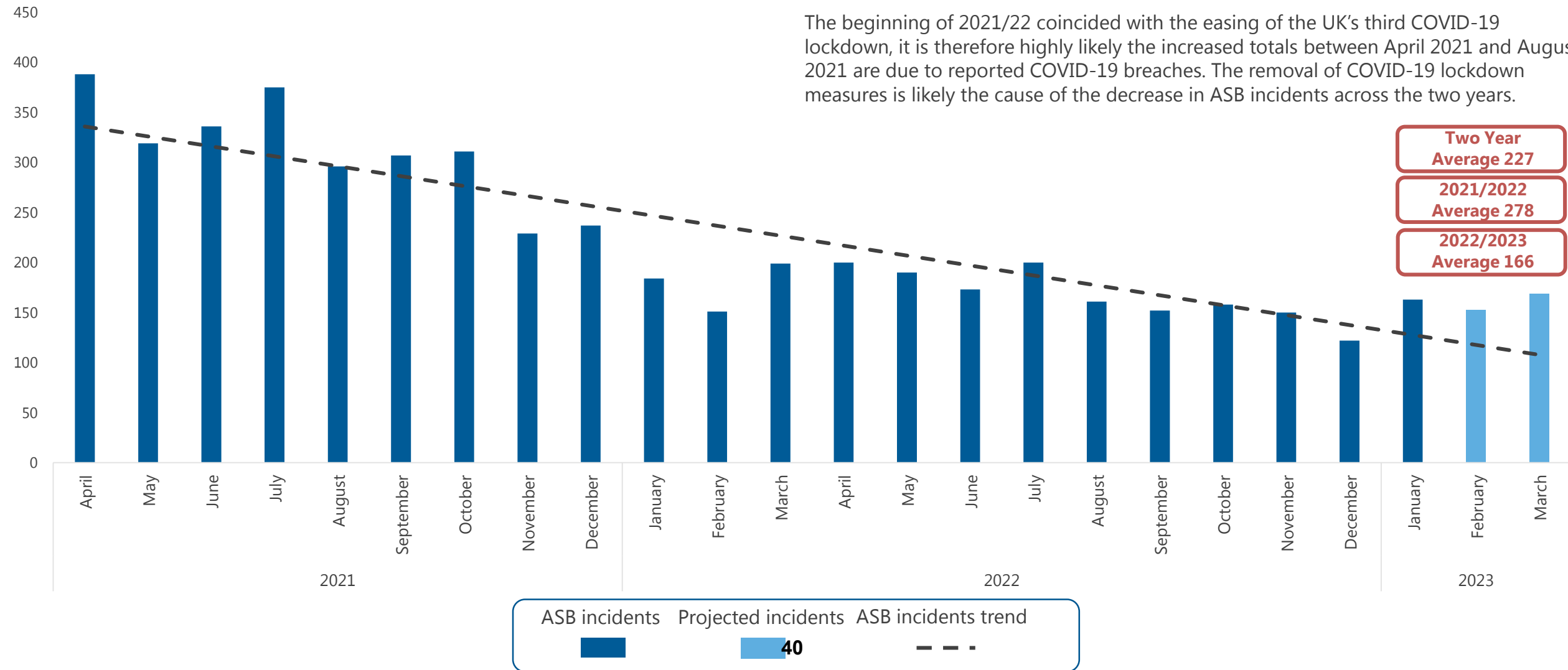
Key Difference between average daily rates 2021/22 and 2022/23

All districts recorded a decrease in average daily ASB incidents from 2021/22 to 2022/23.

# Wyre Forest Seasonal Distribution

The trend line shows a consistent decrease in the number of incidents since April 2021.

The beginning of 2021/22 coincided with the easing of the UK's third COVID-19 lockdown, it is therefore highly likely the increased totals between April 2021 and August 2021 are due to reported COVID-19 breaches. The removal of COVID-19 lockdown measures is likely the cause of the decrease in ASB incidents across the two years.





# Wyre Forest Wards

## Antisocial Behaviour in Wyre Forest between 01 April 2021 and 31 March 2023

Ward	2021/22	01 April 2022 to 31 January 2023	Estimated Total 2022/23	Difference	Projected Percentage Change
Aggborough and Spennells Ward	282	127	151	-131	-46%
Areley Kings and Riverside Ward	279	127	151	-128	-46%
Bewdley and Rock Ward	183	95	113	-70	-38%
Blakebrook and Habberley South Ward	666	271	323	-343	-51%
Broadwaters Ward	404	247	295	-109	-27%
Foley Park and Hoobrook Ward	446	224	267	-179	-40%
Franche and Habberley North Ward	212	152	181	-31	-14%
Lickhill Ward	26	9	11	-15	-59%
Mitton Ward	278	152	181	-97	-35%
Offmore and Comberton Ward	276	114	136	-140	-51%
Wribbenhall and Arley Ward	123	67	80	-43	-35%
Wyre Forest Rural Ward	157	84	100	-57	-36%
<b>Total</b>	<b>3,332</b>	<b>1,669</b>	<b>1,991</b>	<b>-1,341</b>	<b>-40%</b>

Activity decreased by 1,341 (40%) incidents between 2021/22 and projections for the 2022/2023 financial year.

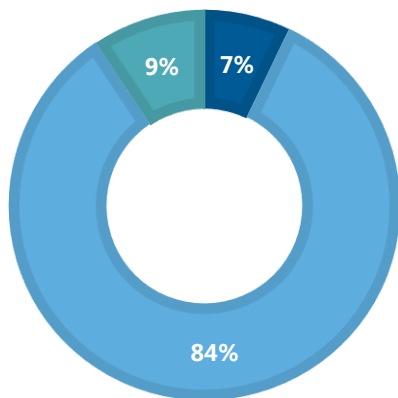
The largest projected decreases from 2021/22 to 2022/2023 were observed in Blakebrook and Habberley South Ward (n=-343) and Foley Park and Hoobrook Ward (n=-179).

The biggest projected percentage decrease over the same period was seen in Lickhill (59%), Offmore and Comberton (51%), and Blakebrook and Habberley South Ward (51%).

# Wyre Forest Incident Types

## Antisocial Behaviour in Wyre Forest between 01 April 2021 and 31 March 2023

Final Incident Class	2021/22	01 April 2022 to 31 January 2023	Estimated Total 2022/23	Difference	Projected Percentage Change	3 Year Mean	Mean %
AS Environmental	239	118	141	-98	-41%	190	7%
AS Nuisance	2759	1413	1685	-1074	-39%	2222	83%
AS Personal	334	138	165	-169	-51%	249	9%
<b>Total</b>	<b>3,332</b>	<b>1,669</b>	<b>1,991</b>	<b>-1,341</b>	<b>-40%</b>	<b>N/A</b>	<b>N/A</b>



■ AS-Environmental ■ AS-Nuisance ■ AS-Personal

Antisocial Behaviour has three main headings according to the type of behaviour committed:

- **Personal** - when a person targets a specific individual or group e.g. Trespassing.
- **Nuisance** - when a person causes trouble, annoyance or suffering to a community e.g. Nuisance Neighbours.
- **Environmental** - when a person's actions affect the wider environment, such as public spaces or buildings e.g. Littering.

West Mercia Police, 2021 [www.westmercia.police.uk](http://www.westmercia.police.uk)

## **Report of: Helen Ogram, Head of Resources and s151 Officer**

### **Date**

02/03/2023

### **Open**

## **Budget and Performance Monitoring Third Quarter 2022-23**

### **Summary**

Attached is a draft of a Cabinet report on this subject, which Cabinet is expected to consider on 21 March 2023.

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

### **Officer contact details**

Name: Helen Ogram

Title: Head of Resources and s151 Officer

Contact number: 01562 732907

**WYRE FOREST DISTRICT COUNCIL****OVERVIEW AND SCRUTINY COMMITTEE  
2<sup>nd</sup> MARCH 2023****CABINET  
21<sup>st</sup> MARCH 2023****Draft Budget and Performance Monitoring Third Quarter 2022-23**

<b>OPEN</b>	
<b>CABINET MEMBER:</b>	Councillor M Rayner, Cabinet Member for Finance and Capital Portfolio
<b>RESPONSIBLE OFFICER:</b>	Head of Resources and s151 Officer
<b>CONTACT OFFICERS:</b>	Helen Ogram Ext. 2907 <a href="mailto:Helen.Ogram@wyreforestdc.gov.uk">Helen.Ogram@wyreforestdc.gov.uk</a> Kath Pearsall Ext.2165 <a href="mailto:Kathryn.pearsall@wyreforestdc.gov.uk">Kathryn.pearsall@wyreforestdc.gov.uk</a> Lisa Hutchinson Ext. 2120 <a href="mailto:Lisa.Hutchinson@wyreforestdc.gov.uk">Lisa.Hutchinson@wyreforestdc.gov.uk</a> Rhiannon Foxall Ext. 2786 <a href="mailto:Rhiannon.foxall@wyreforestdc.gov.uk">Rhiannon.foxall@wyreforestdc.gov.uk</a>
<b>APPENDICES:</b>	Appendix 1 - Wyre Forest District Council Revenue Budget Total Requirements - District Council Purposes Appendix 2 - Capital Programme Appendix 3 - Budget Risk Matrix Appendix 4 – Income analysis Appendix 5 – Organisational Health/Wyre Forest Forward measures not associated with corporate priorities <i>The appendices to this report have been circulated electronically and a public inspection copy is available on request. (See front cover for details.)</i>

**1. PURPOSE**

- 1.1 The purpose of the report is to brief members on the Council's financial and other performance at the end of Quarter 3 ending 31<sup>st</sup> December 2022 and to present the current projected outturn position for the 2022-23 financial year.
- 1.2 The report sets out the current forecast of income and expenditure against budget for 2022-23 for revenue expenditure.

**Revenue** - the year-end position on services is forecast to be £330k worse than the position forecast in the 2022-25 Medium Term Financial Strategy (MTFS) and £45k better than the position reported in the 2023-26 MTFS.

**Capital** – The latest Capital Programme for 2022-23 (detailed in Appendix 2) stands at £25.099m, however £3.908m of this has currently been identified to slip into 2023-24. Although the 2022-23 forecast expenditure at Q3 is £21.191m this

does include budgets that are dependent on various outcomes in Q4; hence there may be further slippage at year end. Budgets remain in 2022-23 for maximum flexibility. Actual expenditure at Q3 is £3.053m.

- 1.3 The report also briefs members on current progress against the savings and efficiency targets being delivered by the Wyre Forest Forward Programme and the Localism agenda. Some progress against meeting the Wyre Forest Forward target and Localism savings of for 2022-23 has been achieved. A review of expected transformation savings was undertaken during the Quarter to inform preparation of the MTFS 2023-26.
- 1.4 The report also includes the quarterly “How are we doing?” performance report. This report allows both Cabinet and Overview and Scrutiny Committee a rounded view of the Council’s performance including its financial position.

## 2. RECOMMENDATIONS

**2.1 The Overview and Scrutiny Committee is invited to consider the information in this report and provide any recommendations to Cabinet in respect of paragraphs 2.2 and 2.3 below.**

**2.2 The Cabinet is asked to NOTE:**

**2.2.1 The projected budget variations and comments within this report and appendices 1 to 4.**

**2.2.2 The performance against measures and actions as set out in the report and appendix 5.**

**2.3 The Cabinet is asked to APPROVE:**

**2.3.1 a contribution of up to £80k from the Evergreen Investment Fund to fund the improvement works at Buntsford Gate, with the balance being met from the Property Risk reserve (paragraph 7.7).**

**2.3.2 a contribution of up to £170k from the Evergreen Investment Fund as match funding towards the Government’s Housing Fund grant (paragraph 7.11).**

## 3 BACKGROUND

3.1 Budget projections are reviewed regularly and reported to Cabinet on a quarterly basis. The 2022-23 Original Budget was approved as part of the 2022-25 Medium Term Financial Strategy (MTFS) by Council on 23<sup>rd</sup> February 2022, the revised budget was **approved by Council on 22<sup>nd</sup> February 2023** as part of the MTFS 2023-26. Performance is measured against both the original budget and the Revised Budget presented within the 2023-26 Strategy (Appendix 1).

3.2 The political turmoil seen during the first half of the year settled a little during the quarter and is reflected in a modest improvement in the outlook for Council finances compared to the position reported at Quarter 2 and in the MTFS. The Bank of England currently predicts that inflation will fall quickly during 2023 and be around 4% by the end of the year. The measures introduced to support households with

energy prices this winter will have mitigated some of the demand led pressures on services, but we continue to see increased demand for support for those most in need.

- 3.3 The current outturn forecast of £12.381m shows an underspend against the draft Revised Budget of £45k and is an improvement over the quarter 2 projection. The assessment is based on a wide range of assumptions, predicted patterns of cost, service demand and behaviours, and will continue to be monitored throughout the final quarter.
- 3.4 The balanced budget presented in the Medium Term Financial Strategy 2023-26 focuses on ensuring that the Council optimises the full range of income sources that affect its overall budget including Council Tax and Business Rates revenue, Government funding and other external specific grants, fees and charges and other elements of income from activities including returns from treasury investments.
- 3.5 During 2022-23 Wyre Forest District Council is a member of the Pan-Worcestershire business rates pool and receives a share of any growth in rateable value achieved. Any gain is shared between the County Council, the Fire authority and the 6 District Councils.
- 3.6 Year-to-date monitoring shows that income from business rates payers will be in line with the position previously estimated with no noticeable increase in empty reliefs. Collection rates at the end of the third quarter are much improved compared to the last 2 years and are consistent with pre pandemic rates. The position in relation to the 2022-23 year-end provisions for appeals and bad debts is subject to experience during the final quarter so cannot be predicted with accuracy at this time. Any growth above expectation or variation in appeals or bad debt provision will impact on the surplus/deficit position and be carried forward to future years.
- 3.7 The 2023-26 Medium Term Financial Strategy makes prudent assumptions about the lease income that is expected to be generated from the Capital Portfolio Fund. The uncertainty and ongoing risk inherent in this income stream is recognised. We continue to work to ensure that current financial performance, specifically the impact on the MTFS, is clearly presented.
- 3.8 A revised Capital Strategy 2023-33 was approved by Council on 22<sup>nd</sup> February 2023. The revised Strategy covers all capital expenditure and sets out reporting and planning for financial risk implications in relation to non-treasury investments.

## 4 FINANCIAL PERFORMANCE

### 4.1 Revenue Overview

Quarterly budget monitoring includes the forecast position for the current financial year. The Revenue Summary shows net expenditure by reporting group and where some costs are funded by reserves this is incorporated.

The following table details the current projected outturn position with variances against the revised budget approved by Council on 22<sup>nd</sup> February 2023. The projection is based on known and emerging cost pressures and cost reductions or income growth:

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SERVICE REPORTING GROUP	Original Budget	Q2 Outturn Projection	Revised Budget	Q3 Outturn Projection	Outturn to Revised Variance
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Chief Executive and Solicitor to the Council	1,294	2,090	2,313	2,302	(11)
Community and Environment	4,660	5,038	4,837	4,822	(15)
Economic Development and Regeneration Resources	(94)	138	284	284	0
Revenues Benefits and Customer Services	2,940	2,559	2,611	2,608	(3)
Strategic Growth	978	1,052	1,034	1,048	14
Pay variances	1,894	1,975	1,847	1,842	(5)
Capital Account	0	284	0	0	0
	355	(160)	(525)	(525)	0
	<b>12,027</b>	<b>12,976</b>	<b>12,401</b>	<b>12,381</b>	<b>(20)</b>

The assessment is based on a wide range of assumptions, and forecasts.

- 4.2 **Capital programme** – progress of spend against capital programme is summarised below:

REPORTING GROUP	2022-23 latest Capital Programme (including slippage & reprofiling)	Quarter 3 Actual
	£	£
Community and Environmental Services	768,850	(16,209)
Strategic Growth	5,667,290	1,098,778
Economic Development and Regeneration	16,978,140	772,803
Resources And Revenues, Benefits and Customer Services	784,140	478,647
Vehicle, Equipment and Systems Renewal Schedule	900,900	719,209
<b>Total</b>	<b>25,099,320</b>	<b>3,053,228</b>

Supply and inflationary pressures have created some significant risks for the Council's capital programme, such as increasing costs for construction and equipment renewals. Full detail of scheme progress is provided in Appendix 2 to this report.

The majority of the Council's Capital Programme is financed from either borrowing or capital grants. There are revenue implications from capital expenditure funded from borrowing through interest charges and the statutory Minimum Revenue Provision (MRP).

## 5. RESERVES POSITION

### General Reserves

- 5.1 The table below provides key information relating to the latest estimated outturn position. It takes into account the latest Quarter 3 Budgetary Control projections presented in this report.

Reserves Statement	2022-23 £	2023-24 £	2024-25 £	2025-26 £
Reserves as at 1st April	3,840,860	3,468,110	3,309,100	2,914,250
Contribution to/(from) Reserves (MTFS 2023-26)	(372,750)	(159,010)	(394,850)	(939,040)
Reserves as at 31st March - MTFS 2023-26	<b>3,468,110</b>	<b>3,309,100</b>	<b>2,914,250</b>	<b>1,975,210</b>
Quarter 3 Outturn projection - improved position	44,615			
Reserves as at 31st March - Latest projection	<b>3,512,725</b>	<b>3,353,715</b>	<b>2,958,865</b>	<b>2,019,825</b>

### Earmarked Reserves

- 5.2 The Council's earmarked reserves held at 1<sup>st</sup> April 2022 totalled £15.314m. The balance includes some exceptional balances in relation to Covid grants from DLUHC and Business Rates reserves including those held in respect of the time lag inherent within the current Business Rates Retention (BRR) system.
- 5.3 A General Risk Reserve is held to meet one-off unexpected costs and to manage most future operational risks. Allocations against the reserve are approved by the Corporate Leadership Team. Following in year allocations and top-ups the current level of the General Risk Reserve is £1.980m.

Earmarked Reserves	Reserves b/f at 01/04/22	Quarter 3 Spend	New Reserves Added	Commitments outstanding	Balance available
	£000	£000	£000	£000	£000
External Funding	1,860	318	0	592	950
Shared Service	480	82	0	227	171
WFDC Budget	2,777	19	(400)	564	2,594
Innovation Fund	1,054	45	(275)	532	751
General Risks	1,820	50	(245)	36	1,980
<b>Sub Total</b>	<b>7,991</b>	<b>514</b>	<b>(920)</b>	<b>1,951</b>	<b>6,446</b>
Covid Reserves	239	8	0	0	231
Business Rates Reserves	7,085	0	0	3,185	3,900
<b>Total</b>	<b>15,314</b>	<b>522</b>	<b>(920)</b>	<b>5,135</b>	<b>10,577</b>

## Information and Analysis – Financial Performance Summary

### 6. REVENUE DETAIL

- 6.1 This report draws attention to the latest budget pressures that are likely to have an impact on the council's ability to deliver services within the budget envelope presented to Cabinet on 7<sup>th</sup> February 2023 and **approved by Council on 22<sup>nd</sup> February**. The report is produced in consultation with CLT, Heads of Service and Service Managers.
- 6.2 The following table presents an overview of the current and previously reported budget pressures and savings:



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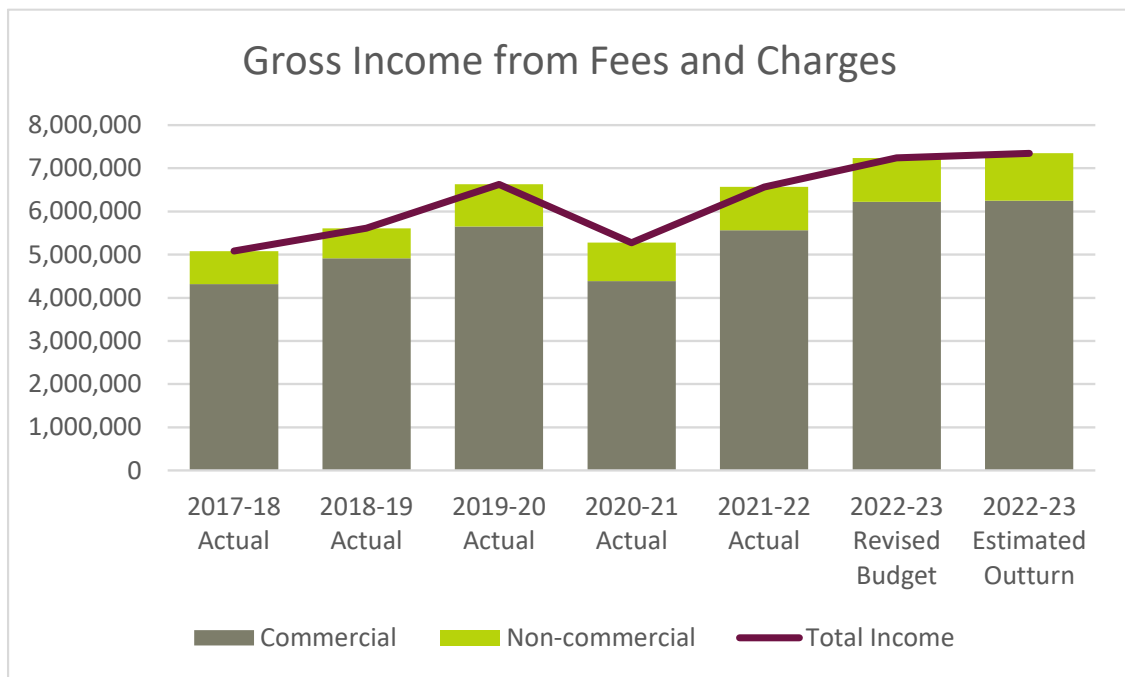
Estimate of major variances compared to approved budget assumptions	Variance to Original Budget		Q3 Variance to Revised Budget
	Reported at Quarter 2	Revised Budget	
	£	£	£
General Inflation	370,000	133,580	0
Pay variances	315,700	315,000	0
Utility bills - gas and electricity	181,200	226,660	0
Leisure centre utility benchmarking	150,000	140,000	0
Fuel	57,000	42,760	0
Service cost pressures (other)	118,200	132,270	70,980
Treasury investment income/loan debt expense	(450,000)	(939,110)	0
Other income growth	(195,400)	(123,590)	(91,750)
Transformation proposals	500,000	500,000	0
MRP savings due to Capital Programme slippage	(65,000)	(52,720)	0
<b>Total Service variances</b>	<b>981,700</b>	<b>374,850</b>	<b>(20,770)</b>
Business Rates growth	(225,000)	0	0
Business Rates redistributed levy			(23,845)
<b>Total variances</b>	<b>756,700</b>	<b>374,850</b>	<b>(44,615)</b>

- 6.3 In addition, positive pay variances of £71k have been identified which will be used to off-set the balance of the Wyre Forest Forward savings target for 2022-23.

## 7. REVENUE DETAIL - External Income

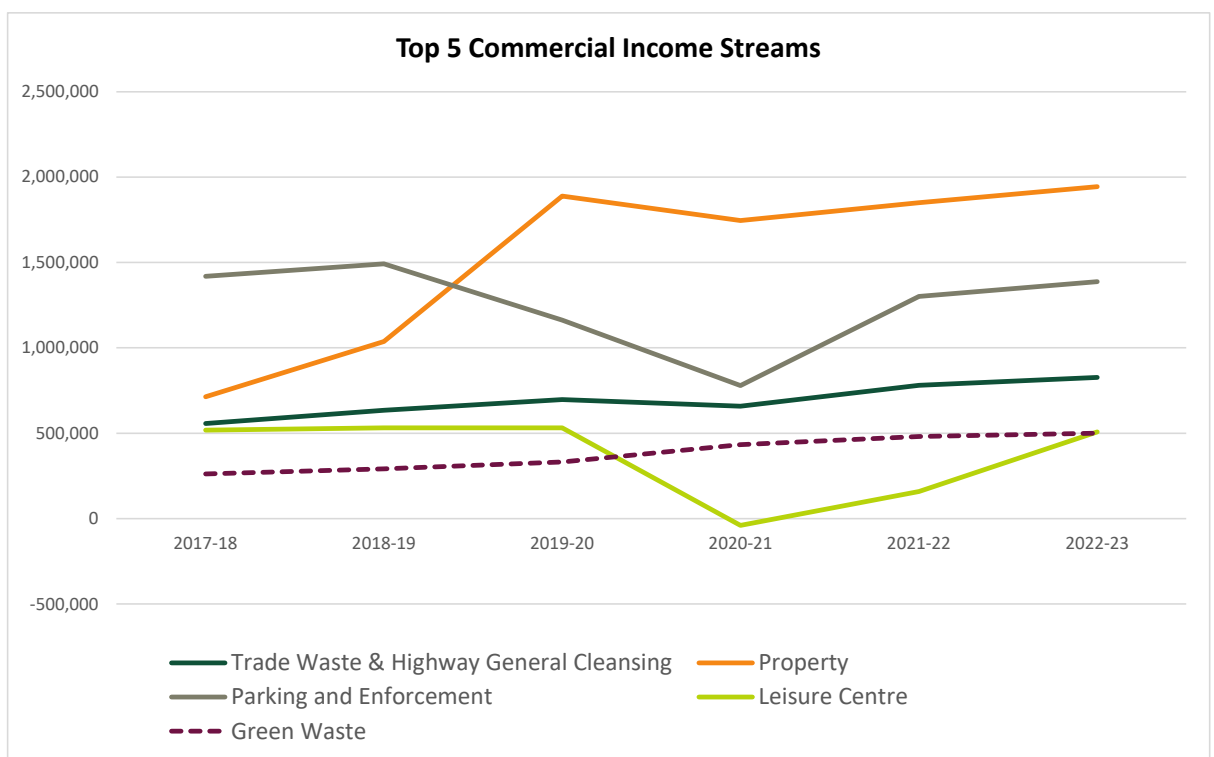
- 7.1 External Income is an important element within the finances of the Council, it affects the level of resources available to fund services and makes an important contribution to a balanced budget. The Covid-19 pandemic had a significant impact on demand led income streams and also on the revenue received from the management agreement for Wyre Forest Leisure Centre. In general income has recovered to pre pandemic levels however the position is mixed and some of the fees and charges from commercial activities are behind target. The summary revised budget and estimated outturn position at the end of quarter 3 is shown in the graph below. Current performance indicates that performance is likely to be ahead (£91,750) of the target set and contained within the budget approved by Council in February. The majority of this growth is in relation to Planning Fee income. Demand led income streams continue to be closely monitored.

Summary Income performance 2017-18 to 2022-23

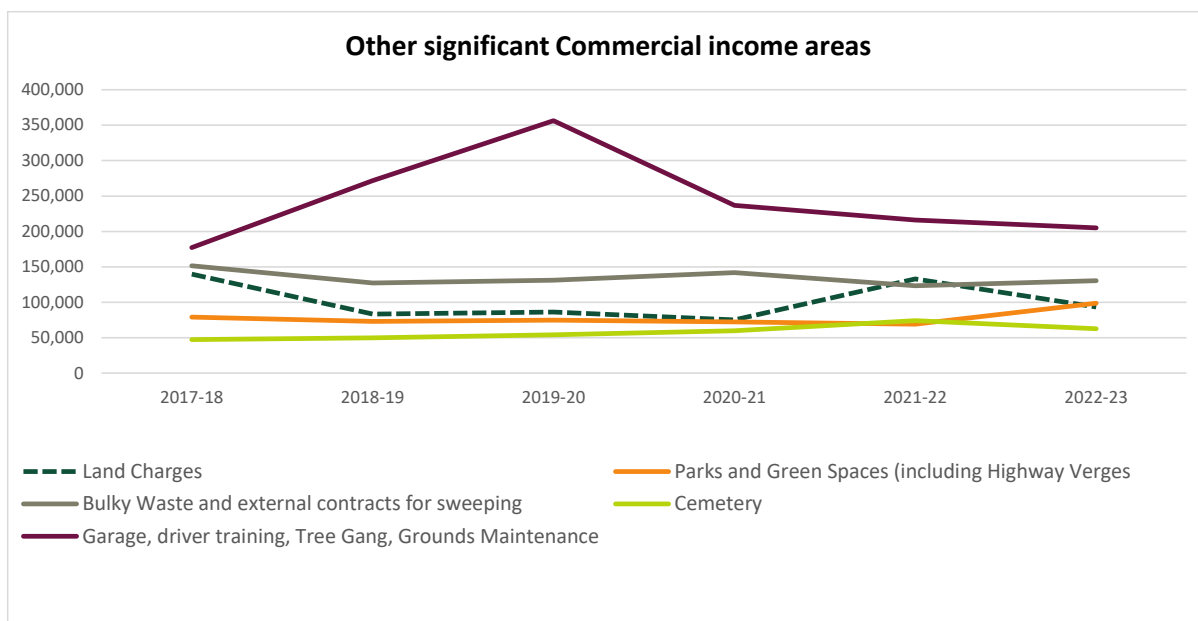


7.2 The graphs below provide a breakdown of performance against target for the income streams that fall under the Commercial Strategy.

Gross Commercial Income 2017-18 to 2022-23 – Top 5



**Gross Commercial Income 2017-18 to 2022-23 – Other**



7.3 The Council expanded its commercial activities to generate revenue from fees and charges that reduces net cost to help close the funding gap. These new commercial services have struggled the most to recover to levels seen pre pandemic. Savings in staffing costs have been achieved to reflect the fall in demand for services. Further detail on commercial income performance is contained in Appendix 4.

7.4 Income from the leisure management contract has returned to the pre-pandemic level. In general, the Centre appears to have recovered well, and in some cases activities and headcounts are outperforming that achieved in 2019 (pre-pandemic). The risk of increases to the cost of utility bills is borne by the Council. Current estimates suggest that the full year impact of this increase in cost could be £140k.

7.5 **Capital Portfolio Fund** - The Capital Portfolio Fund supports regeneration, economic growth and housing. Each property was subject to a business case to demonstrate viability and performance against target is presented in the quarterly performance monitoring reports. The investment in economic growth and regeneration through the fund is financed from borrowing. The table at 7.6 below shows the net income position after loan interest and statutory debt charges (Minimum Revenue Provision) are taken into account.

7.6 The table below summaries the current projection of the revenue impact of the Capital Portfolio Fund in 2022-23. The Quarter 3 outturn projection shows that the target included within the original budget is unlikely to be achieved although income is expected to cover the full cost of borrowing. The pandemic resulted in vacant office accommodation proving more difficult to relet leading to longer void periods. The outturn position will be in-line with the Revised Budget. There are now very few void units and once the rent incentives in respect of newly granted leases have expired the portfolio will show a much stronger position.

Capital Portfolio Fund Properties Net Impact on Council Tax after Statutory Charges		2022-23 Original Budget £	2023-26 MTFS		
			2022-23 Revised Budget £	Q3 Outturn projection £	Variance £
R276	High Sreet/Worcester Street	(11,190)	(12,680)	(12,682)	(2)
R277	Stratford Court	(22,770)	(56,170)	(33,589)	22,581
R278	Buntsford Gate	(8,760)	104,320	104,320	0
R279	Forest House	13,800	31,700	31,700	0
R280	Riverside	(43,400)	(3,450)	(23,450)	(20,000)
R281	Goldthorn Road	(48,310)	(129,490)	(129,490)	0
R282	Unity Park	(1,470)	35,850	35,850	0
R275	Property Portfolio Fund Admin account	0	0	0	0
Total		<b>(122,100)</b>	<b>(29,920)</b>	<b>(27,341)</b>	<b>2,579</b>

Note that the net cost of Forest House will be met from State of the Area funding

- 7.7 Income at Buntsford Gate is significantly below the target in the original business case due to the first floor being unoccupied whilst fire compliance work is completed and the space is split into two lettable units to better meet market requirements. The cost of this work is expected to be circa. £200k and will be funded from the property risk reserve (£120k) with the balance of up to £80k being met from the Evergreen Investment Fund. The works will now be progressed in line with the council's contract procedure rules.
- 7.8 The variance reported at Stratford Court is due to rent incentives offered in respect of newly granted leases.
- 7.9 The units at Unity Park are now fully let. The outturn is in line with the revised budget projection. The increased costs above the original estimate are due to incidental expenses of bringing the asset into use that did not meet the definition of capital expenditure.
- 7.10 **Capital Portfolio Fund Debt** - The total overdue debt at 31<sup>st</sup> January 2023 was £86k which represents 12% of the overall balance collected each year. The majority of the arrears older than 3 months relates to a single tenant. Significant progress has been made in recovering rents and service charges outstanding and the position is closely managed and monitored.
- 7.11 Housing Fund grant offer – the Medium Term Financial Strategy due to be considered by Council on 22 February 2023 includes in the capital programme £876k in respect of the acquisition of properties for Ukrainian and Afghan refugees. £706k will be funded by the Government's grant with the balance of up £170k to be funded from the Evergreen Investment Fund. The report includes a recommendation seeking the Cabinet's formal approval for that allocation.

## 8. WYRE FOREST FORWARD SAVINGS PROGRAMME AND LOCALISM TARGETS

- 8.1 The 2023-26 MTFS projects a funding gap in 2025-26 of just under £1.8m. Any new cost pressures will, in the absence of additional government support, widen the gap further. Against this background it is essential that expenditure is kept within the overall approved budget and that savings proposals continue to be developed so that

the Council has as much flexibility as possible to meet the challenges which lie ahead.

- 8.2 Achieving financial sustainability is still the most significant challenge facing the Council. Since 2009 the Council has had a track record of continuously identifying opportunities to make savings however savings targets are proving increasingly challenging to achieve and are now focussed on the transformation programme introduced in the 2021-24 MTFS to review and reassess how we deliver services with the objective of reducing net cost by making Wyre Forest a smaller Council. Opportunities for service collaborations with neighbouring authorities continue to be progressed albeit at a slower pace and smaller scale than originally envisaged. Work is now also focussed on reshaping the in-house service.
- 8.3 The Council has done exceptionally well in generating additional income and implementing efficiency savings that have put back the date at which it has to bring its expenditure into line with income. However, in the absence of additional Government funding the legacy impact of COVID-19 and price inflation will result in the Council continuing to draw on its general balances at the end of the current MTFS, unless savings and efficiency targets are met.
- 8.4 The Wyre Forest Forward savings programme was established to review all aspects of the Council to ensure we deliver a balanced budget and services of real value to our residents. Substantial savings have already been achieved.
- 8.5 The budget approved for 2022-23 is summarised in the table below. Good progress was made in 2021-22 towards achieving the target with items of a recurring nature, the outstanding savings target for 2021-22 was achieved from one-off final accounts savings. The 2021-22 final account savings were examined carefully to identify budgets that require re-basing, the savings identified from this project are captured in the table below.
- 8.6 The outstanding target, not yet achieved in 2022-23, will be met from positive pay variances at the financial year end.

Wyre Forest Forward Savings summary	2022-23 £000	2023-24 £000	2024-25 £000	2025-26 £000
Savings Target	3,890	4,382	4,682	4,682
Savings achieved at 31/03/2022	3,604	3,685	3,751	3,761
<b>Savings Target at 01/04/2022</b>	<b>286</b>	<b>697</b>	<b>931</b>	<b>921</b>
<b>Savings achieved 2022-23</b>				
Re-basing the Budget	215	216	224	232
Business rates growth - economic development and Regen	0	303	318	331
<b>Savings identified in year</b>	<b>215</b>	<b>519</b>	<b>542</b>	<b>563</b>
<b>Total WFF Savings not yet achieved</b>	<b>71</b>	<b>177</b>	<b>388</b>	<b>358</b>

*Note that this table only considers WFF savings and income targets and is only part of the funding gap. Localism savings are reported separately below.*

### Localism Partnership Target

- 8.7 Achievement of future targets is progressing, and future budgets will be adjusted subject to the savings being achieved. Good progress has been made during the quarter. Details of savings achieved are provided below:

LOCALISM PARTNERSHIP SAVINGS	2022-23 £000	2023-24 £000	2024-25 £000	2025-26 £000
Savings Target	350	525	700	700
Slippage approved MTFS 2021-24	15	0	0	0
Savings achieved at 31/03/2022	149	152	154	155
<b>Balance b/f 2021-22</b>	<b>216</b>	<b>373</b>	<b>546</b>	<b>545</b>
Reduction/Increase of Target Savings	-71	0	0	0
<b>Savings Target at 01/04/2022</b>	<b>144</b>	<b>373</b>	<b>546</b>	<b>545</b>
<b>Savings achieved 2022-23</b>				
Britannia Gardens	50	52	54	55
Riverside Meadows Toilets	8	9	9	9
Load Street Toilets	6	7	7	7
Blakedown Shopper's Car Park	2	2	2	2
<b>Savings identified in year</b>	<b>66</b>	<b>69</b>	<b>71</b>	<b>72</b>
<b>Total Localism Savings not yet achieved</b>	<b>79</b>	<b>304</b>	<b>475</b>	<b>473</b>

## 9. Supplementary Estimates and Virements

- 9.1 Service managers who wish to incur expenditure that falls within approved Council Policy for which either there is no or insufficient provision within approved estimates, may incur that expenditure by virement (transferring from one approved budget cost centre to another) or by supplementary estimate, subject to specified conditions as set out in the Financial Regulations – 6.7 and 6.8.
- 9.2 There are no requests for a Supplementary Estimates to be considered by Cabinet this quarter.

## 10. REVENUE DETAIL – Central Items Business Rates and Council Tax

- 10.1 **Council Tax** - The level of discounts and awards, together with collection rates, and write-offs are being closely monitored. There is a risk that assumed growth in the tax base might not be achieved in year.
- 10.2 **Business Rates** – Officers continue to liaise closely with the Valuation Office Agency to monitor developments in the sector particularly around material changes of circumstance and new applications lodged in the Check, Challenge, Appeal system. The overall impact of transactions in the collection fund will continue to be monitored to assess the impact on the council's MTFS.
- 10.3 **Collection Rates**

**Council Tax:** As at December 2022, Council Tax in year collection rates are at 85.32% compared to 85.63% last year. The slight reduction is likely to be attributable to the impact of the cost of living crisis. However, more households have opted to pay their instalments over 12 months rather than 10 months so the true impact won't be fully understood until the end of March 2023.

**Business Rates:** As at December 2022, collection rates for NNDR are 88.98% compared to 80.54% last year; showing a significant improvement and returning to pre pandemic levels.

## **11. TREASURY MANAGEMENT PERFORMANCE SUMMARY**

### **Investments**

- 11.1 The Council held £54.2m in investments as at 31<sup>st</sup> December 2022. The level of funds available was mainly dependent on the timing of precept payments and receipt of grants in advance of progress on the Capital Programme. The average interest rate achieved at quarter 3 was 2.455%, compared to the 7 day backward looking Sterling Overnight Index Average (SONIA) benchmark rate of 1.743%. Yields continued to increase during the quarter and current forecasts expect bank rates to reach 4.25% by the year end. The impact on interest received is likely to be a budget surplus of circa £795k compared to the original budget of £55k in line with the Revised estimate in the MTFS.
- 11.2 The approved limits as set out in the Treasury Management Strategy report to Council 23rd February 2022 within the Annual Investment Strategy were not breached during the year to 31<sup>st</sup> December 2022.

### **External Borrowing**

- 11.3 The Council had borrowing of £34m as at 31<sup>st</sup> December 2022. The Council's Capital Financing Requirements (CFR) as at 31<sup>st</sup> December 2022 is £40.418m. The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (External Borrowing) or from internal balances on a temporary basis (Internal Borrowing); an internal borrowing position of circa £6.4m is currently being held.

### **Compliance with Treasury and Prudential Limits**

- 11.4 The Council's approved Treasury and Prudential Indicators are outlined in the approved Treasury Management Strategy Statement (TMSS). The Council has a duty to determine and keep under review the "Affordable Borrowing Limits".
- 11.5 During the period to 31<sup>st</sup> December 2022 the Council has operated within treasury limits and the prudential indicators set out in the Council's TMSS and with the Council's Treasury Management Practices. The Prudential and Treasury Indicators are shown below:

Prudential Indicator	2022-23 Budgeted Indicator	Actual as at 31 Dec 2022
Capital Financing Requirement (CFR)	61,551,000	40,418,000
Gross Borrowing	61,000,000	34,000,000
Internal Borrowing	551,000	6,418,000
Internal Borrowing as % of CFR	0.90%	15.56%
Authorised Limit for external debt	75,000,000	34,000,000
Operational Boundary for external debt	65,000,000	34,000,000
Limit on Principal sums invested > 365 days	2,000,000	0
<b>Maturity structure of borrowing limits</b>		
Under 12 months	100%	0%
12 months to 2 years	100%	6%
2 years to 5 years	100%	6%
5 years to 10 years	100%	18%
10 years and above	100%	71%

## 12. HOW ARE WE DOING PERFORMANCE SUMMARY

12.1 Performance management is instrumental in all council activities as it helps us to keep track of how well we are performing and enables any potential issues to be identified at an early stage so remedial action can be taken. It also informs our decision making processes which underpin the delivery of our Corporate Plan 2019-23, as amended

12.2 The Council has a number of processes in place to monitor our performance including:

- Corporate Plan Actions
- Corporate Risks and associated actions
- Leading Measures
- Lagging Measures

12.3 The Corporate Plan 2021-23 is being delivered through the following strategic actions:

- Adopt the new Local Plan (now completed)
- Implement measures to increase affordable housing (Supporting a successful local economy)
- Work with partners to protect our environment, to address air quality issues and to help to tackle climate change (Safe, clean and green living environment)
- Work with partners to secure external funding and investment to support the economy (Supporting a successful local economy)
- Oversee regeneration of central Kidderminster including Future High Streets projects (Supporting a successful local economy)



- Support the visitor economy in Stourport-on-Severn and Bewdley (Supporting a successful local economy)
- Work with partners to tackle abuse of vulnerable people and environmental crimes (Safe, clean and green living environment)
- Work with town and parish councils so that they have local control over assets and services (Safe, clean and green living environment)
- Seek a sustainable future for Bewdley Museum (Supporting a successful local economy)

Progress against the corporate plan priorities and our strategic actions is summarised below:

### 12.4 Corporate Plan – **A safe clean and green living environment**

- a) The Council's enforcement team continues to tackle environmental crime. The team is leading a successful project alongside our North Worcestershire partners to tackle fly tipping on private land. Parking enforcement and other environmental and civil enforcement activity continues across the district.
- b) The private sector housing team has been undertaking focussed work with landlords regarding thermal comfort through work on energy performance, the housing, health and safety rating system and the commencement of the Local Authority Delivery Scheme 3.
- c) Work is on-going to encourage good recycling practices in collaboration with partners across Herefordshire and Worcestershire to maximise the region's recycling rate and reducing the amount of residual waste (rubbish). The region's recycling rate for last year was 43.6%. Analysis is on-going around the amounts and types of waste that are disposed of across the region to inform the design of future service provision.
- d) We continue to progress our climate change agenda through the Climate Change/Green Advisory Panel action plan. This includes developments in alternative fuelled fleet vehicles and looking at ways we can create renewable energy in the district. The feasibility work is complete and capital funding agreed for Electric vehicle charging infrastructure on Council owned land with work due to start later in the spring; the feasibility work on the solar farm is ongoing with the consultants' initial report due back at the end of February. We are also improving our car parks by installing LED lighting.
- e) Work around Community Safety continues with secured funding of over £100,000 from the West Mercia PCC for North Worcestershire Community Safety Projects, with £32,000 dedicated to Wyre Forest. Kidderminster & District Youth Trust has been commissioned to provide a district wide detached youth team with a focus on preventing anti-social behaviour (ASB). Mobile CCTV cameras have been deployed in hot spot areas around the district and the section continues to lead on the management and operation of those cameras on a case-by-case basis. Work continues with partners to tackle crime and ASB at a local level through the Safer Wyre Forest Tasking, a subgroup of the North Worcestershire Community Safety Partnership. The section continues to collaborate with partners in preparing for new and forthcoming statutory duties including tackling serious

violence, the Protect Duty also known as Martyn's Law (Counter Terrorism) and Combating Drugs Partnership work.

- f) Work continues on developing the Wyre Forest Wild project, an exciting and ambitious open space project that will, given the necessary external funding, provide a network of pathways and cycle tracks across all the district's nature reserves and key open spaces. To date the mapping of habitats and carbon absorption has been undertaken and external funding sought.
- g) Work on the Brinton Park Heritage Lottery Project continues. Because of increased construction costs, the project has been re-scoped to omit improvements to the Sons of Rest Pavilion. The team is awaiting final authority from HLF to proceed with formal procurement of contractors for the revised project.
- h) The transfer of St George's Park, Broadwaters and Baxter Gardens to Kidderminster Town Council took place on 5<sup>th</sup> January 2023. A proposal for Bewdley Town Council to take over the ownership and running of the museum and QE2 jubilee gardens was provided in the autumn and a briefing meeting was held with the Town Council in November. The Town Council has requested further information and indicated that any formal decision will not be taken until after the May elections.
- i) A large amount of work is ongoing with local community volunteer groups to engage and support these people with the council's priority of keeping the place safe clean and looking good. We recognise the value that these groups bring, and every effort is being made to equip and assist them in this process. Over 30 people involved from a range of community groups attended a special thank you and networking meeting on 17<sup>th</sup> September. We offered litter picking equipment out on loan to both groups and volunteers who attended the thank you event.
- j) This year we have also been able to support The Little Litter Warriors, a community group who work with the Scouts in the Wyre Forest, by purchasing their very own litter picking equipment. The groups enjoy working towards helping and protecting the environment and they gain a sense of pride and can work towards scout badges.

### 12.5 Corporate Plan – **Supporting a successful local economy**

- a) Work continues to support and develop the visitor economy in Stourport and Bewdley through work with Visit Worcestershire, the destination management organisation (DMO) for the County.
- b) Business grants – we continue to work with partners to secure external funding to support local businesses and the local economy. The grant funding available through the EU Structural Funds comes to an end on 31<sup>st</sup> March 2023. The EU Structural Funds have been replaced by the UK Shared Prosperity Fund. Wyre Forest has been allocated £3.1m by the government, which will be distributed locally through the UKSPF Investment Plan. Approval of the Investment Plan was received late in the quarter and, in line with advice from the ReWyre Board,

project allocations for current and future years, including allocations for business grants, are in the process of being confirmed to successful applicants.

- c) We continue to support start-up businesses across the district with our incubator units (industrial and office) at Forest House. We achieved 94% occupation during the period previous period, which was maintained in quarter 3.
- d) The projects to oversee the regeneration of central Kidderminster are progressing. The Levelling Up Fund programme aimed at re-kindling Kidderminster's heritage by making the canal and river a focus, encouraging visitors by making them special, vibrant places with cafes, arts and cultural activities is progressing. The original programme has been realigned for all three elements. The planning and listed building consent have now been granted for the town hall improvements. During the quarter due diligence has continued and alternative delivery models explored for the Piano building, and the canal tow path works have been scheduled for quarter 4 of 2022-23.
- e) Good progress has been achieved across the Future High Street Programme comprising of the following projects: -
  - Kidderminster Creative Hub (Former Magistrates Court)
  - Worcester Street Connectivity Project and
  - Bull Ring Public Realm Project

### **Kidderminster Creative Hub**

Project has now progressed to the delivery phase with the appointment of a preferred Construction Contractor BAM Construction under the Pre-Construction Service Agreement (PCSA).

BAM Construction have submitted their second (2nd) stage tender submission and are expected to start on site in the first half of March 2023. Practical completion is scheduled for the first half of March 2024.

### **Worcester Connectivity and the Bull Ring Public Realm Projects**

McBain's Consultancy appointed as the Architectural and Engineering Design consultants for both the Worcester Street Connectivity and Bull Ring Public Realm projects.

The design work is progressing and early engagement with planning has commenced. Planning application will be submitted in quarter 4.

The asbestos removal work has started and will be completed by May 2023.

Consultation with National Grid regarding the relocation of the electricity sub-station in the basement of 2-6 Worcester Street (Megavalue) and the diversion of a high voltage cable underneath step entry linking the basement sub-station with the Woolworth sub-station (Prospects Hill) is on-going.

- f) Preparation of a preferred development scheme for Parcel One of Lionfields (former Glades site) is being progressed. This will result in Parcel One being taken to market for development, subject to the outcome of the feasibility study, in 2023-24. The tendering of the feasibility study has been delayed as a result of

the delay in the government's approval of the UK Shared Prosperity Fund Investment Plan, which includes a grant allocation for the feasibility study. The announcement was initially scheduled for October 2022 but was given in December 2022 with the first tranche of funding paid into the council's account on 31<sup>st</sup> January 2023. The Invitation to Tender will be issued in February 2023.

- g) We continue to work with Registered Providers to identify appropriate funding and end uses on Radford Avenue and Clensmore Street. The land sale negotiations for the adjacent site next to the council owned land in Radford Avenue are continuing.
- h) We have contracted with consultants to confirm feasibility and are working with registered providers to identify appropriate end users on three sites in Kidderminster to increase affordable housing in the district, including Radford Avenue and Clensmore Street. Council officers are working with County Council colleagues to identify funding streams for support provision in relation to one of the sites and with the Housing Benefits team regarding intensive management on a second site. The third site is likely to be for general housing need.
- i) The Castle Road housing scheme for temporary accommodation has been approved by Planning Committee and officers have developed specifications for procuring consultants and the contractor. Approval of the procurement process was secured on 12 January 2023. Contractor expected to be in place before the end of quarter 4 and start on site during the spring.

12.6 Organisational Health - includes information on turnover of staff, sickness absence, organisational health related investment areas and other performance measures requested by committee. A full update is provided in Appendix 5. There will continue to be a focus on investing in organisational health related areas, for example ICT infrastructure and related projects.

### **13. LEGAL AND POLICY IMPLICATIONS**

13.1 The Local Government Act 2003 (sections 25–29) placed additional duties on Local Authorities on how they set and prioritise budgets.

13.2 Section 28 places a statutory duty on an authority to review its budget from time to time during the year. If the Budget Monitoring Report shows that there has been deterioration in the Authority's financial position, the Authority must take such action as it concludes necessary. The Cabinet currently reviews the Budget on a quarterly basis.

13.3 Our External Auditor Grant Thornton makes an assessment based on the annual programme of external audit work. The focus is on ensuring there are proper arrangements in place for securing financial resilience and that the organisation has proper arrangements for challenging how it secures economy, efficiency and effectiveness.

### **14. EQUALITY IMPACT ASSESSMENT**

- 14.1 This is a financial report and there is no requirement to undertake an Equality Impact Assessment.

**15. RISK MANAGEMENT**

- 15.1 A number of corporate risks are perceived to have increased in recent months. The inability to deliver a balanced budget is one of the Council's key corporate risks and has been adversely impacted by inflation in general and on construction costs in particular which will affect the Council's many capital projects. During the first quarter the Council has had a higher turnover of staff and recruitment and retention of suitably qualified staff is increasingly more difficult. This may have an impact on delivery or performance during remaining quarters. The Budget Risk Matrix has been reviewed to reflect the current assessment of risk. A copy is enclosed for information as Appendix 3 and further update on risks will be given to Audit Committee later in September.

**16. CONCLUSIONS/ACTION**

- 16.1 The information contained within Appendices 1 to 4 provides Members with an overview of financial trends and performance within the period to 31<sup>st</sup> December 2022.
- 16.2 The estimates and assumptions included in this report will continue to be updated and refined as more information becomes available particularly as more clarification on government funding emerges, and the position will be clarified as part of the revised budget process. What is certain is the position will change but work to address the funding gap cannot be delayed.

**17. CONSULTEES**

Corporate Leadership Team  
Cabinet  
Service Managers

**18. BACKGROUND PAPERS**

Budget setting papers Council 23<sup>rd</sup> February 2022  
Budget setting papers Council 22<sup>nd</sup> February 2023  
Medium Term Financial Strategy 2023-26  
Corporate Plan action information is available on the Council's Performance Management System, Pentana Performance.

Hyperlink to Committee Reports  
<http://www.wyreforest.gov.uk/council/meetings/main.htm>

WYRE FOREST DISTRICT COUNCIL

**REVENUE BUDGET TOTAL REQUIREMENTS - DISTRICT COUNCIL PURPOSES**

SERVICE	2022/23		2023/24			2024/25			2025/26		
	Original Estimate £	Revised Estimate £	At Nov.21 Prices £	Inflation £	TOTAL £	At Nov.21 Prices £	Inflation £	TOTAL £	At Nov.21 Prices £	Inflation £	TOTAL £
CHIEF EXECUTIVE AND SOLICITOR TO THE COUNCIL	1,293,870	2,313,470	2,108,840	81,020	2,189,860	1,650,890	150,340	1,801,230	1,668,080	221,630	1,889,710
COMMUNITY AND ENVIRONMENT	4,659,590	4,837,110	5,052,290	270,880	5,323,170	4,973,150	494,260	5,467,410	4,825,580	722,580	5,548,160
ECONOMIC DEVELOPMENT & REGENERATION	(93,790)	283,770	131,260	42,690	173,950	3,480	78,880	82,360	(7,190)	117,680	110,490
RESOURCES	2,939,970	2,610,850	2,431,700	16,420	2,448,120	2,097,740	38,110	2,135,850	2,056,700	52,480	2,109,180
REVENUES, BENEFITS & CUSTOMER SERVICES	977,580	1,033,640	1,312,430	77,560	1,389,990	1,328,400	141,240	1,469,640	1,319,990	206,500	1,526,490
STRATEGIC GROWTH	1,894,040	1,847,480	1,960,280	103,490	2,063,770	1,985,630	177,670	2,163,300	1,990,420	230,950	2,221,370
<b>LESS: CAPITAL ACCOUNT</b>	11,671,260	12,926,320	12,996,800	592,060	13,588,860	12,039,290	1,080,500	13,119,790	11,853,580	1,551,820	13,405,400
INTEREST RECEIVED	275,420	325,210	575,070	4,420	579,490	856,220	7,960	864,180	987,560	11,580	999,140
CAPITAL PORTFOLIO FUND AND DEVELOPMENT	(55,000)	(850,000)	(750,000)	0	(750,000)	(500,000)	0	(500,000)	(444,600)	0	(444,600)
LOANS FUND	135,000	0	0	0	0	0	0	0	0	0	0
<b>TOTAL NET EXPENDITURE ON SERVICES</b>	<b>12,026,680</b>	<b>12,401,530</b>	<b>12,821,870</b>	<b>596,480</b>	<b>13,418,350</b>	<b>12,395,510</b>	<b>1,088,460</b>	<b>13,483,970</b>	<b>12,396,540</b>	<b>1,563,400</b>	<b>13,959,940</b>
<b>LESS: CONTRIBUTION (FROM) TO RESERVES</b>	(21,750)	(372,750)			110,130			(70,050)			(584,970)
<b>NET BUDGET REQUIREMENT</b>	<b>12,004,930</b>	<b>12,028,780</b>			<b>13,528,480</b>			<b>13,413,920</b>			<b>13,374,970</b>
<b>LESS: REVENUE SUPPORT GRANT</b>	0	0			(150,380)			(150,380)			(150,000)
BUSINESS RATES INCOME	(2,956,940)	(2,956,940)			(3,442,050)			(3,590,130)			(3,697,830)
BUSINESS RATES GROWTH	(400,000)	(400,000)			(950,200)			(1,000,000)			0
BUSINESS RATES - NATIONAL LEVY REDISTRIBUTED	0	(23,850)			0			0			0
FUNDING GUARANTEE	0	0			(425,370)			0			0
COLLECTION FUND (SURPLUS)/DEFICIT	(10,150)	(10,150)			0			0			0
NEW HOMES BONUS	(463,760)	(463,760)			(240,030)			0			0
TRANSITIONAL FUNDING (assumption)	0	0			0			0			(571,200)
LOWER TIER SERVICES GRANT	(130,070)	(130,070)			0			0			0
ONE OFF SERVICES GRANT	(196,000)	(196,000)			(114,990)			(100,000)			0
<b>GENERAL EXPENSES - COUNCIL TAX INCOME</b>	<b>7,848,010</b>	<b>7,848,010</b>			<b>8,205,460</b>			<b>8,573,410</b>			<b>8,955,940</b>
<b>COUNCIL TAX LEVY</b>		<b>229.34</b>			<b>236.21</b>			<b>243.30</b>			<b>250.60</b>
<b>COUNCIL TAX BASE</b>		<b>34,220</b>			<b>34,738</b>			<b>35,238</b>			<b>35,738</b>

**Q3 Budget Monitoring 2022-23 (to December 2022)**  
**Capital Programme 2022-23 including slippage from 2021-22 and latest Draft Revised Budgets for February 2023 Council**

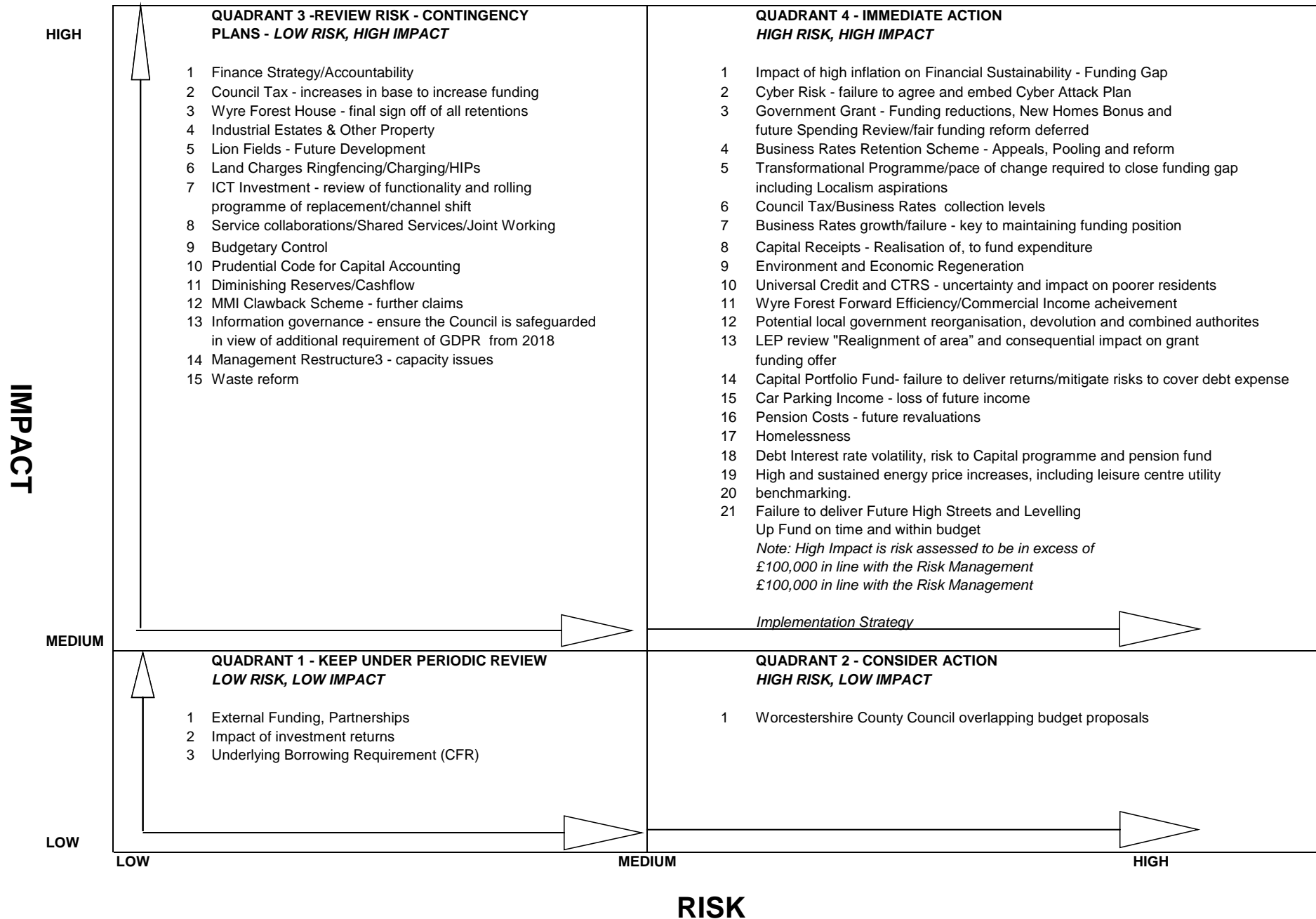
	Revised Capital Budgets 2022-23 (Draft version for Council Feb 2023) £	2022-23 Q3 Actual Expenditure £	Slippage/ reprofiling to future years Position as at Q3 £	Comments
<b>EXPENDITURE</b>				
<b>COMMUNITY AND ENVIRONMENTAL SERVICES</b>				
Parking Facilities: Improvement to Car Parks	25,000	-		Final specification being prepared for LED lighting upgrades. £25k spend expected this year. Final invoices to be paid by year end. CCTV upgrade in Kidderminster Town Centre complete. Any unspent balance will slip. Works anticipated to commence in 2023-24 - £450k is likely to slip. Scheme expenditure is subject to successful business case. No spend expected in Q4 2022-23. Budget likely to slip to 2023-24.
Stourport Riverside	28,000	(24,203)		
Community Safety CCTV Upgrade (Grant Funded)	5,460	1,000		
Brinton Park HLF Scheme (subject to successful HLF bid)	500,000	6,994	450,000	
Innovation Capital Funding*	210,390	-	210,390	
* Subject to Business Cases and approval by Cab/CLT				
<b>SUB TOTAL</b>	<b>768,850</b>	<b>(16,209)</b>	<b>660,390</b>	
<b>STRATEGIC GROWTH</b>				
Disabled Facilities Grants	1,918,560	773,556	918,560	Expenditure likely to be circa £1m due to contractor capacity and other delays. Balance will slip. Scheme will slip to 2023-24. Waiting for Heads of Terms sign off by estates. Funding requirement likely to increase due to rising costs but will be paid 2023-24. Scheme complete. Budget reduced to match total expenditure. Contract will be advertised end of January subject to agreement by Cabinet. Majority of budget anticipated to slip. Spend anticipated at £80k for year A further £10k anticipated by year end, so balance will slip. Grant scheme now closed. Budget now reduced to actual level. Strong Leader approval for new scheme 20/09/22 - 100% externally funded Strong Leader approval for new scheme 20/09/22 - 100% externally funded Budget available if any business cases are successful. Anticipate appointing contractor by March so budget likely to slip to 2023-24. Budget available if any business cases are successful.
BCF Energy Efficiency	200,000	-	200,000	
BCF Disabled Adapted Units	150,000	-	150,000	
Property Flood Grants	137,950	137,950		
Castle Road Development	1,453,360	114,960	1,153,360	
Housing Assistance - Private Sector Measures (including Decent Homes Grant)	69,800	-	(10,200)	
Flood Recovery Support	40,000	8,300	20,000	
Green Homes Grants Phase 2	61,620	61,612		
Local Authority Delivery Scheme Phase 3 (LADS3)	460,000	-	310,000	
Home Upgrade Grant Phase 1 (HUGS1)	260,000	-	235,000	
Future Investment Evergreen Fund (unallocated balance)*	145,000	2,400		
Electric Vehicle Chargepoints	271,000	-	271,000	
Capital Projects Fund*	500,000	-		
* Subject to Business Cases and approval by O&S and Cabinet				
<b>SUB TOTAL</b>	<b>5,667,290</b>	<b>1,098,778</b>	<b>3,247,720</b>	

**Q3 Budget Monitoring 2022-23 (to December 2022)**  
**Capital Programme 2022-23 including slippage from 2021-22 and latest Draft Revised Budgets for February 2023 Council**

	Revised Capital Budgets 2022-23 (Draft version for Council Feb 2023) £	2022-23 Q3 Actual Expenditure £	Slippage/ reprofiling to future years Position as at Q3 £	Comments
<b>ECONOMIC DEVELOPMENT AND REGENERATION</b>				
Levelling Up Fund**	8,775,110	492,356		Schemes progressing - some delays and reprofiling may be necessary but timescales unknown at this stage, hence budget remains in 2022-23 at Q3. Final retention payment due March 2023 Completed the competitive professional services - architectural & engineering design tender and appointed the lead consultant. Scheme designs currently at RIBA Stage 3. Completed the competitive construction 2nd stage tender and appointed the contractor. Project adjustment request application has been submitted to DLUHC for approval due to budget pressures as a result of rising inflation costs. Despite these challenges the project is on track and due for completion within the set timescales of 31 <sup>st</sup> March 2024.  New initiative - 100% externally funded
Industrial Units Frenco Development - Silverwoods	10,860	-		
Future High Streets Fund** - Public Realm	4,938,240	194,715		
Future High Streets Fund** - Creative Hub	3,095,430	85,732		
UK Shared Prosperity Fund * Subject to Business Cases & Due Diligence ** Co-funding subject to full Business Case following the principles of the Capital Portfolio Fund	158,500	-		
<b>SUB TOTAL</b>	<b>16,978,140</b>	<b>772,803</b>	<b>0</b>	
<b>RESOURCES &amp; REVENUES, BENEFITS AND CUSTOMER SERVICES</b>				
ICT Strategy	784,140	478,647		Various schemes in progress that are anticipated to be complete by 31st March 2023. ICT Strategy refresh for next 5 years is awaiting approval.
<b>SUB TOTAL</b>	<b>784,140</b>	<b>478,647</b>	<b>0</b>	
<b>VEHICLE, EQUIPMENT &amp; SYSTEMS RENEWAL SCHEDULE</b>				
Vehicles & Equipment & Systems Renewal Schedule	900,900	719,209		Inflation impact & order book/delivery delays. Programme currently being reviewed. Green alternatives may need to be considered as part of the separate Green Projects capital scheme.
<b>SUB TOTAL</b>	<b>900,900</b>	<b>719,209</b>	<b>0</b>	
<b>TOTAL COMMITTED EXPENDITURE</b>	<b>25,099,320</b>	<b>3,053,228</b>	<b>3,908,110</b>	



**BUDGET RISK MATRIX 2022-25**

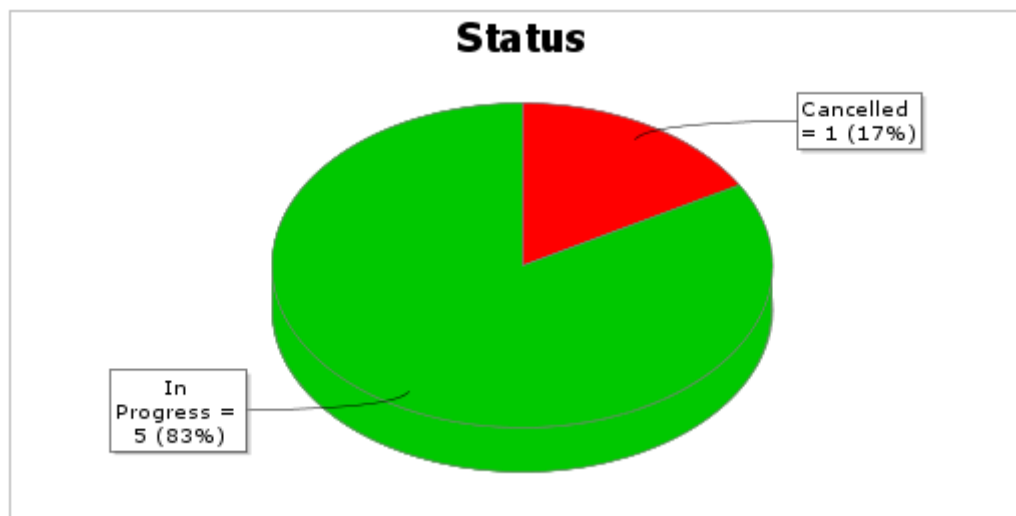


C&E Income	2021-22 Actual £	2022-23 Revised Budget £	2022-23 Actual (P9) £	Q3 Outturn Projections			Notes provided by C&E
				Income Growth £	Income shortfall £	Estimated Outturn £	
<b>Car Parks and Enforcement</b>							
Car parking (coin and pay-by-phone)	1,099,316	1,195,060	943,313		10,000	1,185,060	Additional c.£79k parking revenue by P9 compared to 2021-22. This year's Christmas parking offer was expected to create additional revenue as previous parking sessions after 3pm have been free. The value of free Christmas parking to the consumer doubled in April 2020 when the council's parking structure extended chargeable hours from 6pm to 9pm. December parking totalled £75k, more than any of the previous five years. New app provider being progressed for next financial year that will unite areas of Worcestershire onto one parking app.  Off-street enforcement expected to bring in revenue below original budget, however on-street expected to exceed original budget. High turnover of staff this financial year.
Car park season tickets and resident parking	80,810	105,600	86,826			105,600	
PCNs (off-street)	40,884	41,250	20,924			41,250	
PCNs (on-street)	112,494	85,000	79,008	10,000		95,000	
Weavers Wharf management fee	173,141	173,140	141,082			173,140	
FPNs and misc. enforcement income	28,650	15,000	10,940			15,000	
Aldi rent, rental space and misc.	12,614	12,540	1,235			12,540	
<b>Total</b>	<b>1,547,909</b>	<b>1,627,590</b>	<b>1,283,329</b>	<b>10,000</b>	<b>10,000</b>	<b>1,627,590</b>	
<b>Wyre Forest Leisure Centre</b>							
Management contract	165,464	592,910	620,184	55,000		647,910	Additional income relates to 2021-22 following conclusion of open book accounting reconciliation.
<b>Total</b>	<b>165,464</b>	<b>592,910</b>	<b>620,184</b>	<b>55,000</b>	<b>0</b>	<b>647,910</b>	
<b>Waste</b>							
Business waste	755,023	810,000	599,889			810,000	Expected to meet revised target of £810k. Service review on-going and service efficiencies made while improving service standards. Expected to generate extra 5-10% more revenue whilst collecting 10% less waste when compared to 2021-22. Work on-going to maximise efficiencies and service delivery standards including: additional crew, rebranding, mileage/fuel reduction, route and delivery optimisation. Waste management software options being explored as part of the above to further enhance the customer journey.
Garden waste	480,550	500,000	385,206			500,000	
Waste transfer station	16,800	16,800	8,400			16,800	Early promotions have paid dividends and a large growth in garden waste customers was seen early in 2022-23. Expected to exceed original budget, generating £500k, however important to note that income is matched to cost of collection so new garden waste contracts in Q4 will see the 3/4 of revenue accounted for in next financial year (2023-24).
Developers bins, extra bins and collections	19,148	30,000	42,548	13,000		43,000	
<b>Total</b>	<b>1,271,521</b>	<b>1,356,800</b>	<b>1,036,043</b>	<b>13,000</b>	<b>0</b>	<b>1,369,800</b>	
<b>Garage</b>							
MOTs and servicing	19,308	18,000	16,175			18,000	
<b>Total</b>	<b>19,308</b>	<b>18,000</b>	<b>16,175</b>	<b>0</b>	<b>0</b>	<b>18,000</b>	
<b>Driver Training</b>							
Training	8,002	20,000	9,824		5,000	15,000	
<b>Total</b>	<b>8,002</b>	<b>20,000</b>	<b>9,824</b>	<b>0</b>	<b>5,000</b>	<b>15,000</b>	

<b>Arboricultural and Grounds Maintenance</b>							
Tree gang	98,989	80,000	32,897		20,000	60,000	Staffing issues have seen the team operating at roughly 50% capacity this year. Discussions are ongoing with neighbouring authorities and businesses about the arboricultural team agreeing annual contracts for tree services. Some invoices still to be raised, however expected to fall short of revised target this financial year. Area that has been hit hardest following the Covid pandemic. The true value of advertising on our own refuse freighters is now being recognised. Advertising of internal services and other corporate initiatives (eg. business waste; We Are Watching You enforcement campaign) is and will be on council owned refuse freighters. Roundabout advertising is being managed closely by the Commercial Sales Officer. Signs are being redesigned to ensure they are consistent and revenue being more actively pursued. Income is profiled to reflect the period in which the service is received.
Grounds maintenance	31,335	85,000	11,444		20,000	65,000	
Landscaping	14,280	20,000	4,386		10,000	10,000	
Advertising	24,844	25,000	23,898			25,000	
<b>Total</b>	<b>169,447</b>	<b>210,000</b>	<b>72,625</b>	<b>0</b>	<b>50,000</b>	<b>160,000</b>	
<b>Parks and Green Spaces</b>							
Maintenance of highways verges	54,130	75,000	75,000			75,000	
Parks licences	14,849	13,590	15,377			13,590	
Rangers and nature reserves	351	50	50			50	
<b>Total</b>	<b>69,331</b>	<b>88,640</b>	<b>90,427</b>	<b>0</b>	<b>0</b>	<b>88,640</b>	
<b>Highways and General Cleansing</b>							
Bulky waste	66,225	64,000	42,473		5,000	69,000	
Highways external	55,815	80,000	29,927		14,000	94,000	
<b>Total</b>	<b>122,039</b>	<b>144,000</b>	<b>72,400</b>	<b>0</b>	<b>19,000</b>	<b>163,000</b>	
<b>Bewdley Museum</b>							
Shop income	66,144	53,800	60,588			53,800	
Educational visits	10,270	20,000	10,580			20,000	
Museum activities	19,578	20,000	25,679			20,000	
Weddings	12,909	12,000	15,159			12,000	
Property and rents	18,296	18,280	17,648			18,280	
Misc fees and income	2,193	12,500	2,193			12,500	
Guildhall	660	660	550			660	
<b>Total</b>	<b>130,049</b>	<b>137,240</b>	<b>132,396</b>	<b>0</b>	<b>0</b>	<b>137,240</b>	
<b>Cemetery</b>							
Burial Fees	74,281	52,820	54,816	10,000		62,820	
<b>Total</b>	<b>74,281</b>	<b>52,820</b>	<b>54,816</b>	<b>10,000</b>	<b>0</b>	<b>62,820</b>	
<b>Other</b>							
Green street depot rents	4,500	2,830	3,000			2,830	
<b>Total</b>	<b>4,500</b>	<b>2,830</b>	<b>3,000</b>	<b>0</b>	<b>0</b>	<b>2,830</b>	
<b>Grand Total</b>	<b>3,581,851</b>	<b>4,250,830</b>	<b>3,391,219</b>	<b>88,000</b>	<b>84,000</b>	<b>4,292,830</b>	

### Corporate Plan Priority: A safe, clean and green living environment

This report details the progress we have made against the Corporate Plan Priority of 'a safe, clean and green living environment'.



WFF 22/23 30

Stourport Canal Basins



Due Date	Managed By	Latest Note	Latest Note Date
31-Oct-2021		No proposals received from Stourport Town Council or Stourport Forward. Viability assessment of potential developments under way. Proposals for 8A Bridge St being discussed with STC	25-Apr-2022

WFF 22/23 87 To monitor the potential impact of the government's waste strategy as this could reduce current commercial income streams 

Due Date	Managed By	Latest Note	Latest Note Date
23-Mar-2023	Steve Brant	Consultation on DRS and PPNs has been issued. Awaiting Government response on consistency. The joint task and finish group across the region continues to develop work. Clarity on food waste collections issued by DEFRA which we are currently reviewing. Briefing reports in progress.	03-Feb-2023

WFF 22/23 99 Electric Vehicle Charging Points 

Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2023	Kate Bailey	Contract advertised 17 February 2023. Contract award expected April.	17-Feb-2023

WFF 22/23 100 Wyre Forest Wild 

Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2023	Steve Brant	UKSPF funding for feasibility study unlikely to be forthcoming. Alternative funding sources being explored.	03-Feb-2023

WFF 22/23 104 Brinton Park HLF 

Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2023	Steve Brant	Revised outline plan being proposed to HLF which excludes the Sons of Rest pavilion.	03-Feb-2023

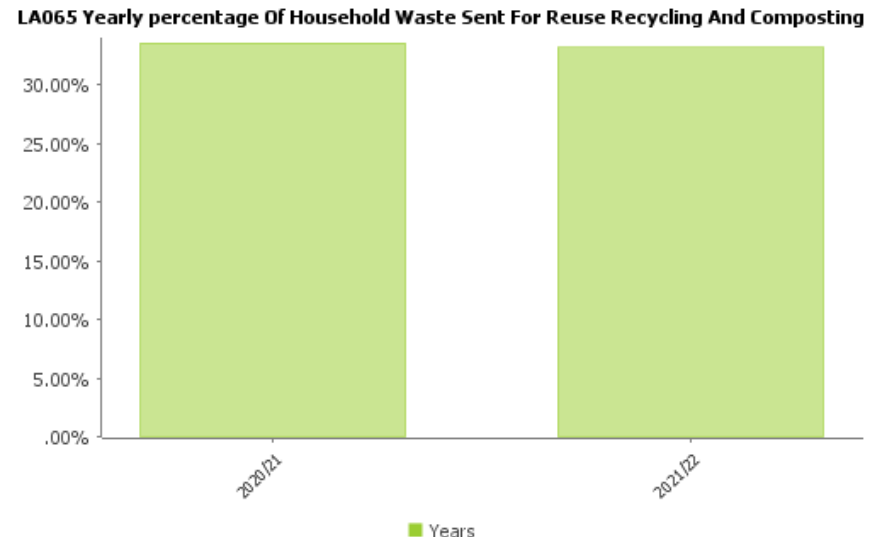
WFF 22/23 105 Solar Farm 

Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2023	Kate Bailey	Additional work commissioned. Due to complete 28th February 2023.	01-Feb-2023

**Measures**

As a way of measuring the progress with our purpose, we collect key data to monitor trends and patterns. This data not only helps us to understand the impact of the work that we are doing but it also assists with decision making at a corporate level. The latest available data is detailed below:

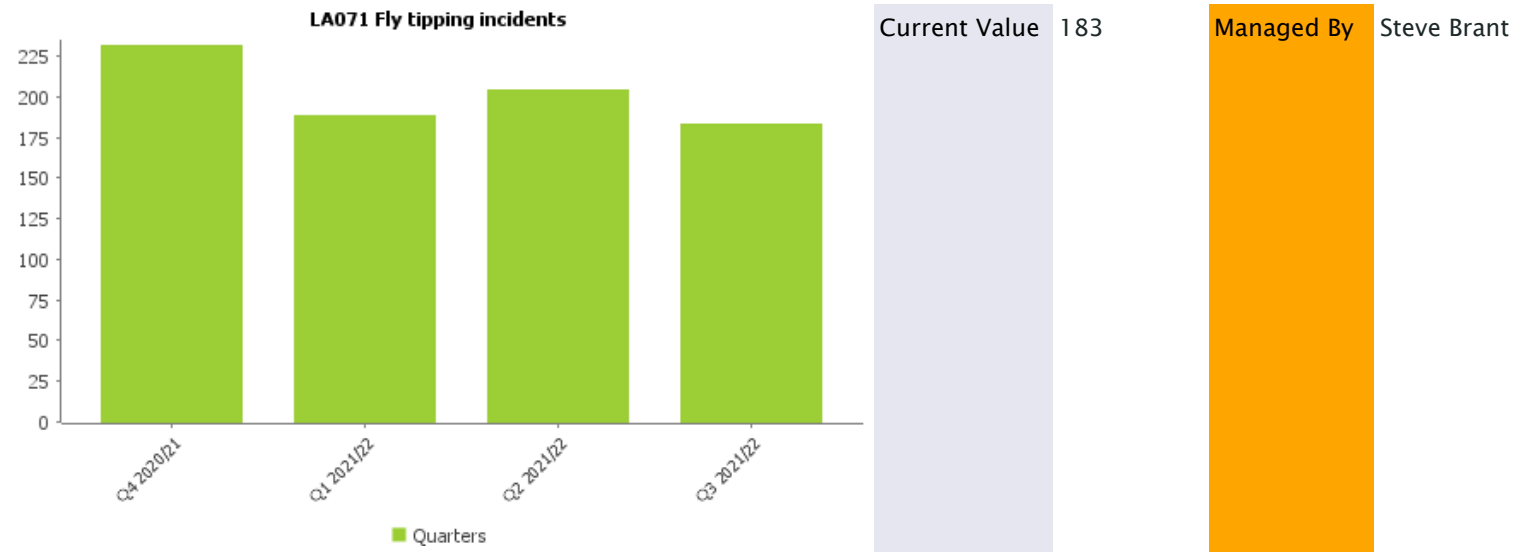
**LA065** Yearly percentage Of Household Waste Sent For Reuse Recycling And Composting



Current Value 33.20%

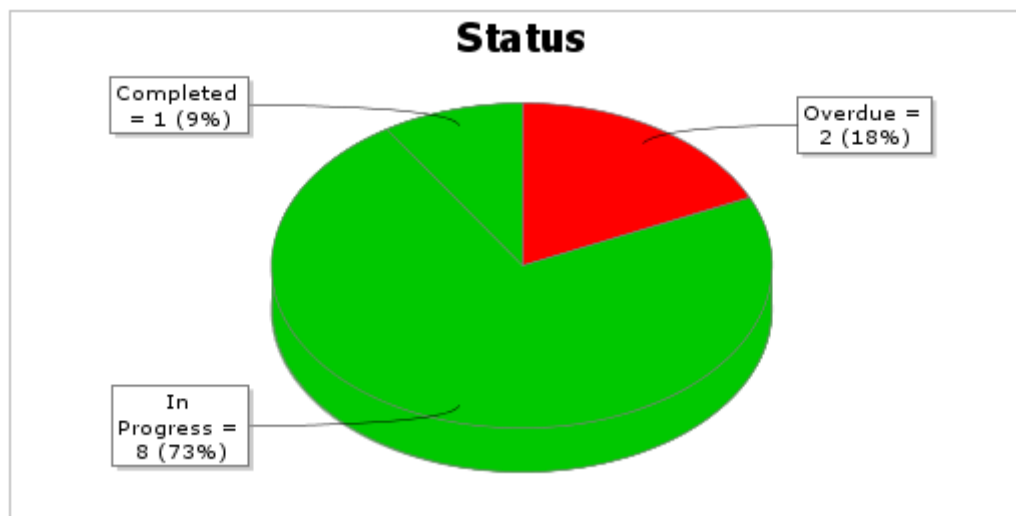
Managed By Steve Brant

LA071 Fly tipping incidents



## Corporate Plan Priority: Supporting a successful local economy

This report details the progress we have made against the Corporate Plan Priority of 'supporting a successful local economy'.



RA22/23 58 Governance arrangements: programme board in place

Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2023	Head of North Worcestershire Economic Development and Regeneration; Head of Resources; Solicitor to the	Progression of Audit plan to provide assurance. All boards in place and take place every 2 months for FHSF and LUF projects	16-FEB-2023



Council

RA22/23 59 Project management including delivery managers in place and project specific issues and risk registers maintained 

Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2023	Head of North Worcestershire Economic Development and Regeneration	Project and delivery managers continue to deliver against their respective briefs.	16-Feb-2023




RA22/23 61 Financial contingencies 

Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2023	Head of North Worcestershire Economic Development and Regeneration; Head of Resources	On-going - revenue contingencies reviewed for adequacy at quarter end. External experts commissioned to progress Check Challenge Appeal with VOA to remove properties due for demolition from rating list, currently temporarily removed from rating while Asbestos removal underway. To be and completed June 2023.	23-Feb-2023

WFF 22/23 89 Future High Streets Fund Programme 

Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2024	Ostap Paparega	Cabinet 30 June decided to progress a preferred development scheme, with the site being taken to market for development, subject to the outcome of the feasibility study. Tendering of the feasibility study has been held up as a result of the delay in the Government's approval of the UK Shared Prosperity Fund Investment Plan, which	23-Feb-2023

includes a grant allocation for the feasibility study. The plan was submitted at the end of July. The Government’s announcement was scheduled for October 2022, but was given in December 2022. Invitation to Tender being prepared for issue in February 2023.

WFF 22/23 90	Lionfields Phase One (Former Glades Leisure Centre site) feasibility study			
	<b>Due Date</b>	<b>Managed By</b>	<b>Latest Note</b>	<b>Latest Note Date</b>
	31-Oct-2022	Ostap Paparega	Continued negotiations with landowner regarding the sale.	01-Feb-2023
WFF 22/23 96	Redevelopment of Land at Radford Avenue			
	<b>Due Date</b>	<b>Managed By</b>	<b>Latest Note</b>	<b>Latest Note Date</b>
	31-Dec-2022	Kate Bailey	Continued negotiations with landowner regarding the sale.	01-Feb-2023
WFF 22/23 97	Levelling up fund			
	<b>Due Date</b>	<b>Managed By</b>	<b>Latest Note</b>	<b>Latest Note Date</b>
	31-Mar-2025	Ostap Paparega	<b>Kidderminster Town Hall</b> KTH secured Planning and Listed Building consent on 10th October 2022. Currently in RIBA Stage 4 design phase which is progressing with Speller Metcalfe (contractor). As part of the second stage design and build tender process.	23-Feb-2023

**Canal Tow Path**

Works completed to 70%

**Piano Building**

Acquisition of building pending.

WFF 22/23 98 **Redevelopment of land at Clensmore Street** 

Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2023	Kate Bailey	Draft Head of Terms being discussed with registered provider. Agreement being reached with Homes England regarding their housing infrastructure fund requirements.	01-Feb-2023

WFF 22/23 101 **Town Centre Masterplan including former Crown House, Woolworths and Mega Value sites** 

Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2023	Ostap Paparega	Draft masterplan completed as at 31st October 2022.	02-Nov-2022

WFF 22/23 103 **UK shared Prosperity Fund** 

Due Date	Managed By	Latest Note	Latest Note Date
31-Mar-2025	Ostap Paparega	UKSPF approval was expected in October 2022, delayed to December. ReWyre board to meet in Q4 to agree project allocations.	23-Feb-2023

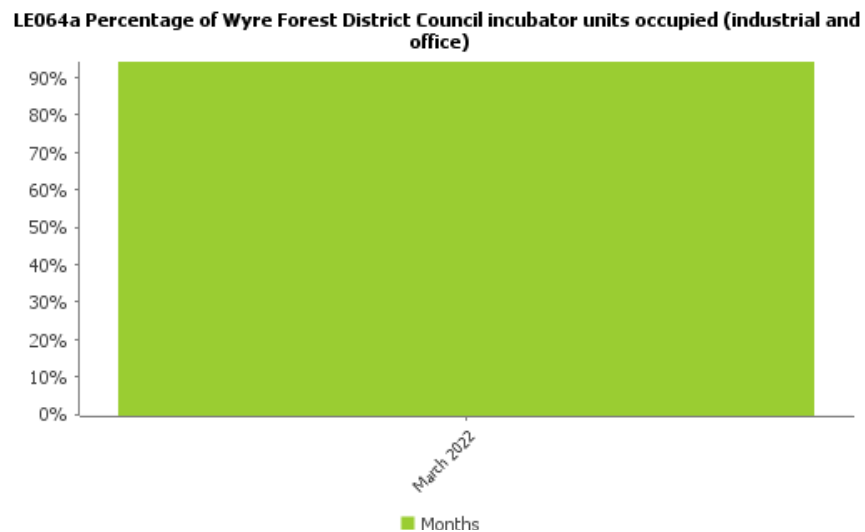
WFF 22/23 106 **Castle Road – temporary accommodation** 

Due Date	Managed By	Latest Note	Latest Note Date
31-Oct-2024	Kate Bailey	Contract advert live, with a closing date of 12:00, 24th February 2023	10-Feb-2023

**Measures**

As a way of measuring the progress with our purpose, we collect key data to monitor trends and patterns. This data not only helps us to understand the impact of the work that we are doing but it also assists with decision making at a corporate level. The latest available data is detailed below:

**LE064 a** Percentage of Wyre Forest District Council incubator units occupied (industrial and office)



Current Value 94%

Managed By Ostap Paparega

**Risks**

The below risk(s) has been identified as part of our Corporate Risk Register. All of the actions and measures detailed in this report aim to mitigate this risk(s) as well as drive forward our priority of 'supporting a successful local economy'.

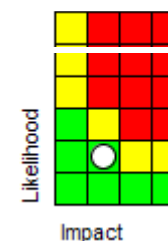
CORPRISK02 Unable to improve the economic prosperity of the

Current

76



Target



**district.** Lack of vitality in the local economy – although the District is holding up reasonably well in the current economic conditions it still aims to stimulate growth to support the economic recovery and to support the recovery of the local economy. The Council is now in its eleventh year of the State of the Area Programme which includes a number of projects to assist in the stimulation of economic recovery. The Council continues to host of the North Worcestershire Economic Development and Regeneration Service (having adopted a new North Worcestershire Economic Strategy in 2019 and new Strategic Asset Management and Business Growth and Enterprise Strategies in 2021) and maintains its membership of two Local Enterprise Partnerships and continues to maximise the benefit of that position, although it is recognised that this may change as the Government seeks to eliminate dual LEP membership from a future date that is as yet unknown. The Business Rates Retention Scheme introduced in 2013/14 increases the incentive to promote growth as there is significant financial risk to this Council if we are unable to sustain the baseline level of the business rates reflected in government projections. The detail in relation to reform of the Business Rates System has been delayed yet again so we will continue to review our position as more information is released. Ongoing membership of the Worcestershire Business Rates Pool has only mitigated this risk to a certain extent and economic growth is key to the future financial sustainability of the Council, this may change following Business

Risk Matrix

**Impact** Marginal  
**Likelihood** Significant

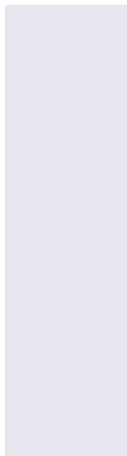
Risk Matrix

**Impact** Marginal  
**Likelihood** Very Low

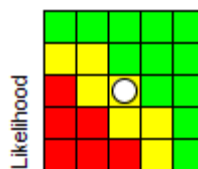
Rates Reform. The Council has successfully bid for funding through the Future High Streets Fund initiative and begins its £20.5m programme in earnest to ensure delivery by end of March 2024. The announcement of the Levelling Up Fund and Community Renewal Fund offer additional opportunities to secure further funding for projects in the district. The impact of Brexit influences this risk and COVID-19 presents a significant challenge and increase in this key risk, but the Council has been proactive in distributing Covid related funding to businesses.

Includes waste shared service; food waste collections; solar farm; temporary accommodation, Castle Road; localism including future arrangements for Bewdley Museum; ICT strategy; solar farm and other “green” projects; Lionfields Phase One; UKSPF; Wyre Forest Wild

CORPRISK11



Current Risk Matrix



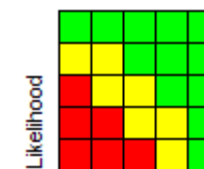
Impact

Impact Moderate

Likelihood Likely



Target Risk Matrix



Impact

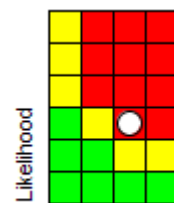
Impact

Likelihood

Risk that the three-year programme to end of March 2024 delivering £20.5million programme of interventions across Kidderminster Town Centre will not be delivered on time and within budget. Governance arrangements established with board overseeing programme delivery and individual project boards to oversee each specific intervention. Additional capacity to be added to NWEDR to oversee programme and project delivery. Regular liaison with MHCLG to ensure delivery in accordance with

CORPRISK16

Current Risk Matrix



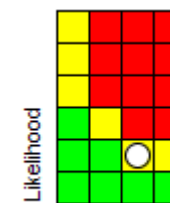
Impact

Impact Critical

Likelihood Low



Target Risk Matrix



Impact

Impact Critical

Likelihood Very Low

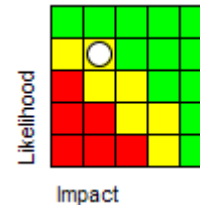


programme and specifically focussing on monitoring and evaluation. Provision made in capital programme at February 2021 Council.

Description to be provided

CORPRISK16

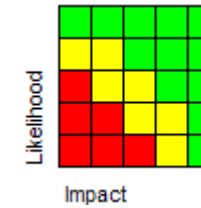
Current Risk Matrix



Impact Major  
Likelihood Possible



Target Risk Matrix



Impact  
Likelihood

## Wyre Forest Forward Actions

This report details the progress against Wyre Forest Forward actions that are not directly associated with a Corporate Plan Priority



### Completed

WFF 22/23 94      Review of operational floor space requirements at Wyre Forest House and Green Street 

Due Date	Managed By	Latest Note	Latest Note Date
30-Sep-2021	Ostap Paparega	Reduction in WFDC footprint at Wyre Forest House confirmed August 2022. Housing Team relocated to Green Street. New tenants partially occupying vacated space. Former Betaden space on the Ground Floor now fully let to new tenants	16-02-2023

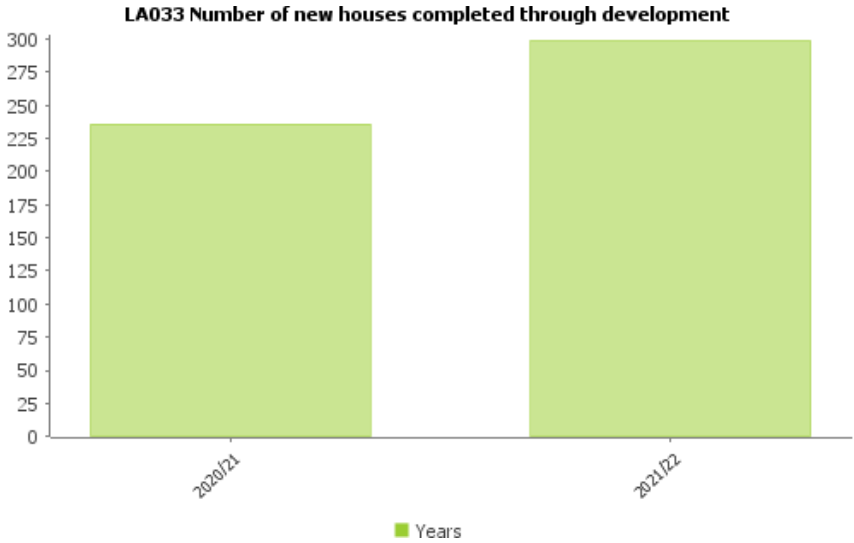


**Measures**

This report details the latest date for our measures that are not directly associated with a Corporate Plan Priority



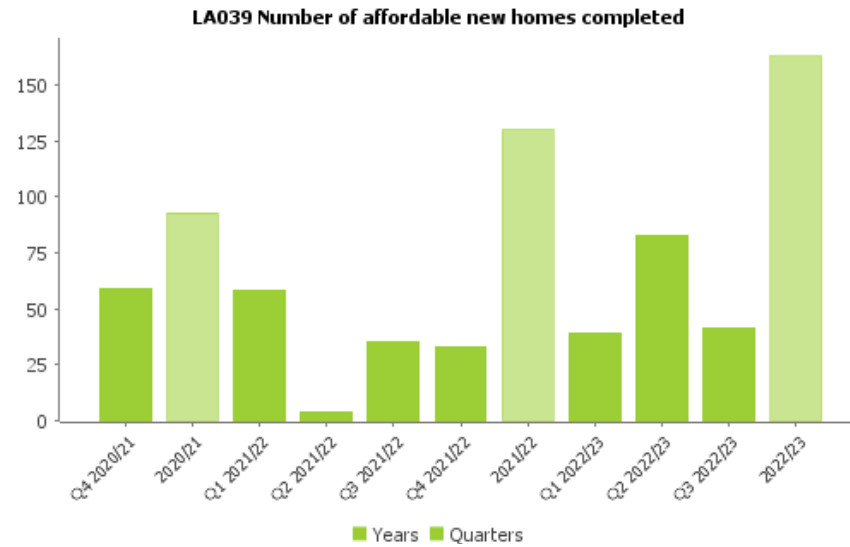
**LA033** Number of new houses completed through development



Current Value 299

Managed By Kate Bailey

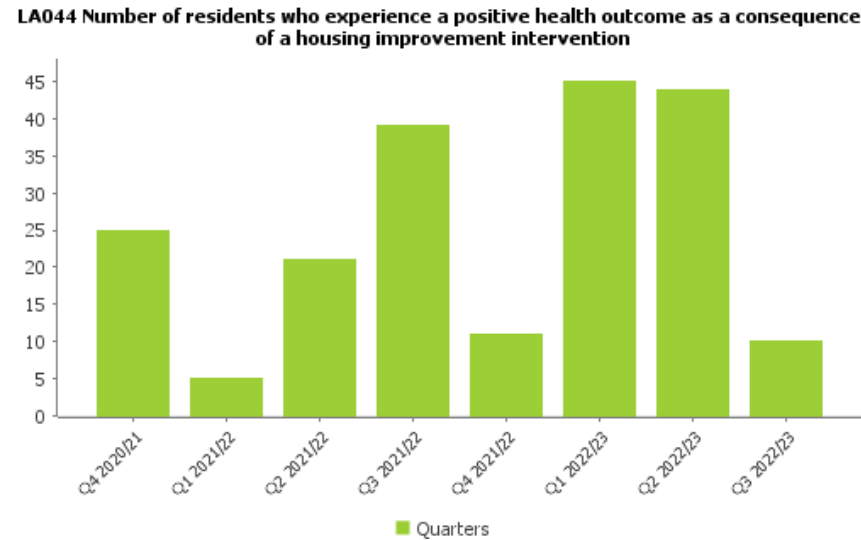
**LA039** Number of affordable new homes completed



Current Value 41

Managed By Kate Bailey

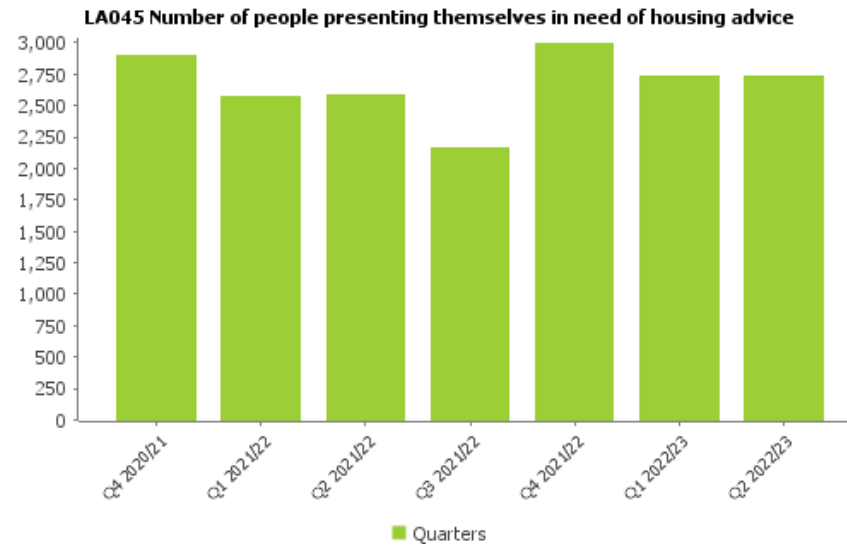
**LA044** Number of residents who experience a positive health outcome as a consequence of a housing improvement intervention



Current Value 10

Managed By Kate Bailey

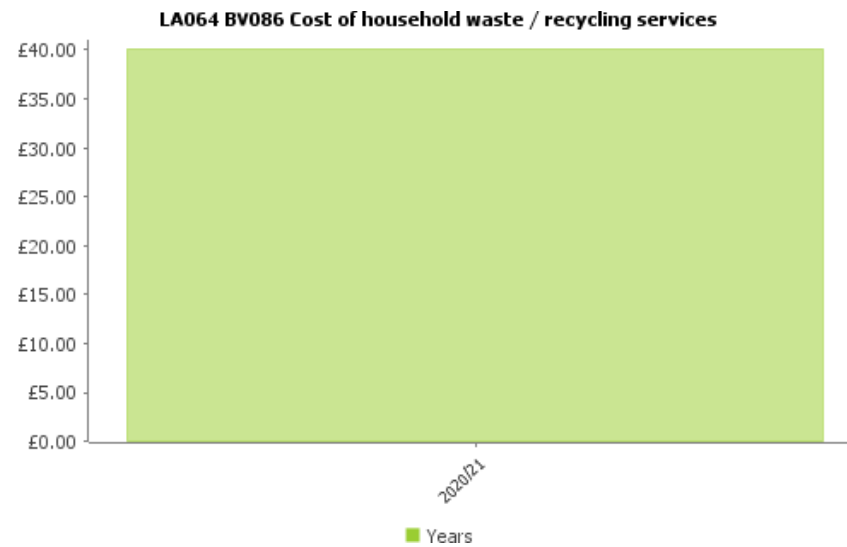
**LA045** Number of people presenting themselves in need of housing advice



Current Value 2,739

Managed By Kate Bailey

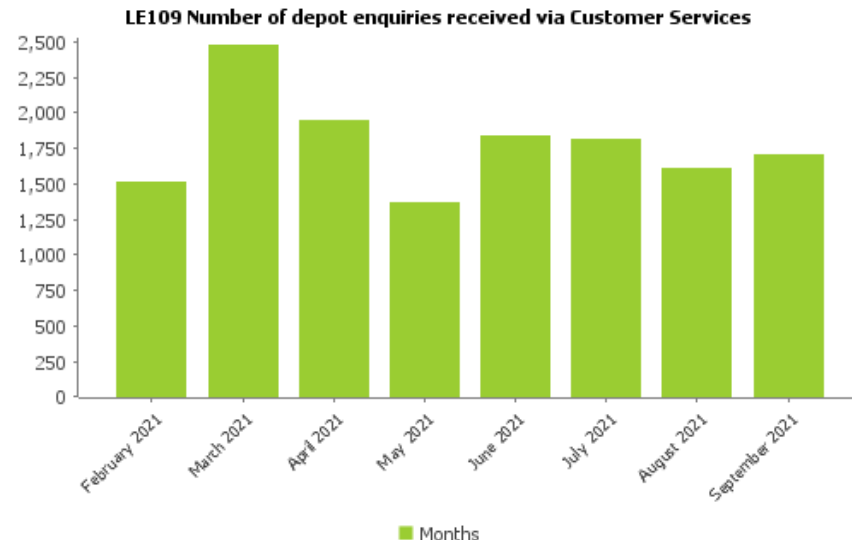
**LA064** Cost of household waste / recycling services  
**BV086**



Current Value £40.08

Managed By Steve Brant

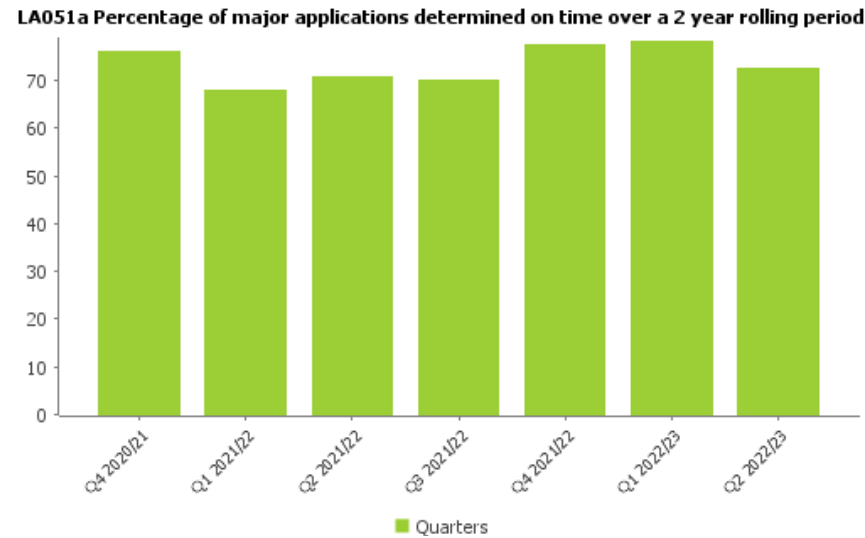
**LE109** Number of depot enquiries received via Customer Services



Current Value 1,705

Managed By Steve Brant

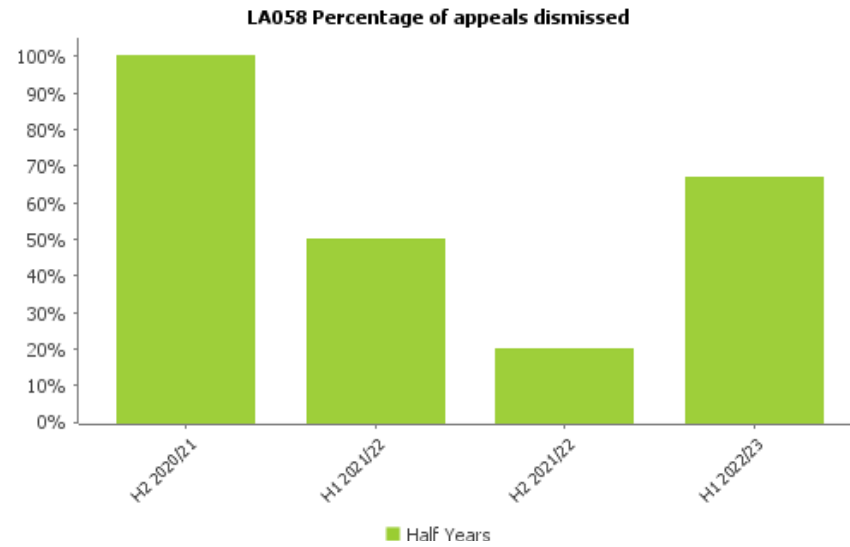
**LA051 a** Percentage of major applications determined on time over a 2 year rolling period



Current Value 72.7

Managed By Helen Hawkes; Paul Round

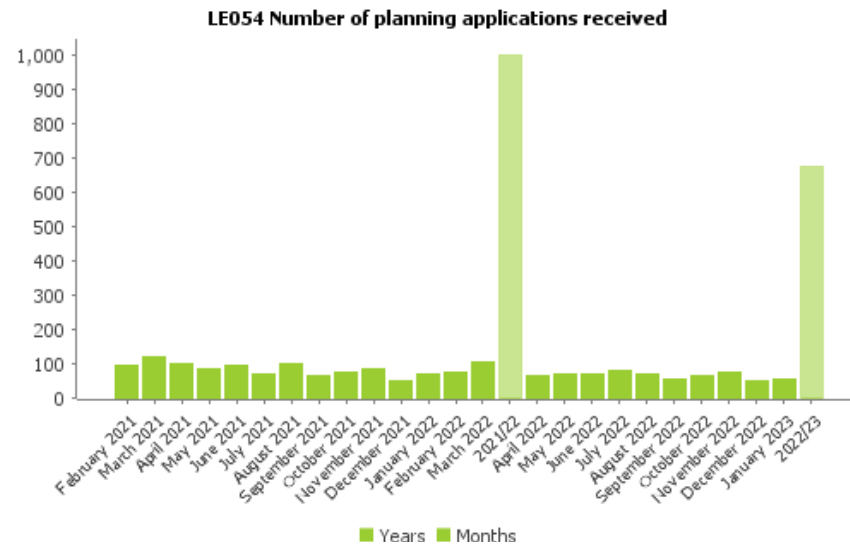
LA058 Percentage of appeals dismissed



Current Value 67%

Managed By Helen Hawkes; Paul Round

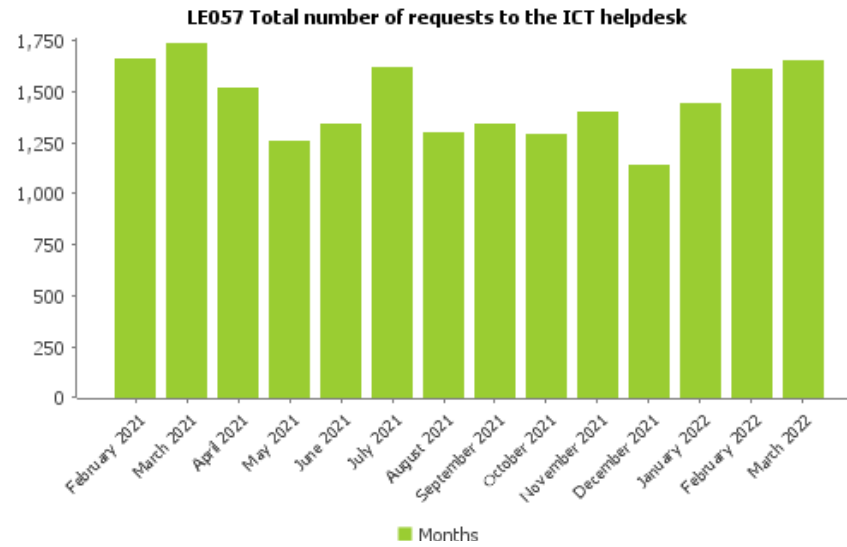
LE054 Number of planning applications received



Current Value 57

Managed By Helen Hawkes; Paul Round

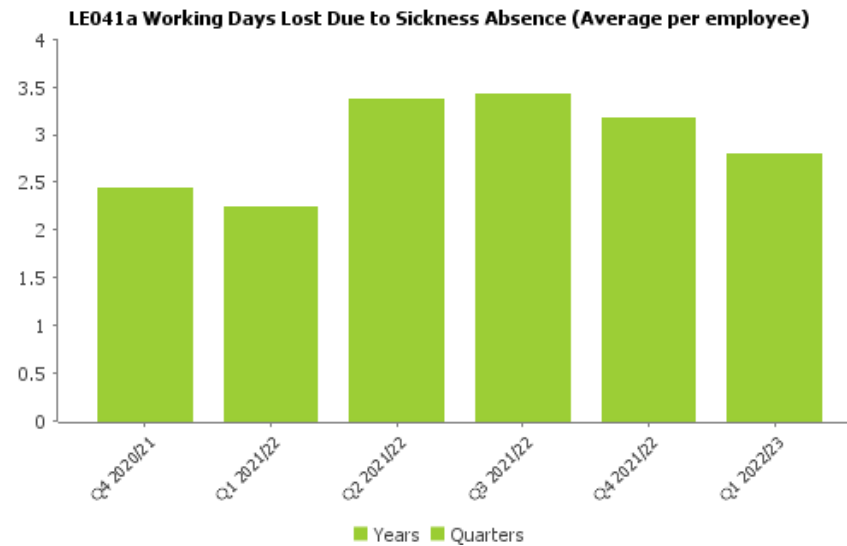
**LE057** Total number of requests to the ICT helpdesk



Current Value 1,654

Managed By Dave Johnson

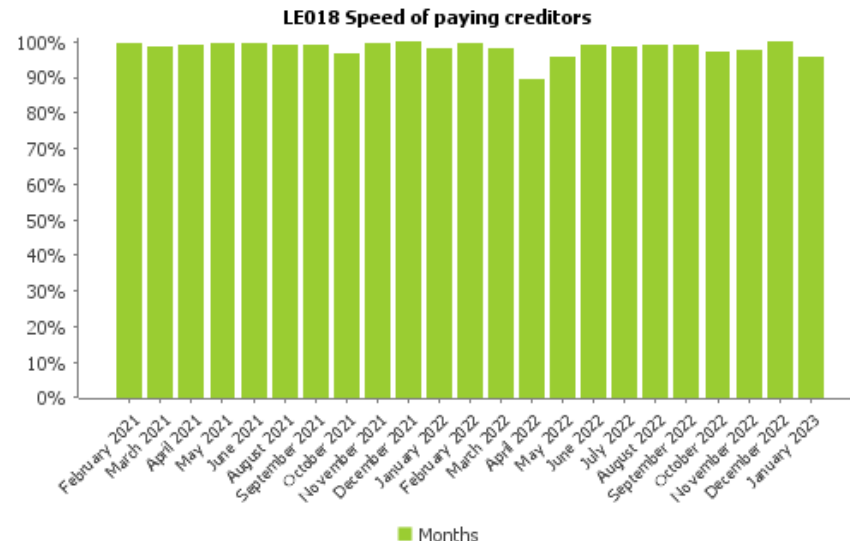
**LE041 a** Working Days Lost Due to Sickness Absence (Average per employee)



Current Value 2.79

Managed By Caroline Newlands

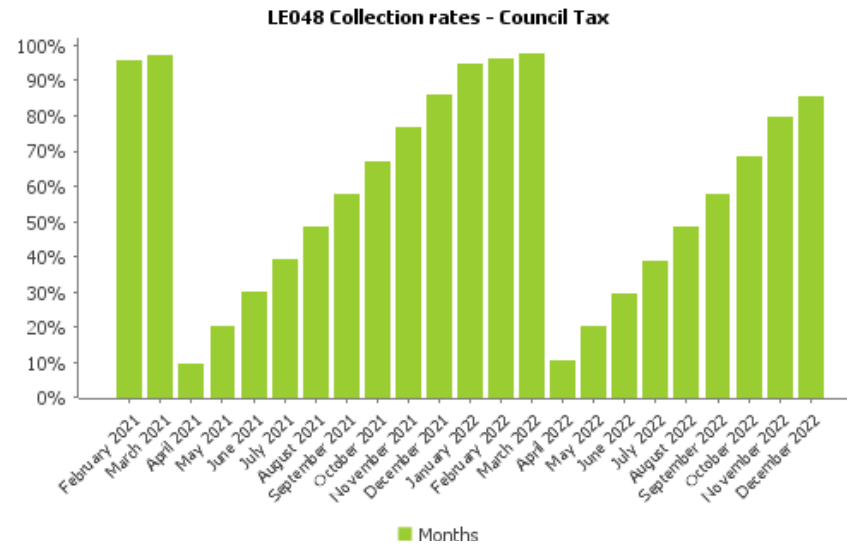
LE018 Speed of paying creditors



Current Value 95.81%

Managed By Helen Ogram

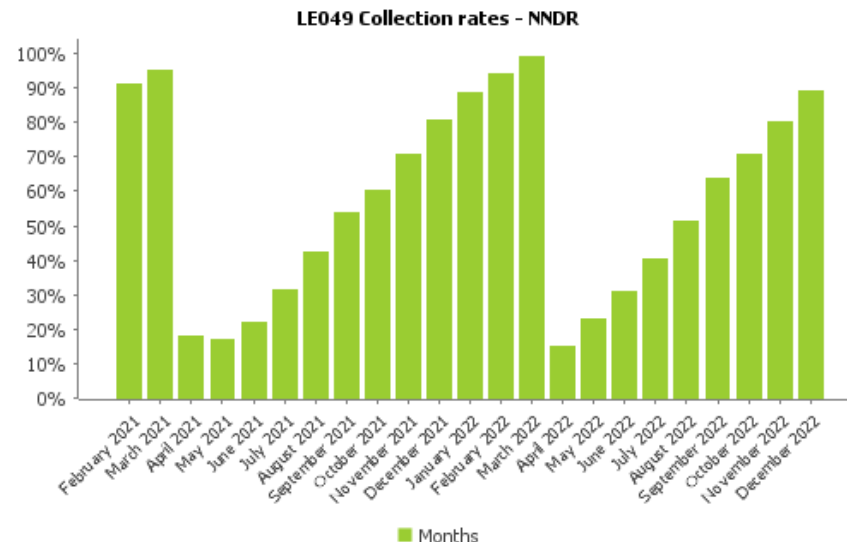
LE048 Collection rates – Council Tax



Current Value 85.32%

Managed By Lucy Wright

LE049 Collection rates – NNDR



Current Value 88.98%

Managed By Lucy Wright



## Exception report for all Wyre Forest Forward and Risk Actions

Those actions that are approaching their due date or are overdue



### Help me have access to a good quality and affordable home; Make good development happen

WFF 22/23 96 🛑 Redevelopment of Land at Radford Avenue

Due Date	Managed By	Latest Note	Latest Note Date
31-Dec-2022	Kate Bailey	Continued negotiations with landowner regarding the sale.	01-Feb-2023

### Make good development happen

WFF 22/23 30 ❌ Stourport Canal Basins

Due Date	Managed By	Latest Note	Latest Note Date
31-Oct-2021		No proposals received from Stourport Town Council or Stourport Forward. Viability assessment of potential developments under way. Proposals for 8A Bridge St being discussed with STC	22-Feb-2023

WFF 22/23 90 🛑 Lionfields Phase One (Former Glades Leisure Centre site) feasibility study

Due Date	Managed By	Latest Note	Latest Note Date
31-Oct-2022	Ostap Paparega	Cabinet 30 June decided to progress a preferred	22-Feb-2022

development scheme, with the site being taken to market for development, subject to the outcome of the feasibility study. Tendering of the feasibility study has been held up as a result of the delay in the Government's approval of the UK Shared Prosperity Fund Investment Plan, which includes a grant allocation for the feasibility study. The plan was submitted at the end of July. The Government's announcement was scheduled for October 2022, but was given in December 2022. Invitation to Tender scheduled for issue in February 2023.

## Report of: Sally Horne

### Date

02/03/2023

### Open

## Chaddesley Corbett Revised Neighbourhood Plan 2022 to 2036 – Referendum

### Summary

Attached is a draft of a Cabinet report on this subject, which Cabinet is expected to consider on 21 March 2023

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

### Officer contact details

Name: Sally Horne

Title: Senior Planning Policy Officer

Contact number: Ext. 2524

**WYRE FOREST DISTRICT COUNCIL**

**CABINET**  
**21 MARCH 2023**

**Chaddesley Corbett Revised Neighbourhood Plan 2022 to 2036 – Referendum**

<b>OPEN</b>	
<b>CABINET MEMBER:</b>	Cllr Helen Dyke, Leader of the Council and Cabinet Member for Economic Regeneration, Planning and Localism
<b>RESPONSIBLE OFFICER:</b>	Kate Bailey, Head of Strategic Growth
<b>CONTACT OFFICER:</b>	Sally Horne, Senior Planning Policy Officer
<b>APPENDICES:</b>	Appendix One: Decision Statement

**1. PURPOSE OF REPORT**

To agree that the Chaddesley Corbett Neighbourhood Plan should be made part of the Development Plan for Wyre Forest District following the referendum which was held on Wednesday 8<sup>th</sup> February 2023.

**2. RECOMMENDATION**

**The Cabinet is invited to:**

**2.1.1 agree that the Chaddesley Corbett Neighbourhood Plan should form part of the Development Plan for Wyre Forest District Council and that the Decision Statement set out at Appendix One to this Report is approved.**

**3. BACKGROUND**

3.1 Chaddesley Corbett Parish Council, as the qualifying body, successfully applied for Chaddesley Corbett Parish to be designated as a Neighbourhood Area under the Neighbourhood Planning (General) regulations 2012. The Neighbourhood Area was designated on 14<sup>th</sup> September 2012.

3.2 Chaddesley Corbett's first NDP 2014 – 2026 came into effect on the 25 September 2014. It contains policies on:

- 3.2.1 Housing and the Built Environment
- 3.2.2 Business Agriculture and Commerce
- 3.2.3 Community and Leisure
- 3.2.4 Historic Environment, Architecture and Conservation

3.3 In 2019 Chaddesley Corbett Parish Council made the decision to review the NDP, taking into account the following:

- Changes in local (Wyre Forest District Council) and national planning policy since 2014;
- The results of a Parish Housing Needs Survey undertaken in June 2019;
- Consideration of local residents' and stakeholders' concerns gathered through a Parish Residents' Survey undertaken in autumn 2019;
- A Call for Sites and Site Assessment Process and public consultation on possible sites for local affordable housing schemes undertaken in 2020; and

- The preparation of a Design Codes document in 2020 to underpin detailed local design policies.

#### **4. KEY ISSUES**

4.1 The Review NDP includes the following Planning Policies and Proposals:

- Policy CF1 Supporting Health and Wellbeing
- Policy CF2 Protecting the Local Group of Shops and Public Houses in Chaddesley Corbett and other Local Facilities
- Policy GI1 Local Green Infrastructure Network and Biodiversity
- Policy H1 House Types, Sizes and Tenures
- Policy H2 Housing Site Allocations
- Policy H3 Criteria for Assessing the Suitability of Potential Housing Sites
- Policy H4 Backland and Rear and Side Garden Development and Extensions
- Policy C1 Conversion of Insubstantial Buildings
- Policy B1 Small Scale Employment Proposals on Previously Developed Sites and Conversions of Former Agricultural Buildings for Business Use
- Policy B2 Working from Home
- Policy D1 Promoting High Quality Design in New Development
- Policy D2 Architectural Details and Materials
- Policy D3 Protecting and Enhancing Heritage Assets and Archaeology
- Policy D4 Protected Views and Landmarks
- Policy D5 Local Green Spaces
- Policy T1 Parking in the Village.

4.2 The draft NDP has been through the prescribed process as set out in the of the Neighbourhood Planning (General) Regulations 2012 (as amended), including two rounds of public consultation, in March 2022 and June 2022, examination in September 2022 and referendum in February 2023.

4.3 With the Examiner's recommended modifications the Neighbourhood Plan meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention Rights and complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.

4.4 The referendum, which was held in the Parish of Chaddesley Corbett on the 8 February 2023, posed the question "Do you want Wyre Forest District Council to use the Neighbourhood Plan for Chaddesley Corbett to help it decide planning applications in the neighbourhood area?".

4.5 Of those that voted, 78% voted in favour of the Neighbourhood Plan.

#### **5. FINANCIAL IMPLICATIONS**

5.1 The District Council's costs relating to preparing the Neighbourhood Plan for Chaddesley Corbett and running the referendum have been met through the Government's Neighbourhood Planning Grant.

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

- 6.1 Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended requires that the Council must make the neighbourhood plan if more than half of those voting have voted in favour of the plan. The council are not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).
- 6.2 Once made, the Neighbourhood Plan will become part of the Development Plan for the District and will be used to help determine planning applications within the parish.

**7. EQUALITY IMPACT NEEDS ASSESSMENT**

- 7.1 The Plan does not raise an equalities issue and has been subject to Sustainability Appraisal which includes an assessment of potential impact on equalities issues.

**8. RISK MANAGEMENT**

- 8.1 The District Council must 'make' the Plan subject to it meeting all legal requirements. Should the referendum vote against the Plan then the District Council must not 'make' the Plan. Any decision which is not in accordance with this regulatory requirement could result in a legal challenge.

**9. CONCLUSION**

- 9.1 Neighbourhood planning is part of the Government's Localism agenda and allows communities to have more control over the way their local areas develops. Chaddesley Corbett Parish Council have prepared a Neighbourhood Plan to provide more specific planning policies and land allocations for the Parish.
- 9.2 A referendum was held in the Chaddesley Corbett Neighbourhood Area on Wednesday 8<sup>th</sup> February 2023 to ask 'Do you want Wyre Forest District Council to use the **Neighbourhood Plan for Chaddesley Corbett** to help it decide planning applications in the neighbourhood area? 78% of those that voted, did so in favour of the Neighbourhood Plan.

**10. CONSULTEES**

- 10.1 CLT

**11. BACKGROUND PAPERS**

- 11.1 Chaddesley Corbett Neighbourhood Development Plan 2022-2036

**WYRE FOREST DISTRICT COUNCIL**

**CHADDESLEY CORBETT NEIGHBOURHOOD PLAN – DECISION STATEMENT**

**21 March 2023**

**1 Summary**

- 1.1 Following a positive referendum result Wyre Forest District Council is publishing its decision to 'make' the Chaddesley Corbett Neighbourhood Plan as part of Wyre Forest District Council's Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

**2 Background**

- 2.1 Chaddesley Corbett Parish Council, as the qualifying body, successfully applied for Chaddesley Corbett Parish to be designated as a Neighbourhood Area under the Neighbourhood Planning (General Regulations 2012). The Neighbourhood Area was designated on 14<sup>th</sup> September 2012.
- 2.2 Following the submission of the Chaddesley Corbett Neighbourhood Plan to the District Council, it was publicised and comments were invited from the public and stakeholders. The publication period closed on 22<sup>nd</sup> July 2022.
- 2.3 Wyre Forest District Council appointed an independent examiner; Ann Skippers MRTPI, to review whether the Neighbourhood Plan met the basic conditions required by legislation and whether it should proceed to referendum.
- 2.4 The Examiner's Report concluded that the Neighbourhood Plan met the basic conditions and that subject to the modifications which are proposed in the report and set out in the Chaddesley Corbett Neighbourhood Plan Decision Statement of 23<sup>rd</sup> November 2022, the Neighbourhood Plan should proceed to a referendum.
- 2.5 A referendum was held on Wednesday 8<sup>th</sup> February 2023, 78% of those who voted were in favour of the Neighbourhood Plan. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended requires that the Council must make the Neighbourhood Plan if more than half of those voting have voted in favour of the plan. The council are not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

**3 Decision and Reasons**

- 3.1 With the Examiner's recommended modifications the Neighbourhood Plan meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention Rights and

## Agenda Item No. 7 Appendix 1

complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.

- 3.2** The referendum held on Wednesday 8<sup>th</sup> February 2023 the requirements of the Localism Act 2011, it was held in the Parish of Chaddesley Corbett and posed the question “Do you want Wyre Forest District Council to use the Neighbourhood Plan for Chaddesley Corbett to help it decide planning applications in the neighbourhood area?”.
- 3.3** The count took place on Wednesday 8<sup>th</sup> February 2023 and greater than 50% of those who voted were in favour of the plan being used to help decide planning applications in the plan area. The results of the referendum were:

<b>Response</b>	<b>Votes</b>	<b>Percentage of Total</b>
Yes	179	78%
No	49	22%
Turnout 19.8%		

- 3.4** The Council has assessed the Neighbourhood Plan including its preparation does not breach, and would not otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).
- 3.5** In accordance with the Regulations Chaddesley Corbett Neighbourhood Plan is ‘made’ and planning applications in the Parish must be considered against the Chaddesley Corbett Neighbourhood Plan, as well as existing planning policy.

Kate Bailey  
Head of Strategic Growth  
21 March 2023



## Report of: Sally Horne

### Date

02/03/2023

### Open

## Local Enforcement Plan

### Summary

Attached is a draft of a Cabinet report on this subject, which Cabinet is expected to consider on 21 March 2023

The Overview and Scrutiny Committee is invited to consider the report and the LEP at Appendix One and provide recommendations to Cabinet.

### Officer contact details

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**WYRE FOREST DISTRICT COUNCIL****CABINET**  
**21 March 2023****Report on the Local Enforcement Plan**

<b>OPEN</b>	
<b>CABINET MEMBER:</b>	Cllr Helen Dyke, Leader of the Council and Cabinet Member for Economic Regeneration, Planning and Localism
<b>RESPONSIBLE OFFICER:</b>	Kate Bailey, Head of Strategic Growth
<b>CONTACT OFFICER:</b>	Sally Horne, Senior Planning Policy Officer
<b>APPENDICES:</b>	Appendix One: WFDC Local Enforcement Plan

**1. PURPOSE OF REPORT**

To approve the Wyre Forest District Council (WFDC) Local Enforcement Plan (LEP) which covers action to be taken in cases of planning enforcement.

**2. RECOMMENDATION**

**The Cabinet is invited to:**

- 2.1 approve the adoption of the Local Enforcement Plan.

**3. BACKGROUND**

3.1 The draft LEP is an update to the 2018 Plan currently on the WFDC website.

3.2 It has been updated to reflect current guidance in the National Planning Policy Framework 2019 (NPPF) and the National Planning Policy Guidance (NPPG). In particular, paragraph 58 of the National Planning Policy Framework (revised February 2019) states:

*“Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate.”*

3.3 In addition, the Local Plan has now been adopted and so the Local Enforcement Plan requires a review.

#### 4. KEY ISSUES

- 4.1 The LEP, attached to this report at Appendix One, aims to provide clarity about the planning enforcement process at WFDC. The following topics are covered in the document:
- what is considered a planning breach
  - the enforcement process
  - how planning breaches are likely to be dealt with
  - proactive monitoring and compliance

- 4.2 It should be noted by members that the LEP only covers enforcement against planning breaches. It does not relate to:
- private civil matters
  - the Party Wall Act 1986
  - pest, noise nuisance and light pollution where it is not associated with an unlawful development or any other breach in planning control
  - building control structural issues
  - when there has been no material change in the use of a building or land

The plan indicates, where relevant, how issues about those matters may be pursued.

- 4.3 The Plan identifies that the following types of planning breaches will be investigated.
- Unlawful development
  - Works to a listed building
  - Installing an unauthorised advertisement
  - Works to a tree subject to a Tree Preservation Order or located in a Conservation area
  - Use of a caravan for permanent residency or stationing of a caravan for permanent residency that is not incidental to a dwelling house and involves the use of land for more than permitted without being located in a park with a camping and caravan permit
  - Not building in accordance with the conditions set out in the Planning Permission decision notice or s106 agreement
  - Development impacting upon public amenity
- 4.4 Local Authorities are bound by the Human Rights Act and so will consider, when determining whether enforcement action is taken, the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control.
- 4.5 Enforcement notices can be the subject of an appeal. Officers will always try to minimise risk of appeal by ensuring that breaches are not immune from action due to passage of time and that sufficient time is allowed for compliance.
- 4.6 If an enforcement notice is not complied with, the Council can prosecute. However, it should be noted that the Magistrates are not able to order compliance; they can fine an individual to incentivise them to comply and there can be multiple prosecutions and fines for the same breach, but ultimately that may not result in compliance. In that case, direct action by the Council to remedy the breach may be the only option.

**5. FINANCIAL IMPLICATIONS**

- 5.1 The existing staffing costs are met through the base budget and the additional planning application fees.
- 5.2 Enforcement work is a discretionary service and the merits of undertaking enforcement action will be considered in light of the LEP on a case by case basis.
- 5.3. As stated, enforcement notices can result in appeals. If evidence needs to be tested under cross examination at appeal, it is likely that there will be a Public Inquiry. This will require the use of a barrister, which will result in costs that cannot be recovered from the appellant (unless they have acted unreasonably).
- 5.4 The aim of enforcement action is that service of a notice will result in remedy of the breach. As a result, not all enforcement work will result in formal court action. However, the costs of undertaking enforcement prosecution for noncompliance can be significant if the matter proceeds to appeal in the Crown Court as the Council needs to instruct a barrister in these cases. For example, cases in the last year have cost between £2500 and £3500 without considering the internal officer costs involved in bringing the prosecution. It may be possible to recover some of these costs through an award by the court but this is becoming increasingly unlikely as the courts are reluctant to award costs particularly if the financial circumstances of the defendant are limited. If a fine is imposed the money goes to the Court, not the Council and any payments made by the defendant cover the fine before the costs so recovery is very slow or unlikely even where costs are awarded as payments are often agreed by instalments.
- 5.5 If direct action is required to ensure that the notice is complied with, there will be additional costs incurred by the Council. Whilst these are recoverable, if the landowner does not have resources, the only way to recover the money may be through the registration of a local land charge so that the money is payable on any later sale of the property. This may be many years after the costs have been incurred.
- 5.6 It is necessary to establish a budget for this work as several cases are underway. Costs for 22/23 will be met from an existing earmarked reserve. The Government promised in May 2022 and again in December 2022 to consult on significant increases in planning fees but it has not yet done so. Assuming that such increases will be implemented in 2023-24, they will reduce the net cost of the planning function to the Council and free up resources to fund additional costs relating to enforcement. Otherwise, officers will work with the Head of Resources and s151 officer to establish an appropriate budget for 2023/24 which might involve the need to request a supplementary virement.

**6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 The National Planning Policy Framework and the National Planning Policy Guidance state that enforcement action is discretionary. However, it is recognised by the Government as being good practice for a Local Planning Authority to have a Local Enforcement Plan, to help manage planning breaches proactively and instil public confidence in the planning system.

- 6.2 The process for undertaking enforcement action is complex and can be costly so the Council will only undertake enforcement action where it meets the objectives within the LEP.

**7. EQUALITY IMPACT NEEDS ASSESSMENT**

- 7.1 An equality impact assessment has been undertaken and it has been found that there are no negative impacts due to the LEP.

**8. RISK MANAGEMENT**

- 8.1 The LEP provides details of how WFDC seeks to address planning breaches within its current resources. It aims to instil confidence in the WFDC planning system by managing expectations of complainants and providing details for people subject to enforcement action. There is a risk of an increase of complaints against WFDC if the LEP is not adopted.

**9. CONCLUSION**

- 9.1 To have an effective planning system in Wyre Forest and to ensure the public has confidence in the planning system, the Local Planning Authority must ensure they are ready to take effective enforcement action when it is essential, or in other words, expedient to do so in the public interest.
- 9.2 The LEP sets out how WFDC will address planning enforcement breaches in the district and it will be used by officers to provide guidance to complainants and those subject to enforcement action through the enforcement process.

**10. CONSULTEES**

- 10.1 CLT  
10.2 Planning Manager, WFDC

**11. BACKGROUND PAPERS**

- 11.1 [National Planning Policy Framework \(publishing.service.gov.uk\)](http://publishing.service.gov.uk).

# WFDC Local Enforcement Plan

Version 1.0 February 2023

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## Introduction

The purpose of the planning system is to deliver sustainable communities, ensuring that development occurs in the right places and makes a positive contribution to people's lives. This means providing homes and jobs in the right locations, allowing people to extend their homes and businesses when it is appropriate to do so and enhancing the quality of life. The planning system must also protect and enhance the natural and historic environment and conserve the countryside and open spaces, that are important to everyone.

To have an effective planning system in Wyre Forest and to ensure the public has confidence in the planning system, the local planning authority must ensure they are ready to take effective enforcement action when it is expedient to do so in the public interest.

Enforcement action is discretionary and, depending on the degree of harm, it may not be expedient to take enforcement action.

Examples of enforcement action that WFDC has taken can be found on our planning webpages of the WFDC website.

## Policy and Legislative Context

### National Legislation and Guidance

The key legislative and statutory instruments relevant to enforcement are:

- The Town and Country Planning Act 1990 (as amended)
- The Town and Country Planning (Tree Preservation) (England) Regulations 2012.
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Government guidance and regulation is also provided in the following:

- The National Planning Policy Framework 2019
- Planning Practice Guidance

This Local Enforcement Plan has been prepared in accordance with the guidance set out in paragraph 58 of the National Planning Policy Framework - Revised, February 2019 (NPPF), which states:

*“Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate.”*

The WFDC local plan was adopted in April 2022 and sets out the vision and the policies guiding development in the district and is therefore a tool used to guide decision on breaches of planning.



## The General Approach to Enforcement - Guiding Principles

Government guidance on enforcement focuses not just on the impact of any breach on the complainant but on the rights of the owner or occupier where the alleged breach is occurring. With this in mind, the Council is committed to acting in a fair and consistent manner. When exercising its enforcement functions the council will act in a way that is:

- Consistent and fair. We will look at past cases and try to take a similar approach, for consistency, where this seems fair and reasonable. Cases will be investigated in accordance with the priorities set out within this plan.
- Transparent and accountable. Members, residents, existing and potential local businesses, complainants, alleged offenders and council staff should understand how we provide the service and the principles that guide it. We will provide an easy-to-access service, where the procedures, level of service provided and the rights of appeal for the alleged offenders are clearly explained and easy to understand.
- Proportionate and targeted

## Reporting a Breach

### What constitutes a breach?

Planning Enforcement only seeks to regulate the planning system. It does not relate to:

- private civil matters;
- the Party Wall Act 1986;
- pest, noise nuisance and light pollution (where it is not associated with an unlawful development or any other breach in planning control)
- building control structural issues;
- or when there has been no material change in the use of a building or land.

Guidance on how issues about such matters can be pursued is set out on page 8 and in Appendix Two.

Examples of matters the Planning Enforcement team will investigate (where planning permission has not been obtained) include the following:

- Unauthorised development
- Works to a listed building
- Installing an unauthorised advertisement
- Works to a tree subject to a Tree Preservation Order or located in a Conservation area
- Use of a caravan for permanent residency or stationing of a caravan for permanent residency that is not incidental to a dwelling house and involves the use of land for more than five days without being located in a park with a camping and caravan permit
- Not building in accordance with the conditions set out in the Planning Permission decision notice or s106 agreement
- Development impacting upon public amenity

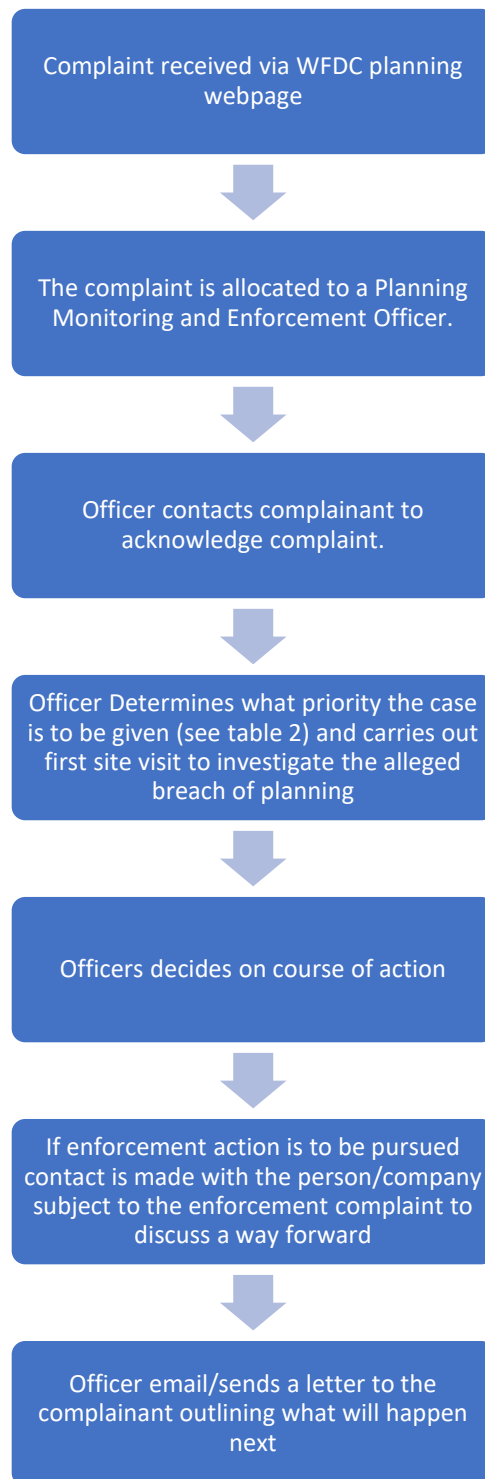
## Process for Reporting a Breach

Complaints about alleged breaches of planning control will only be accepted in writing using the council's [enforcement complaint form](#). The form can be provided to the council at Wyre Forest District Council, Wyre Forest House, Finepoint Way, Kidderminster DY11 7WF by:

- submission of an online form
- e-mailing the form to [dev.management@wyreforestdc.gov.uk](mailto:dev.management@wyreforestdc.gov.uk) ; or
- posting the form to the Development Management Section.

Anonymous complaints will not usually be investigated unless relating to a matter of public safety. The council determines whether the alleged breach merits investigation. Complainants who do not give their personal details will be advised to contact either their local ward member or their parish council who may then raise their concerns on their behalf. Personal details provided by a complainant will be kept confidential and will not be disclosed unless required as a result of any formal court proceedings. Please note complainants might be required to provide a witness statement if action is to be taken.

## The Enforcement Process at Wyre Forest



The Council has two planning monitoring and enforcement officers so in order to make the best use of resources available it is important to prioritise the complaints received in accordance with the seriousness of the alleged breach. This will initially be decided by the council following receipt of the complaint but may be subject to change following a site inspection or when further information comes to light.

Priority One Severe Irreversible Harm	Priority Two Harm to amenity or risk to public safety	Priority Three No significant harm
<u>Investigations</u> will commence and a <u>site visit</u> will take place, wherever possible, on the <u>same working day</u> or failing that the working day after receipt (subject to Monitoring and Enforcement Officer availability)	<u>Investigations</u> will commence <u>within 5 working days</u> of receipt; a <u>site visit</u> will take place <u>within 10 working days</u> of receipt (subject to Monitoring and Enforcement Officer availability)	<u>Investigations</u> will commence <u>within 15 working days</u> of receipt; a <u>site visit</u> will take place <u>within 20 working days</u> (subject to Monitoring and Enforcement Officer availability)
<ul style="list-style-type: none"> <li>• Breaches of listed building control (which include damage to or demolition of listed buildings)</li> <li>• Works to trees which are protected by Tree Preservation Orders/within Conservation Areas</li> <li>• Damaging works to SSSIs</li> <li>• Demolition of building in a conservation area</li> </ul>	<ul style="list-style-type: none"> <li>• Public risk from breaches of condition</li> <li>• Unauthorised encampments on private land</li> <li>• On-going building works, including extensions where there is continuous harm or danger</li> </ul>	<ul style="list-style-type: none"> <li>• Adverts</li> <li>• Domestic structures such as extensions, sheds, and fences</li> <li>• Breaches of planning conditions that have little or no harm</li> </ul>

It is important to note that, just because there may be a breach of planning control, this in itself is not sufficient reason to take enforcement action. The council must firstly decide, having given regard to policies contained within the Development Plan, guidance contained in the National Planning Policy Framework (NPPF) and all other material planning considerations, whether or not it is 'expedient' to take formal action.

Generally, expediency means an unauthorised development that is causing serious harm, rather than it being a minor or technical breach of planning control. The matter of 'expediency' covers a range of matters upon which a judgement needs to be based. A key issue is whether the breach would unacceptably affect public amenity or use of land that should be protected in the public interest. Any enforcement action should be proportionate to the breach so, for example, it may be inappropriate to take formal action against a trivial or technical breach. Examples of harm resulting from a breach of planning control, include;

- harm to amenity
- highway safety issues
- noise nuisance
- loss of daylight or privacy.

This is not an exhaustive list of 'harm' but indicates that there must be recognisable harm in planning terms.

If the development is causing a degree of harm then WFDC will start procedures to require the landowner who carried out the development without permission, or who is in breach of planning, to 'undo' the development or stop the carrying out or continuation of the development which is in breach of planning. WFDC will also seek to remedy the planning breach, which may involve several

site visits, meetings and duration since receiving the initial complaint. If this occurs officers will ensure the complainant is kept up to date of the procedure being undertaken.

Works to a listed building or to a TPO tree or the installation of advertisements without permission are criminal offences and will lead to immediate enforcement action.

If the development falls within Permitted Development Rights, which allows homeowners and businesses to enlarge and alter their homes/buildings subject to meeting specific conditions/criteria without requiring planning permission, then the enforcement case will be closed.

If the development does not fall within permitted development rights but the degree of harm is not serious where the use of planning conditions could mitigate harm, then the Council will invite a retrospective planning application to be submitted.

The planning enforcement team will not investigate the following:

- neighbour disputes or other civil issues including boundary disputes or enforcement of covenants. In these matters, complainants need to contact their solicitor or local Citizens' Advice Bureau
- the use of or development on adopted highways, pavements or highway grass verges. These matters should be addressed to Worcestershire County Council as the Highways Authority
- dangerous structures. These matters should be addressed to the council's building control team <https://www.wyreforestdc.gov.uk/planning-and-buildings/building-control/>
- fly-tipping, litter and fly posting on public places. These should be addressed to the council's waste and street scene service <https://www.wyreforestdc.gov.uk/streets-and-parking/street-care-and-cleaning/>

## What happens if the complaint is against you?

If a complaint is received that affects you then the first thing that will happen is either you will be contacted (where your details are known to the council) or the site in question will be visited by an officer. The purpose of this visit is to establish the facts of the case and whether there is any basis to the allegations made. The officer will, where necessary, take measurements and photographs of the development or activity taking place. This site inspection may be undertaken without any prior notification.

If there is a breach of planning control you will be advised of the details of the breach and what steps need to be taken to rectify the breach or regularise the situation. If you have no involvement with the identified breach because you have no control over what happens on the land no action will be taken against you.

You will be given a reasonable period of time (subject to the nature of the breach) to resolve any breach of planning control. If compliance is not secured through amicable negotiations or the submission of a retrospective planning application formal action may be instigated.

The Government's Planning Policy Guidance states that:

*"The provisions of the [European Convention on Human Rights such as Article 1 of the First Protocol, Article 8 and Article 14](#) are relevant when considering enforcement action. There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard*

*to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control.”*

Therefore, WFDC will give regard to this when considering enforcement action. Please note that if you fail to remedy a breach, following enforcement action, the Council may prosecute and/or take direct action.

## Proactive Compliance and Monitoring

In addition to the service's role in reacting to complaints regarding alleged unauthorised developments or breaches of condition, the council provides a proactive approach to ensure compliance with planning permissions and other consents. It should be noted that it is the responsibility of individual developers to comply with the conditions imposed on any planning permission or consent or with any terms identified in legal agreements, such as Section 106 agreements.

In order to be proactive the council must operate a risk based approach in deciding which cases are to be investigated or monitored. In so doing the resources available must be provided in a targeted and focussed way.

Priority will be given to monitor the following developments:

- All developments over 10 dwellings;
- All commercial developments over 1000sq metres floor area;
- All proposals which have trees which are protected by Tree Preservation Orders;
- Where there has been a history of non-compliance; or
- Significant works to Listed Buildings.

Any other developments may be inspected on a random basis at any time to ensure compliance.

## Complaints about the Service

If you are unhappy about the level of service you have received or how the process has been managed, then you may firstly discuss your concerns with the Development Manager or take it further through the council's 'Let us know what you think' procedure <add link> If you remain unhappy then you may write to the Local Government Ombudsman who may investigate your concerns in certain circumstances. More information is available on [their website](#)

## Appendix One: Enforcement Powers

There are a number of enforcement actions that WFDC can take. These are set out in the next table.

Type of Action	Detail
No formal action	Guidance from Central Government is that enforcement action should be a last resort and that Councils are expected to give those responsible for a breach of planning control the opportunity to put matters right or to seek to regularise the breach before resorting to serving a formal notice. Any such service of a formal notice must be proportionate and commensurate with the breach of planning control.
Retrospective Planning Application	A retrospective application will be invited where it is considered that there is a reasonable likelihood that planning permission may be granted in line with local and national planning policies or where a development may be made acceptable by way of the imposition of conditions.
Request for Information	Section 16(1) of the Town and Country Planning Act 1990 enables a notice to be served requesting details to be provided of any owners, occupiers or any other persons with an interest in the land
Planning Contravention Notice	Section 171(c) of the Town and Country Planning Act 1990 enables the service of a notice requiring persons to provide information in relation to land or activities on land where a breach of planning control is suspected
Enforcement Notice	<a href="#">Section 172 of the Town and Country Planning Act 1990</a> enables the service of a notice which requires specific steps to be undertaken to remedy the breach of planning control
Planning Enforcement Order	Where a person deliberately conceals unauthorised development, the deception may not come to light until after the time limits for taking enforcement action ( <a href="#">section 171B of the Town and Country Planning Act 1990</a> ) have expired. A planning enforcement order enables an authority to act in relation to an apparent breach of planning control notwithstanding that the time limits may have expired.
Stop Notice or Temporary Stop Notice	Section 183 and Section 171(e) of the Town and Country Planning Act 1990 enables the service of a notice requiring the cessation of unauthorised activities. A Stop Notice may only be served in conjunction with an Enforcement Notice referred to above
Breach of Condition Notice	Section 187(a) enables the service of a notice to secure compliance with conditions imposed on a planning permission
Injunction	A local planning authority can, where they consider it expedient for any actual or apprehended breach of planning control to be restrained, apply to the High Court or County Court for an injunction to restrain a breach of planning control ( <a href="#">section 187B of the Town and Country Planning Act 1990</a> ).
Rights of Entry	Local planning authorities and Justices of the Peace can authorise named officers to enter land specifically for enforcement purposes ( <a href="#">sections 196A, 196B and section 196C of the Town and Country Planning Act 1990</a> ).

	This right is limited to what is regarded as essential, in the particular circumstances, for effective enforcement of planning control.
Listed Building Enforcement	The listed building enforcement provisions are in <a href="#">sections 38 to 46 of the Planning (Listed Buildings and Conservation Areas) Act 1990</a> , and the enforcement provisions relating to the demolition of an unlisted building in a conservation area (“relevant demolition”) are in the Town and Country Planning Act 1990.
Untidy Land	The service of a Section 215 Notice under the Town and Country Planning Act 1990 enables the service of a notice requiring the proper maintenance of land and buildings.
Discontinuance Notice: Unauthorised advertisements	<a href="#">Section 225A</a> of the Town and Country Planning Act 1990 (as amended) allows local planning authorities to remove and dispose of any display structure – such as an advertisement hoarding – which, in their opinion, is used for the display of illegal advertisements. This provision does not apply to a structure in a building to which the public have no right of access and cannot be seen publicly.
Enforcement and protected trees	Anyone who contravenes an Order by damaging or carrying out work on a tree protected by an Order without getting permission from the local planning authority is guilty of an offence and may be fined.  The local planning authority may also impose a condition requiring replacement planting when granting consent under an Order for the removal of trees. The authority can enforce tree replacement by serving a ‘tree replacement notice’.

The council will comply with the provisions of the Police and Criminal Evidence Act 1984 when interviewing persons suspected of a criminal offence and with the Criminal Procedures and Investigations Act 1996 and Section 222 of the Local Government Act 1972, when carrying out prosecutions.

The Government’s Planning Policy Guidance recommends that local planning authorities keep a record of their enforcement decisions and actions, including no further action and informal action (Paragraph: 010 Reference ID: 17b-010-20140306, PPG: enforcement and post-permission matters).



## Appendix Two: What is a Breach of Planning Control?

<b>Breach of Planning Control</b>	<b>Matters <u>not</u> a Breach of Planning Control</b>
Unauthorised erection of a building or extension to a building	Internal works to a non-listed building
A material change of use of land	Obstruction of a highway or public right of way (PROW). Obstruction of the highway is dealt with by the police. Obstruction of a public right of way such as a public footpath should be reported to the county council.
The display of unauthorised advertisements	Parking of commercial vehicles on the highway or on grass verges. This is a matter for the county council as highways authority.
Unauthorised works to Listed Buildings	Parking caravans on residential driveways or within the curtilage of domestic properties as long as they are incidental to the enjoyment of the property
Unauthorised works to trees subject of a tree preservation order (TPO) or in a conservation area	Running a business from home where the residential use remains the primary use and there is no adverse impact on residential amenity
Unauthorised demolition within conservation areas	Land ownership disputes or trespass issues. These are private matters – you should seek advice from a solicitor or Citizens' Advice Bureau.
Breaches of conditions attached to planning permissions	Covenants imposed on property Deeds. This is a matter on which to seek advice from a solicitor.
Not building in accordance with the approved plans of planning permissions	Any works that are deemed to be 'permitted development' under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Untidy land where it affects the amenity of the area	Advertisements that are excepted from deemed or express consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007
Unauthorised engineering operations, such as raising of ground levels or earth bunds	Dangerous structures or other health and safety issues. If these could affect the safety of the public – such as a wall that might fall onto a road or footpath – it should be raised with the council's building control team. Please see <a href="https://www.wyreforestdc.gov.uk/planning-and-buildings/building-control/">https://www.wyreforestdc.gov.uk/planning-and-buildings/building-control/</a>
Failure to comply with a Section 106 agreement	High hedge disputes – these are dealt with by the Development Management team but under Part 8 of the Anti-Social Behaviour Act 2003. Please contact <a href="mailto:dev.management@wyreforestdc.gov.uk">dev.management@wyreforestdc.gov.uk</a>

Deliberate concealment of unauthorised building works or changes of use	Any noise, pest control, traffic or rubbish complaints, these should be directed to Worcestershire Regulatory Services. <give link or email address>
Unauthorised encampments	

## Glossary

**Development:** Is defined as the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

**Expedient:** In general terms this means where an unauthorised development is causing serious harm, rather than it being a minor or technical breach.

**Material Change:** A change in kind, for example a change from a house to a shop, is material but a change in degree is material only if the change is substantial and it has resulted in a change of character of the land or building. For example, a family dwelling where the owner/tenant has taken in lodgers does not in itself constitute a material change so long as the main use of the house remains that of a private residence.

**Report of: Community and Environment Strategic Manager**

**Date**

02/03/2023

**Open**

## **LOCALISM INCLUDING BEWDLEY LEISURE CENTRE**

### **Summary**

Attached is a draft of a Cabinet report on this subject, which Cabinet is expected to consider on 21 March.

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

### **Officer contact details**

Name: Ali Bakr

Title: Community and Environment Strategic Manager

Contact number Ext 2970

**WYRE FOREST DISTRICT COUNCIL**

**CABINET**  
**21<sup>st</sup> March 2023**

**\*\*DRAFT\*\***

**LOCALISM INCLUDING BEWDLEY LEISURE CENTRE**

<b>OPEN</b>	
<b>CABINET MEMBER:</b>	Councillor Helen Dyke – Leader and Cabinet Member for Economic regeneration, Planning and Localism Councillor Graham Ballinger – Deputy Leader and Cabinet Member for Culture, Leisure and Community Safety
<b>RESPONSIBLE OFFICER</b>	Ian Miller, Chief Executive
<b>CONTACT OFFICER</b>	Ali Bakr, Community and Environment Strategic Manager, Ext 2970
<b>APPENDICES:</b>	Appendix 1: summary of legal agreements relating to Bewdley Leisure Centre

**1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to agree various asset transfers and disposals as part of the localism agenda.

**2. RECOMMENDATIONS**

**Bewdley Leisure Centre**

- 2.1 The Cabinet is asked to **agree** the termination of the dual use agreement, management agreement, trust deed and cesser agreement in respect of Bewdley Leisure Centre and playing fields, subject to:
- a) the satisfactory conclusion of the matters delegated under paragraph 2.2.
  - b) a binding commitment from the Bewdley School Foundation about continued community use of the leisure centre and playing pitches outside school hours
  - c) a binding commitment about creation of a broad access strip from Stourport Road to the riverbank.
- 2.2 The Cabinet is asked to **give delegated authority** to the Chief Executive, in consultation with the Leader, to advertise the intention to release its rights under the various agreements (which constitutes a disposal of land that is open space) 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.

**Habberley Playing Fields and Brown Westhead Park**

2.3 The Cabinet is asked to **agree** the disposal of the following land to the Worcestershire Football Association at the price of £1 for each site (and, if this is not the assessed market value, to agree that the disposal should be at less than best value), subject to the satisfactory conclusion of the matters delegated under paragraph 2.4.

Description of land and buildings	Freehold to be sold to
Habberley Playing Fields (WR104110), Brown Westhead Park (WR106486)	Worcestershire Football Association

2.4 The Cabinet is asked to **give delegated authority** to the Chief Executive, in consultation with the Leader, to advertise the intention to dispose of the land at Habberley Playing Fields and Brown Westhead Park which constitutes open space 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.

**Cookley allotments**

2.5 The Cabinet is asked to **agree** the disposal of the following land for a consideration of £1 in accordance with the Council’s power under section 123 of the Local Government Act 1972 to dispose of land at less than best value:

Description of land and buildings	Freehold to be transferred to
Allotments at Lionfields Road, Cookley DY10 3UG (WR106733)	Wolverley and Cookley Parish Council

**Former toilets, Upper Arley**

2.6 The Cabinet is asked to **agree** the disposal of the former toilets, Upper Arley (WR106745) on the basis set out in paragraph 4.11; and if disposal to a third party cannot be achieved on a commercial basis, to **agree** that the site should be cleared and be offered to the parish council for transfer for consideration of £1.

**3. BACKGROUND**

3.1 Since 2019, the Council has continued with a wide-ranging programme in accordance with the localism strategy under which assets and services are transferred to local bodies or organisations to run. Principally this has involved working with town and parish councils, but localism approaches are not limited to local government bodies.

3.2 Discussions with a range of bodies about their interest have reached the point where decisions can now be taken to authorise disposals. Some of the land and buildings that are the subject of this report have parts that are in addition subject to a variety of leases, licences and other formal agreements in favour of third parties: it is not the

intention that these will be disturbed by the process of transfer if they extend beyond the date of transfer. The principal example of a lease in respect of the land covered by this report is the lease of July 1980 to the Scout Association for the benefit of the 8<sup>th</sup> Wyre Forest (St John's) Scout Group. The terms of that lease would not be affected by the transfer of the freehold.

**4. KEY ISSUES RELATING TO EACH SITE**

- 4.1 The principle of exiting WFDC from involvement in the **Bewdley Leisure Centre** was agreed as part of the Medium-Term Financial Strategy for 2022-25. There is a very complex set of arrangements that were agreed when the leisure centre was built by WFDC over 30 years ago, a simplified summary of which is in Appendix 1.
- 4.2 County council officers have confirmed that the transfer of freehold ownership of the land including the school site from the county council happened as a result of statutory provision under the School Standards and Framework Act 1998 when the school became a foundation school in 2008. WCC has not yet updated the land registration. The Bewdley School Foundation, of which the school is a part, is a company that is a charitable trust. The Object of the Company is "to advance the education of the pupils at Bewdley School, it being acknowledged that in carrying out the Object the Company must (where applicable) have regard to its obligation to promote community cohesion under the Education Acts". It has wide ranging powers in the articles including: "to buy, take on, lease or in exchange, hire or otherwise acquire any property, including but not limited to the acquisition of freehold or leasehold property to be held by the charity (either alone or jointly with any other person) in trust for the purpose of Bewdley School; to sell, lease or otherwise dispose of all or any part of the property belonging to the charity. In exercising this power, the charity must comply as appropriate with sections 117-121 of the Charities Act."
- 4.3 The headteacher has provided the following background information in respect of why the school formed (acquired) the Trust: "The rationale for acquiring the Trust is to create a vehicle for developing the school estate for the mutual benefit of students at the school and members of the Bewdley community. This will include developing facilities for the arts, sports and exercise and improving, enhancing or providing new large spaces or halls within the school in relation to the provision of these facilities." The school's future development proposals are not the subject of this report and are not relevant to the question of how the Council exits its involvement in the leisure centre. Any developments would be subject to planning application(s) in due course and to the Trust being able to attract funding. The planning issues would almost certainly fall to be determined by the Planning Committee as the site is located in the green belt. The planning considerations are likewise not relevant to the decision on how the Council should exit its involvement in the Bewdley Leisure Centre. The school has indicated that it intends to provide a broad fenced access strip from the Stourport end of the field around the edge of the field to the riverbank, thus securing public access to part of the site. In line with normal arrangements for school playing fields, public access is not generally permitted for reasons of safeguarding, including matters such as dog fouling, risk of attacks by dogs etc.
- 4.4 While the documents drafted in 1989/1990 were never formally signed, legal advice

is that they are in force as all parties have behaved in accordance with them. In simple terms, the process would be for all relevant parties to agree that the documents should be terminated and should cease to have effect. Confirmation is awaited from the county council on whether it accepts that all the contractual liabilities of the county council under the documents have passed to the school or if any still rest with the county council: the answer will affect only whether the steps to terminate the documents will involve two parties or three.

It will also be necessary for WFDC to amend its contract with Places for Leisure to omit Bewdley Leisure Centre, as the school would operate the leisure centre. The operative dates for these changes to take effect is to be determined but expected to be later in 2023.

4.5 Before agreeing to take such steps, the Cabinet would need to be satisfied that the school/Bewdley School Foundation was committed to:

4.5.1 continuation of community use outside school hours of the leisure centre and playing pitches (it would be for the school to regulate use including any charges levied). The headteacher has confirmed that “Increased community use is a core aim of the project for us, not just of the leisure facilities but of the school site as a whole. We are happy to make a permanent commitment to this”.

4.5.2 continuation of public access to at least part of the field to enable access to the riverside from Stourport Road. This would be delivered by the broad access strip around the edge of the field, the closest edge to Stourport, and that this would be fenced off. The cost of fencing would fall to the school.

The recommendation includes conditions to obtain binding agreements on both of these matters. For its part, the school would not be able to proceed with any transfer of responsibilities until a full feasibility study that will be carried out by The Bewdley School Foundation, to establish the financial sustainability of the leisure centre and sports fields in the long-term. Such a feasibility study might include establishing external funding streams to enable capital improvements to take place. The study is expected to be undertaken by the end of the summer term and would therefore still allow for the possibility of implementation of the recommendations in this report during 2023.

4.6 The consequences of these steps would be:

4.6.1 WFDC would cease to have any involvement in the leisure centre and fields, in line with the decision already taken by full Council. In particular it would cease to contribute toward the cost of operation.

4.6.2 The school and Places for Leisure would need to consider and resolve the question of whether the provisions of the transfer of undertaking regulations, TUPE, apply to Places for Leisure staff who work solely or mainly at the leisure centre. If it is demonstrated that TUPE would not apply, then the staff would be redundant and the council would have to meet the redundancy costs which are estimated at £3k, which would be funded from existing budgets. There may also be some other modest costs relating to termination of the contract, in respect of equipment.



4.6.3 WFDC could not receive any capital receipt on unilateral termination of the trust by WFDC, a provision that could have been triggered only in the future and only from 2030. This might have involved a capital receipt of £426k in 2030. Bringing the arrangements agreed in 1989/90 to an end now does not involve WFDC giving up or losing anything now. The community and school have already had the benefit of WFDC’s capital investment of £626k for 30+ years, which works out at a relatively modest sum of about £20k/year if spread across that period, and that benefit will continue: there is no “loss”. Bringing the Council’s involvement to an end would avoid net costs of c£30k/year. Exiting the arrangement now will allow the community facility to be improved and expanded and mitigates the risk of unforeseen future expense. The revenue savings provide the equivalent of a 6 year pay back after 2030 for the capital receipt foregone after lost interest is factored in, as shown in the table below. It is therefore considered that the Council can demonstrate value for money for its original capital investment.

Receipt foregone                    426,000.00  
 Annual revenue reduction       30,000.00

Year	Interest rate /Inflation	Balance b/f (£)	Interest (£)	Reduced expense (£)	Balance c/f (£)
2023	4%	0	0	(30,000)	(30,000)
2024	3%	(30,000)	(900)	(30,900)	(61,800)
2025	3%	(61,800)	(1,854)	(31,827)	(95,481)
2026	3%	(95,481)	(2,864)	(32,782)	(131,127)
2027	2%	(131,127)	(2,623)	(33,437)	(167,187)
2028	2%	(167,187)	(3,344)	(34,106)	(204,637)
2029	2%	(204,637)	(4,093)	(34,788)	(243,518)
2030	1	182,482	3,650	(35,484)	150,647
2031	2	150,647	3,013	(36,194)	117,466
2032	3	117,466	2,349	(36,918)	82,898
2033	4	82,898	1,658	(37,656)	46,900
2034	5	46,900	938	(38,409)	9,429
2035	6	9,429	189	(39,177)	(29,560)

4.7 Worcestershire Football Association (WFA) has leased a number of playing pitches from the Council since 2014, including **Habberley Playing Fields and Brown Westhead Park**, although the lease documentation has not been formally signed. WFA is a company limited by guarantee but has no shareholders so any surplus is reinvested in its activities. In November 2022, it applied to the Charity Commission to become a charitable incorporated organisation and approval is expected in the coming months. Following discussion with WFA, the proposal in this report is to transfer the freehold of the two sites mentioned for consideration of £1 each. The disposal will be subject to a commitment to maintain both sites as playing pitches, available for hire by clubs and members of the public. That would be secured through using the provisions of section 33 Local Government (Miscellaneous Provisions) Act 1982 to place a positive covenant on the land which would restrict use to the purpose of playing pitches and changing rooms, for hire by clubs and members of the public, and uses ancillary to that purpose.

- 4.8 The Council ceased to operate the sites because it made a loss on operating them. WFA has confirmed that the current position for the two sites is that one covers its operational costs while the other makes a loss. While the sites have values ascribed to them in the council's balance sheet, the information about the historic and current trading position makes it unlikely that the market value will be anywhere near the valuation in the balance sheet. In assessing market value, it will also be necessary to take account of the proposed covenant about future use. If the market valuation turns out to be higher than £1, then this report also seeks Cabinet's agreement in accordance with section 123 of the Local Government Act 1972 to dispose of land at less than best value.
- 4.9 As the playing pitches constitute open space, it would be necessary for the Council to give notice of the proposed disposal and consider any objections, in accordance with section 123(2A) of the Local Government Act 1972. As noted above, the sale of the freehold would not affect the lease to the 8<sup>th</sup> Wyre Forest Scout Group.
- 4.10 Positive discussions were held with Wolverley and Cookley Parish Council during 2021 and 2022 about the localism agenda, as part of which it has been agreed to transfer the **allotments at Cookley** to the parish council for consideration of £1. This will be subject to an overage provision in the event that the parish council were to decide to redevelop the site. All other allotments in the district are owned and operated by parish councils, such as the long-standing arrangements in Stourport and the transfer of allotments to Kidderminster Town Council which occurred as a result of legislation when that council was created. (For completeness, the allotments at Seabright Road/Lowe Lane in Wolverley are located on land which was acquired for housing purposes and is held as a potential site allocation in a future local plan: therefore there is no intention for the District Council to give up ownership of that site.)
- 4.11 Finally, **the toilets at Upper Arley** are surplus to requirements. They were operated for a number of years by Upper Arley Parish Council, but it did not wish to continue and it has rejected offers to transfer the toilets to its ownership. Enquiries about potential interest from tourism venues in the village have also borne no fruit. The toilets have been closed since May 2022 and have been boarded up. In the absence of any local interest in owning and operating the toilets, the site now needs to be redeveloped and disposed of. The plot is a small, attractive riverside location, albeit subject to flooding, most recently in January 2023. Officers are working on a range of options which include disposal after obtaining planning permission for erection of one dwelling (although there are significant issues to address in respect of flooding risk and provision of an emergency escape route); disposal for non-residential purposes such as supporting water-based recreation or a tourist-related commercial site (cycle hire, cafe etc.); or disposal to a neighbouring landowner. The Cabinet's approval to seek disposal on commercial terms is sought, noting that, during the time that the land is owned by the District Council, any planning application would fall to be considered by the Planning Committee. If no viable development or purchaser can be found on commercial terms, then the site will need to be cleared to remove the risk relating to the dilapidated building: funding for that would be agreed with Cabinet if it cannot be funded from earmarked reserves.

If that scenario arises, this report also seeks Cabinet's approval to offer the cleared site to the parish council for consideration of £1. The parish council would be free to use it for a variety of potential purposes such as a riverside garden or play area.

### **Disposal of land at less than best value**

- 4.12 The proposal is that the Cookley allotments should be transferred at £1 consideration, in accordance with the Council's power under section 123 of the Local Government Act 1972 to dispose of land at less than best value. The value of the allotments is less than £10k. Therefore the Council can rely upon the general disposal consent from the Secretary of State. This allows a council to dispose of land and buildings where the estimated value is less than £2m without reference to him, if the council is proposing to obtain less than best value and it considers that the disposal will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area. The Council would also rely on these provisions in respect of the transfers to the Worcestershire Football Association (if the market value of the sites is assessed to be greater than £1) and the possible transfer of the former toilets to Upper Arley Parish Council as a cleared site if the District Council could not secure disposal of the site on commercial terms.

### **Disposal of public open space**

- 4.13 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.”*

- 4.14 This is considered to be relevant to the land at Bewdley Leisure Centre and the two playing fields proposed for disposal to the Worcestershire Football Association. While the Council is not disposing of a freehold or leasehold interest in land at Bewdley Leisure Centre, the definition of what constitutes a “disposal” of land in section 205 of the Law of Property Act 1925 is very wide and would include releasing the rights that the Council has in the dual use agreement. The Council will advertise its intention to dispose of the open space for two consecutive weeks in the Shuttle. The publication of this notice is required by law and does not mean that the sale of the land will take place. Any comments following the consultation will be taken into consideration before a final decision is taken under the proposed delegations.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 The proposals in this report will relieve the Council of some revenue costs estimated at £30k/year and may produce some capital receipts, which will be added to the Evergreen Investment Fund. It will also avoid costs for the Council such as future investment required at the leisure centre or other sites and the cost of continuing to secure the dilapidated toilets at Upper Arley.

5.2 The cost of developing and implementing these proposals relate primarily to staff time although there are costs associated with:

- advertisements in the local newspaper;
- redundancy costs/any termination fee in respect of Places for Leisure
- (if required) either applying for planning permission at the site of the former toilets or their demolition.

These costs are expected to be met within existing budgets or earmarked reserves, or as otherwise determined by Cabinet. Paragraph 4.6.3 sets out information to demonstrate the payback period in respect of the capital receipt foregone.

5.3 Any accounting loss in the disposal of assets will be reflected in the Council's Comprehensive Income and Expenditure Statement and in the Movement in Reserves Statement. The value of assets held on the Council's balance sheet will be reduced, but there would be no direct impact on council tax arising from the disposals. For transparency, the current balance sheet valuations are shown in the table. These will have been prepared on various bases, such as assumed amenity land value at £10k/acre or depreciated replacement cost method. The balance sheet valuations are not the same as the market value that would be paid for the freehold by a willing purchaser, having regard to any covenants or other restrictions that would affect the market value.

<b>Asset</b>	<b>Valuation in balance sheet at 31 March 2022</b>
Bewdley Leisure Centre	£580,000
SPORTS FIELDS AT BLC	£105,000
BROWN WESTHEAD PARK CHANGING ROOMS	£155,000 £100,500
HABBERLEY SPORTS FIELD CHANGING ROOMS	£85,500 £130,500
Allotments, Cookley	De minimis (<£10,000)
Former toilets, Upper Arley	De minimis (<£10,000)

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

6.1 Relevant legislation, including on disposal of assets, is referred to throughout the report.

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

7.1 An EIA screening has been undertaken and no adverse equality impacts have been identified. A full assessment is not required.

## **8. RISK MANAGEMENT**

- 8.1 Appropriate provision will be included as necessary in the terms of disposal to protect the District Council's interest. The proposal in respect of the toilets at Upper Arley will remove the risk of continuing to own a boarded up property that will deteriorate over time and be a potential risk to members of the public who enter the site or a source of vandalism or anti-social behaviour. Otherwise, the principal risk relates to compliance with legislation on disposal of open space and land at less than best value, which is being addressed as set out above.

**9. CONCLUSION**

- 9.1 The Cabinet is invited to consider the recommendations in this report that assist in driving forward the localism agenda.

**10. CONSULTEES**

- 10.1 Cabinet  
10.2 Corporate Leadership Team

**11. BACKGROUND PAPERS**

- 11.1 WFDC Localism Strategy 2019

**APPENDIX 1**

**SIMPLIFIED SUMMARY OF LEGAL AGREEMENTS RELATING TO BEWDLEY LEISURE CENTRE**

Dual Use arrangement with Worcestershire County Council in respect of the Centre which is built on land owned on a freehold basis by the County (building and layout of pitches was funded by WFDC).

In 1989 a memorandum of agreement was entered into between the two Councils.

The agreement referred to further documentation that would be entered into:-

1. A declaration of trust (part of the Site) acknowledging the land ownership of the County and the costs incurred by the District in laying out the playing field.  
Trust was to subsist for a period of 40 years and stated that the County held the land upon trust for itself and the District in accordance with the Management Agreement.
2. A declaration of trust (Remainder of the Site) acknowledging the land ownership of the County and the costs incurred by the District in building the Sports Hall, car park etc but could be terminated by 2 years notice provided it had been in existence for at least 40 years.
3. A cesser agreement  
Deals with what should happen in the event of early termination of the trust.  
If terminated between 40 and 125 years there was provision for capital repayment by County to the District.
4. Management Agreement  
Sets out the responsibilities of and benefits to the County and District Councils.  
  
The Sports Hall and sports field are under the exclusive management and control of the District.  
  
Appointment of staff to manage the facilities is the responsibility of the District.  
  
It sets out hours during which the Sports Hall must be available for school use for physical recreation and education.  
  
The District fix charges for community use and retain all income from such use.  
  
The District are responsible for all internal and external repairs including plant and cleaning.  
  
The District are responsible for buildings insurance.

Annual running costs by supervisory staff, cleaners, attendants, maintenance, repair renewal and decoration of buildings, grounds maintenance, heating and lighting, cleaning materials, replacement of furniture and fittings, fixed equipment, NNDR, water rates, staff protective clothing, building insurance and plant maintenance, are split and apportioned so that the County pay 45% in 2 half year instalments.

5. A lease

This would be entered into if the County terminated the Trust referred to at 2. above.

All documents were bound with the Agreement which was executed by both parties.

The documents also make it clear that, if the High School opts out of LEA control, references to the County Council would include both the School and the County Council whilst they are LEA for Schools within the current geographical area of the District Council.

The current position:-

The agreement was entered into on 25<sup>th</sup> July 1989. The remaining agreements were to take effect on practical completion of the development or 12 months from the date of the agreement, whichever was the later.

Taking the 12 months date, the obligations were to take effect on 25<sup>th</sup> July 1990.

The minimum period for the operation of the Trust was 40 years so the earliest date that either party could unilaterally determine the agreement would be 24<sup>th</sup> July 2030. If terminated at that date by Wyre Forest District Council, the County Council must pay a proportion of the capital sums expended by the District Council

in respect of the construction of the Sports Hall and laying out of the sports field calculated as follows: -

5. Initial construction/capital costs-reduced by one/ one hundred and twenty fifth in respect of each year during which the Trust has subsisted.
6. Subsequently incurred construction/capital costs there is a mechanism for calculating the period to be used, together with an additional amount to bring those sums to the current value of the capital costs incurred.

If the County Council serve notice, they must grant a lease to the District Council for the remainder of the 125-year trust period.

The School and County Council have liability under the terms of the agreements.

**Overview & Scrutiny Committee  
Work Programme 2022-2023**

**May 2022**

“How are we doing?” Q4 update

**June 2022 - Overview & Scrutiny Committee Sub Committee**

Acquisition of Property in Kidderminster

**July 2022**

Nominations for Treasury Management Review Panel (Chair to be appointed)

UK Shared Prosperity Fund: Investment Plan 2022-25

**September 2022**

Stourport Sports Club: Consideration of call in request

Performance and Budget Monitoring Q1 update

Worcestershire’s Homelessness and Rough Sleeper Strategy 2022-2025

Report on the progress around the Top Ten Actions in the Climate Change Strategy  
Action Plan

**November 2022**

Performance and Budget Monitoring Q2 update

Council Tax Reduction Scheme Review 2023/24

**December 2022**

Cost of Living Action Plan

Provision of Electric Vehicle Charging Infrastructure: Consideration of call-in request

**February 2023**

WFDC Health and Wellbeing Supplementary Planning Document

**March 2023**

Annual Review of the North Worcestershire Community Safety Partnership 2022/23

Performance and Budget Monitoring Q3 update

Bewdley Leisure Centre

Chaddesley Corbett Revised Neighbourhood Plan 2022 to 2036 – Referendum

Report on the Local Enforcement Plan