



## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE CABINET**

**WEDNESDAY 4TH SEPTEMBER 2019**  
**AT 6.00 P.M.**

**PARKSIDE SUITE - PARKSIDE**

**MEMBERS:** Councillors K.J. May (Leader), G. N. Denaro (Deputy Leader),  
A. D. Kent, M. A. Sherrey, P.L. Thomas and S. A. Webb

### **AGENDA**

1. To receive apologies for absence
2. Declarations of Interest  
  
To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. To confirm the accuracy of the minutes of the meeting of the Cabinet held on 10th July 2019 (Pages 1 - 8)
4. Minutes of the meeting of the Overview and Scrutiny Board held on 8th July 2019 (Pages 9 - 14)
  - (a) To receive and note the minutes
  - (b) To consider any recommendations contained within the minutes
5. Worcestershire Regulatory Services Board - Minutes of meeting held on 27th June 2019 (Pages 15 - 38)  
  
Recommendation in respect of Enforcement Policy – cover report attached for information.
6. NHB Community Grants Panel - Recommendations for allocation of funds (Pages 39 - 44)

7. Bromsgrove Plan Review Update (Pages 45 - 60)

**PLEASE NOTE:**

Due to the size of Appendix 1 and 3 these have been published in a supplementary agenda pack. Paper copies will not be provided unless specifically requested.

8. Response to WCC Passenger Transport Strategy (Pages 61 - 66)
9. Worcestershire Homeless Strategy (Pages 67 - 94)
10. Bromsgrove Council Plan - to follow
11. Budget Framework - Presentation
12. Finance Monitoring Quarter 1 Report (Pages 95 - 108)
13. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

27th August 2019



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## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE CABINET**

**WEDNESDAY, 10TH JULY 2019, AT 6.00 P.M.**

PRESENT: Councillors K.J. May (Leader), G. N. Denaro (Deputy Leader), A. D. Kent, M. A. Sherrey, P.L. Thomas and S. A. Webb

Officers: Mr. K. Dicks, Ms. J. Pickering, Ms. C. Flanagan, Mr. D. Allen, Ms K. Manning, Mrs. A. Wardell-Hill, Ms. M. Worsfold and Mrs. P. Ross

11/19 **APOLOGIES**

There were no apologies for absence.

12/19 **DECLARATIONS OF INTEREST**

Councillor P. L. Thomas declared an Other Disclosable Interest in Agenda Item 8, in that he was a private sector landlord. Councillor Thomas withdrew from the meeting during the consideration of this matter and took no part in its discussion nor voting thereon.

13/19 **MINUTES**

The minutes of the Cabinet meeting held on 12th June 2019 were submitted.

**RESOLVED** that the minutes of the Cabinet meeting held on 12th June 2019 be approved as a correct record.

14/19 **MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 10TH JUNE 2019**

The minutes of the Overview and Scrutiny Board meeting held on 10th June 2019 were considered.

**RESOLVED** that the Minutes of the Overview and Scrutiny Board meeting held on 10th June be noted.

15/19 **CANAL CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN**

Councillor A. D. Kent, Portfolio Holder for Planning and Regulatory Services, introduced the report and in so doing commented that the report was an excellent and comprehensive report.

The Principal Conservation Officer explained that Members were being asked to support the draft Worcester and Birmingham Canal Conservation Area Appraisal and Management Plan and a four week consultation process with local residents and other interested parties.

The Principal Conservation Officer provided Members with a glossy printed version of the document, highlighting that the text and photographs remained the same as the copy circulated within the main agenda pack.

**RESOLVED** that

- a) the draft Worcester and Birmingham Canal Conservation Area Appraisal and Management Plan be supported,
- b) a four week consultation process with local residents and other interested parties, be approved; and
- c) the results of that consultation be reported back to a future meeting of the cabinet.

16/19

## **FOXLYDIATE ARMS - ASSET OF COMMUNITY VALUE REPORT**

The Council's Legal Advisor drew Members' attention to the Supplementary Agenda papers and in doing so explained that, a decision had to be made by the Head of Planning and Regeneration within the 8 week statutory deadline and for this reason the initial report had been included in the published Cabinet agenda.

Since then, following expert advice around the substance of the Nomination; it was no longer necessary for Cabinet, as consultee, to consider this matter.

Schedule 1 of the Assets of Community Value (England) Regulations 2012 excluded hotels from listing. Counsel's advice was that as a Premier Inn, it was very much likely that the premises comprise a hotel and as such was excluded from the regime.

**RESOLVED** that it be noted, that it was no longer necessary for Cabinet, as consultee, to consider this matter.

17/19

## **ACTIVE KITCHEN REPORT**

Councillor S. A. Webb, Portfolio Holder for Strategic Housing and Health and Well Being introduced the report.

The Executive Director, Finance and Resources, commented that this came under the strategic purposes was 'provide good things for me to do, see and visit'.

The Active Kitchen service pilot was driven by data and had been piloted in two areas, Sidemoor and Charford, in partnership with the YMCA, NewSong Community Church and St Andrews Church Hall.

The sessions were held during the school summer holidays and ensured that local children could take part in fun sporting activities and enjoy a hot meal afterwards.

The scheme would be reviewed in order to ensure that the right areas of need had been captured.

Members were further informed that the areas of Rock Hill and Bromsgrove Central would also be included.

**RECOMMENDED** that

- a) Council approve that officers continue to pilot the Active Kitchen service in Sidemoor, Charford, Catshill, Rubery and Drakes Cross in 11 weeks of the school holidays and that approval be given for an estimated £34,000 to be drawn down from balances 2019/20 to fund the service's operational delivery, marketing, research and development; and
- b) Council approve that officer return to Cabinet in July 2020 to review the pilot and recommend the next steps for the project.

18/19

**CIVIL PENALTIES REPORT**

The Strategic Housing Manager introduced the report and in doing so informed Members that the report set out an alternative position to introduce Civil Penalties in appropriate housing related offences as an alternative to prosecution.

Officers from the Council's Private Sector Housing Team would analyse and monitor the impact of this new approach and its impact on the sector in Bromsgrove. They would also share this analysis and any future proposals for developing this approach with the Portfolio Holders for Strategic Housing and Health and Wellbeing; and Planning and Regulatory Services.

Members commented that the proposed scheme was a useful alternative and suggested that officers issued a press release on the proposed scheme.

**RESOLVED** that

- a) power be delegated to the Head of Community Services to approve the use of Civil Penalties in appropriate housing related offences as an alternative to prosecution; and
- b) the financial penalty matrix, as detailed at Appendix 1 to the report, be adopted.

19/19

## **BDC LOW EMISSION VEHICLE STRATEGY**

The Environmental Policy and Awareness Officer and the Climate Change and Energy Support Officer presented a report in respect of introducing an Ultra-Low Emissions Vehicle (ULEV) Strategy which included a five year action plan.

Officers highlighted that Bromsgrove District Council had been successful in bidding for £300,000 in the Office for Low Emission Vehicles (OLEV) Ultra-Low Emission Taxi Infrastructure Scheme: round 2.

Page 184 of the main agenda pack, detailed the vision and aims of the Ultra-Low Emission Vehicles (ULEV) Strategy.

In particular the Council would be seeking funding towards:-

- On street residential charging point schemes.
- Workplace Charging Schemes.

There were other aspects of the strategy which could also link to the Council's commercialism agenda, providing more cost effective services and opportunities for revenue generation to support public services. For example, electric vehicle pool cars, investment in the low carbon economy and revenue generation from electricity grid services.

The aims of the strategy would also contribute towards improving poor air quality in order to improve public health, as road transport was one of the biggest contributors.

A North Worcestershire working group had been set up to ensure a joined up approach between councils and cross border.

Members commented that the report was informative and that they were happy to see workplace charging points included. They welcomed the work carried out by officers in seeking grant funding and installing EV charging points.

**RECOMMENDED** that

- a) the ULEV strategy and associated Action Plan attached at Appendix 1 be adopted;

### ULEV Taxi Infrastructure funding

- b) the Head of Environmental Services and Head of Community Services have delegated power to act following consultation with the relevant Portfolio Holder, to administer the (OLEV) Ultra-Low Emission Taxi Infrastructure Scheme funding including site selection;



- c) an increase be approved to the Capital Programme 2019/20 of £300k for the (OLEV) Ultra-Low Emission Taxi Infrastructure Scheme Funding;
- d) the Office for Low Emission Vehicles (OLEV) Ultra-Low Emission Taxi Infrastructure Scheme funding be used in procuring the installation of a dedicated electric taxi charging network which supports Bromsgrove Taxi drivers and operators in:
  - Transitioning to electric vehicles
  - Their ability to travel into Birmingham's Clean Air Zone

and

- e) the Head of Environmental Services and Head of Community Services have delegated power to act following consultation with the relevant Portfolio Holder, to apply for, accept, and administer (including in partnership with other local authorities) future funding in line with this strategy.

20/19

## **FINANCE OUTTURN 2018/19 AND RESERVES**

The Executive Director of Finance and Corporate Resources presented the Financial Outturn 2017/18 and Reserves report and in so doing drew Members' to the following:

- Capital Budgets - Keep my place safe and looking good (£443k underspend) and the variance position as detailed on page 235 of the main agenda pack.
- Communities and Local Government, High Street Community Clean-up Grant and the request for approval on an increased budget of £5k.
- Savings Monitoring.
- Disabled Facilities Grants.
- Recreation Ground.
- Footpath and Cycle Network.
- Earmarked Reserves – The position as the 1st April 2018 was £3m and at the end of the financial year included £2.718m that had been transferred to reserves. The majority of this related to setting aside section 31 Business rate grant/estimated Business rate surplus to provide funding for future risks £2.834m.
- General Fund Balances – During 2018/19 there was a further approval of a use of balances of £946k towards the demolition of the Dolphin Centre and implementation of the planned associated car parking. This was now taking place in 2019/20. The current level of balances would therefore reduce to £3.980m. With the current level of balances the Council was able to consider new opportunities for funding in the future to include libraries and other public services.

The Chief Executive commented that it was the decision of the Council to delay works on the sports hall and that officers had managed this.

With regard to the Ultra-Low Emissions Vehicle (ULEV) Strategy, officers would look at alternative vehicles, taking into consideration value and current costs, with a view to looking at replacing smaller vehicles initially.

The Senior Management Team would continue to look critically at every single budget line to consider the current financial position and would continue to work with Heads of Service with regard to this, in order to mitigate any future under spends; as there were still challenging times ahead.

**RESOLVED** that the current financial position in relation to revenue and capital budgets for the period April – March 2019 as detailed in the report, be noted.

**RECOMMENDED**

- a) the approval of a transfer to balances of £186k is actioned as a result of revenue outturn savings 2018/19;
- b) the approval of the movement of £60k in existing reserves as included in Appendix 1;
- c) the approval of the addition of new reserves of £2,777k as included in Appendix 1;
- d) to approve the carry forward to the 2019/20 capital programme of £4,984k as detailed in Appendix 3;
- e) the approval of an increase in the 2019/20 Capital Programme of £163k for Disabled Facilities Grants. This is due to the budget allocations having now been announced by the Ministry of Housing, Communities and Local Government (MHCLG). This will increase the available budget to £913k;
- f) the approval of an increase to the capital programme 2019/20 of £44k s106 monies for re-landscaping the recreation ground, Bromsgrove;
- g) the approval of an increase to the Capital programme 2019/20 of £41k for a Bromsgrove combined Footpath and Cycle Way Network funded from a grant from Worcestershire County Council. (£390k already approved at quarter 3); and
- h) the approval of an increase to the Revenue budget 2019/20 of £7k due to grant being received from Communities and Local Government towards High Street clean up and future community environmental enhancements and approval for BARN to administer the grant and any future monies received which have similar requirements to this grant, as per paragraph 3.4.

21/19

## **STATEMENT OF ACCOUNTS DELEGATION**

The Executive Director of Finance and Corporate Resources introduced the report and in doing so explained that the Audit, Standards and Governance Committee was established to discharge the functions conferred by the Accounts and Audit Regulations 2015 in relation to the matters as detailed at Appendix 1 to the report; and specifically to consider the Council's Financial and Governance arrangements, relating to the system of internal control and the effectiveness of internal audit, the annual governance statement; including the arrangements for the management of business risks.

The consideration of the Council's Statement of Accounts and Governance Assurance was currently undertaken by the Committee with the final approval of the accounts recommended to Council.

Officers were proposing that the approval of the Statement of Accounts was delegated from Council to the Audit, Standards and Governance Committee. It was anticipated that it would enable members of the Committee to consider all elements of the financial controls and audit recommendations through to the final approval and to give assurance on governance and satisfy the wider requirements for sound financial management and internal control.

The Statement of Accounts had to be approved by Council or its delegated Committee by 31st July every year.

**RECOMMENDED** that the consideration and approval of the Council's Annual Statement of Accounts, be delegated to the Audit, Standards and Governance Committee.

The meeting closed at 6.47 p.m.

Chairman

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**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE OVERVIEW AND SCRUTINY BOARD**

**8TH JULY 2019, AT 6.00 P.M.**

PRESENT: Councillors J. Till (Chairman), S. R. Colella, R. J. Deeming, S. P. Douglas, C.A. Hotham, R. J. Hunter, A. D. Kriss, M. Middleton and C. J. Spencer

Observers: Councillor G. N. Denaro and Councillor M. A. Sherrey

Officers: Ms. J. Pickering, Ms. D. Poole, Mrs B. Talbot, Mr. M. Bough, Ms K. Manning, Ms. J. Bayley and Ms F. Mughal

14/19 **APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES**

Apologies for absence were received on behalf of Councillors A. J. B. Beaumont, M. Glass and M. Thompson. It was confirmed that Councillor M. Middleton was attending as a substitute for Councillor Beaumont.

15/19 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest nor of any whipping arrangements.

16/19 **MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on 10<sup>th</sup> June, 2019 were submitted for Members' consideration.

**RESOLVED** that the minutes of the meeting of the Overview and Scrutiny Board held on 10<sup>th</sup> June, 2019 be approved as an accurate record.

17/19 **BROMSGROVE DISTRICT COUNCIL LOW EMISSION VEHICLE STRATEGY - PRE-SCRUTINY**

The Climate Change and Energy Support Officer and the Housing Policy Manager presented a report in respect of introducing an Ultra Low Emissions Vehicle (ULEV) Strategy including a five year action plan. The policy was designed to assist in the development of the necessary infrastructure in light of the changeover to a wider use of electric vehicles.

It was explained that officers were seeking delegated authority to allow them to apply for central government grant funding to enable the installation of electric vehicle charging points.

Members welcomed the strategy, however it was noted that one of the challenges for the Council would be keeping up to date with the relevant technology.

Following the presentation of the report Members discussed a number of points in detail:

- The Capital Programme for 2019/20, in which the funding of £300k for the (ULEV) Ultra-Low Emission Taxi Infrastructure Scheme was separate from the £4.5m funding available to be allocated for the on street residential charge point scheme.
- Concerns were raised that the cost of electric vehicle charging infrastructure could be quite high.
- The proposed strategy would cover all vehicles including taxis.
- The Council would encourage people to purchase renewable energy.

Councillor M. Sherrey, Portfolio Holder for Environmental Services, stated that as this was the early stage of the programme all options would be considered during the roll out of the scheme.

**RESOLVED** that the Bromsgrove District Low Emission Vehicle Strategy report be noted.

18/19

## **ENTERPRISE RESOURCE PLANNING SYSTEM - UPDATE (BRIEFING PAPER)**

The Executive Director of Finance and Corporate Resources provided an update in relation to the Enterprise Resources Planning System and in doing so highlighted the following points:

- The system would be used for both Financial Services and for Human Resources purposes.
- A contract had been agreed with TechnologyOne for the new system.
- The system would be fully implemented within 18 months.
- The system would have the capacity to integrate with other systems, as and when required in the future.
- The Financial Services team was working to identify what information would need to be migrated into the new system as well as beginning the work of data cleansing.
- The total cost of the project would be £790k, however, additional savings would be identified moving forward.

**RESOLVED** that the report be noted.

19/19

## **JOINT STAFF SURVEY TASK GROUP - UPDATE ON ACTIONS ARISING FROM THE SURVEY AND RECOMMENDATIONS FROM THE TASK GROUP (TO FOLLOW)**

The Human Resources and Organisational Development Manager and Head of Business Transformation and Organisational Development provided an update in respect of the actions arising from the work of the Joint Staff Survey Task Group review. The following points were highlighted during the presentation of this report:

- The Joint Staff Survey Task Group had been undertaken by Members of Bromsgrove District and Redditch Borough Councils in 2017. Councillors S. R. Colella, C. J. Spencer and S. A. Webb (Bromsgrove District Council) and Councillors J. Potter, T. Baker Price and J. Wheeler (Redditch Borough Council) had taken part in this exercise.
- The review had been established due to concerns amongst Members that there had been a low rate of responses when the survey had been circulated previously. The group had proposed a number of recommendations that were designed to improve response rates and to address challenging areas that were impacting on employees.
- The group's recommendations had been taken on board by Officers and a lot of work had been undertaken, particularly in respect of organisational culture, in an attempt to address the issues raised by staff in completed surveys.
- The Councils had engaged with Martin Reddington Associates (MRA) for advice as they specialised in employee engagement.
- In that latest staff survey a total of 54% of staff had provided a response, which was a significant improvement compared to the previous survey.
- The survey responses identified some areas of good practice. However, there were some issues that still needed to be addressed.
- The next survey was due to be circulated in September, 2019.
- The same questions would be included in the survey as in previous years to ensure that the data arising from the survey was comparable.

Councillor Colella, the Chairman of the Task Group, explained that he and Councillor Potter, the Vice Chairman of the group, had been consulted prior to the circulation of the last survey. However, neither they nor the rest of the group had received further information about the feedback that had been provided in response to that survey and he expressed the view that it was important to ensure that these details were shared with Members prior to the circulation of the next survey. Officers explained that the data arising from the latest survey had been shared with Corporate Management Team. In addition, the Leaders of both Councils had met to discuss the data.

Members questioned whether the next staff survey might need to be circulated at a later date than September 2019 to provide time for Councillors to review the feedback from the previous survey. Officers explained that a delay could occur if required, though the survey was due to be circulated in September.

**RESOLVED** that a further update in respect of the outcomes of the previous staff survey together with information about the new staff survey to be provided for Members' consideration at the meeting of the Overview and Scrutiny Board due to take place in September 2019.

20/19 **FINANCE AND BUDGET WORKING GROUP - VERBAL UPDATE**

Members were informed that the first meeting of this municipal year would be held in August 2019. At this meeting Members would be asked to consider the work programme for 2019/20.

21/19 **CORPORATE PERFORMANCE WORKING GROUP - VERBAL UPDATE**

Members were informed that the first meeting of this municipal year had been arranged to take place on 25<sup>th</sup> July, 2019.

22/19 **TASK GROUP UPDATES**

Business Rates Relief Short Sharp Review

Members were advised the group met on 27<sup>th</sup> June, 2019. The outcomes and findings of the review would be presented to the Committee in September 2019, for consideration.

Bromsgrove Sporting Task Group

Councillor C.A. Hotham informed Members that the Group had recently held a meeting and Members were keen to invite relevant officers to attend meetings to answer questions on the subject. Members were also keen to look at rent charges for Alvechurch F.C. as it was in the same league as Bromsgrove Sporting F.C. and in a similar position.

23/19 **WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - UPDATE**

Councillor J. Till, the Council's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC), provided an update with regard to the HOSC meeting held on 27<sup>th</sup> June, 2019. Members were advised that during this meeting the following matters had been considered:

- West Midlands Ambulance Service. The Director of Clinical Commissioning and Service Development provided an update in respect of the service.



# Agenda Item 4

Overview and Scrutiny Board  
8th July 2019

- An update had been provided on the subject of Worcestershire Acute Hospital Services, specifically for patients who had had strokes.
- The proposed merger of the Worcestershire and Herefordshire NHS Clinical Commissioning Groups (CCGs). Consultation was being undertaken in respect of the potential to merge the CCGs.

24/19

## **CABINET WORK PROGRAMME**

**RESOLVED** that the content of the latest edition of the Cabinet Work Programme be noted.

25/19

## **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME**

Members considered the Overview and Scrutiny Board's Work Programme.

Officers explained that items identified during the Overview and Scrutiny training event in June 2019 as potentially suitable for scrutiny would be considered in more detail at the following meeting of the Board. Any urgent items had already been incorporated onto the Board's work programme.

**RESOLVED** that the Overview and Scrutiny Board's Work Programme be noted.

The meeting closed at 6.50 p.m.

Chairman

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## WORCESTERSHIRE REGULATORY SERVICES BOARD

### RECOMMENDATIONS TO THE CABINET

On 4th September 2019

#### Worcestershire Regulatory Services Board meeting 27<sup>th</sup> June 2019

#### WORCESTERSHIRE REGULATORY SERVICES ENFORCEMENT POLICY 2019

The Worcestershire Regulatory Services Board considered a report in respect of the above. Full details of the discussion are detailed in Minute No 10/19 of the attached minutes.

**RECOMMENDED** that, the Council for each Member Authority adopts the Worcestershire Regulatory Services Enforcement Policy 2019, as detailed at Appendix 1 to the report.

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## WORCESTERSHIRE DISTRICT COUNCILS

### MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD

THURSDAY, 27TH JUNE 2019, AT 4.30 P.M.

PRESENT: Councillors H. Dyke (Vice-Chairman, in the Chair), A. D. Kent, H. J. Jones, J. Raine, G. Prosser (substituting for Cllr. J. Grubb), W. King, J. Squires, L. Griffiths, E. Stokes, D. Morris and P. Dyke

Partner Officers: Mr. P. Merrick, Malvern Hills and Wychavon District Councils, Mr. L. Griffiths, Worcester City Council and Mr. M. Parker, Wyre Forest District Council

Officers: Mr. S. Wilkes, Ms. C. Flanagan, Mr. C. Forrester, Mr. M. Cox and Mrs. P. Ross

1/19

#### PREVIOUS CHAIRMAN'S REPORT

Councillor G. Prosser, Redditch Borough Council, Vice-Chairman of the Worcestershire Regulatory Services Board 2018/2019, suggested that as there were a number of new members to the Board, it would be helpful if Members and officers gave brief introductions.

The Vice-Chairman then introduced the report, which provided an overview of the highlights that the Board covered from 1st April 2018 to 31st March 2019.

Councillor Prosser expressed his sincere thanks to the Board and the Head of Regulatory Services.

**RESOLVED** that Members note the report, as presented by Councillor G. Prosser, Redditch Borough Council, Vice-Chairman of the Worcestershire Regulatory Services Board for the municipal year 2018/2019.

2/19

#### ELECTION OF CHAIRMAN FOR THE ENSUING MUNICIPAL YEAR

A nomination for Chairman was received in respect of Councillor J. Grubb, Redditch Borough Council.

**RESOLVED** that Councillor J. Grubb, Redditch Borough Council be elected as Chairman for the ensuing municipal year.

3/19 **ELECTION OF VICE-CHAIRMAN FOR THE ENSUING MUNICIPAL YEAR**

A nomination for Vice-Chairman was received in respect of Councillor H. Dyke, Wyre Forest District Council.

**RESOLVED** that Councillor H. Dyke, Wyre Forest District Council be elected as Vice-Chairman for the ensuing municipal year.

The Vice-Chairman took the opportunity to welcome Members and officers to the meeting of the Board.

4/19 **APOLOGIES**

Apologies for absence were received from Councillors J. Grubb, Redditch Borough Council and T. Wells, Malvern Hills District Council.

It was noted that Councillors G. Prosser, Redditch Borough Council, was in attendance as substitute member for Councillor J. Grubb.

Apologies for absence were also received from Ms. J. Pickering, Bromsgrove District and Redditch Borough Councils.

5/19 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

6/19 **MINUTES**

The minutes of the meeting of the Worcestershire Regulatory Services Board held on 14th February 2019, were submitted.

It was noted that Councillor J. Squires, Worcester City Council and Councillor E. Stokes, Wychavon District Council, were present at that meeting and they consecutively proposed and seconded the approval of the minutes.

**RESOLVED** that the minutes of the Worcestershire Regulatory Services Board held on 14th February 2019, be approved as a correct record.

7/19 **WORCESTERSHIRE REGULATORY SERVICES REVENUE MONITORING APRIL - MARCH 2019 & ANNUAL RETURN**

The Financial Services Manager, Bromsgrove District Council, introduced the report and in doing so highlighted that Worcestershire Regulatory Services (WRS) managers had set themselves an income budget of £309k for 2018/2019; and that through hard work and the successes that WRS had achieved with generating income this year, that the total income generated from all sources including additional spends by partners was £402k.

# Agenda Item 5

Worcestershire Regulatory Services Board  
27th June 2019

Members' attention was also drawn to:

- The purchased particulate monitoring kit for £8k, which would also be used as an income generator.
- Due to the increase in the number of taxi licences and the increase in the cost of raw materials there was a £10k overspend within this service line.

In response to Councillor A. Kent, Bromsgrove District Council, with regard to 'Car Allowances' and if there were any incentives for electric/hybrid vehicles to be used. The Head of Regulatory Services commented that officers worked within the Terms and Conditions of the Host Authority, Bromsgrove District Council and that currently there were no incentives. The Technical Services Manager, WRS, further informed the Board that WRS had four vehicles used by the dog wardens and that due to the mileage used it was not deemed cost effective to switch to electric/hybrid vehicles.

**RESOLVED:**

- (a) that the final financial position for the period April – March 2019 be noted;
- (b) that the 2018/2019 refund of £63k to the participating Councils be approved, as follows:-

<b>Council</b>	<b>Refund from 2018/19 £'000</b>
Bromsgrove	9
Malvern Hills	8
Redditch	11
City of Worcester	11
Wychavon	15
Wyre Forest	10
<b>Total</b>	<b>64</b>

8/19

**WORCESTERSHIRE REGULATORY SERVICES ANNUAL REPORT 2018/2019**

The Board considered a report which detailed the Worcestershire Regulatory Services (WRS) Annual Report 2018/2019. The report covered the performance of the service for the period 1st April 2018 to 31st March 2019.

The Head of Regulatory Services informed the Board that under the Shared Services Partnership Service Level Agreement (SLA) the Board was required to receive the annual report at its annual meeting.

The Head of Regulatory Services further informed Members that the report covered the performance of the service for that period, both in

# Agenda Item 5

Worcestershire Regulatory Services Board  
27th June 2019

terms of Key Performance Indicators (KPIs) and highlights of activity, with a short summary activity report, as detailed at Appendix 5 to the report. Appendix 5 to the report had been reduced since the Board now received a separate Activity and Performance Data report which provided more detail. Some detail of the performance indicators were also covered in the Activity and Performance Data report.

Generally performance had remained good. Food business compliance rates remained high. Taxi license renewals were dealt with in a reasonable time in the main. The taxi fleet appeared to be generally in good order, although the results from enforcement exercises suggested that some drivers / operators needed to improve in terms of maintaining vehicles.

Complaints against the service were significantly exceeded by compliments. It was understood that the main issue for complaints were related to either paying for the cost of stray dog recovery or the fact that WRS could not resolve an issue that was causing annoyance to a resident due to the law on nuisances. The latter appeared to be the main cause in the fall in customer satisfaction. Interestingly, the Department for Environment, Food and Rural Affairs (DEFRA) most recent survey of the public in relation to attitudes to noise had detected a statistically significant drop in people's tolerance of noise. This was something that WRS had seen anecdotally at local level and had reported to Board Members previously.

The indicators for licensed premises and noise complaints had been in place long enough now in order to establish good base-lines. The former showed that generally licensed premises in the County were well managed. The figures could now be used, along with intelligence, to focus enforcement resources in a proactive way to tackle any individual problem premises, although these were few and far between.

Most complaints related to minor nuisance issues, usually created when a venue introduced a novel activity like live music to diversify its activities. The rate of noise complaints was relatively low and probably reflective of the general environment in Worcestershire.

The Annual Report also provided a summary of the financial position, the key achievements and covered issues with regard to human resources; plus sections on risk management and equalities.

The Head of Regulatory Services and the Technical Services Manager, WRS, responded to questions from Members with regard to potential growth of the service and noise reporting.

The Head of Regulatory Services informed Members that the Technical Services team were the main income generators within the service and that further income generation was something that could be considered. Previous Board Members had expressed an interest in Business Planning and that was something that he was keen to arrange; a slightly



more informal event for Board Members during September / October 2019.

With regard to noise reporting, the Technical Services Manager, WRS, stated that there were dedicated front line staff and also self-help pages on the WRS website, which helped to make the service more cost effective. The issues were mainly domestic noise issues and not a statutory nuisance. If noise issues could not be resolved complainants were referred to (back-office) staff in order to try and resolve any noise issues.

The Head of Regulatory Services referred to The Members' Eye newsletter that was circulated to Board Members during 2018, which had provided a useful guide for Members on Statutory Nuisance. He further informed Members that he would ensure that a copy was circulated to all current Board Members for information.

In response to a further questions raised, the Head of Regulatory Services advised that the self-help process had removed a lot of early wins with regard to noise nuisance that had been resolved, hence a natural downfall. However, going forward, he and his management team would look to work more closely with colleagues at the partner authorities who may have other tools available to deal with issues, citing the Community Protection Notices available under the Anti-social Behaviour and Policing Act 2014 as an example of a measure that may help.

With regard to food premises scoring 2 or below on the 'Scores on the doors' food hygiene / food safety initiative, some of the issues were down to allergen awareness; with some management / staff not having sufficient understanding / knowledge of food allergens. This would have been rectified as part of the visit process but businesses would need to be re-scored later.

The Vice-Chairman thanked the Head of Regulatory Services, with some Members commenting that the results were good and that the service was an excellent service and that they could see the benefits of the service.

**RESOLVED:**

- (a) that the Worcestershire Regulatory Services Annual Report 2018/2019 be noted; and
- (b) that a copy of the Worcestershire Regulatory Services Annual Report 2018/2019 be forwarded to the Chief Executive, Managing Director and Members of the six partner authorities.

9/19

**ACTIVITY AND PERFORMANCE DATA QUARTERS 1, 2, 3 AND 4**

The Technical Services Manager, WRS, presented the Activity and Performance Data Quarters 1, 2, 3, and 4 report; and in doing so stated that the detail of the report focused on quarter 4 but the actual data

allowed comparison with previous quarters and previous years. The report also highlighted a number of headline stories.

Page 88 of the main agenda report detailed the Primary Authority work that was completed for quarter 4, to the satisfaction of the two companies that WRS had engaged with; namely CEMEX and Wienerberger.

Work to support planning officers across Worcestershire had kept the Technical Services team busy throughout the year with a significant increase in demand in quarter 4.

Air quality work had had a high profile nationally and this had been reflected in the work to improve air quality. Worcester City Council, Task and Finish Group (Air Quality) had researched into measures to tackle breaches of nitrogen dioxide in Worcester. The Task and Finish Group had concluded and had reported back to the Licensing & Environmental Health Committee in January 2019 with a number of measures tasked to different Council departments to progress.

In response to a question raised by Councillor Kent, Bromsgrove District Council, in respect of Noise Pollution and the information detailed on page 95 of the main agenda report, with regard to the specific number of different parties that had complained about noise pollution. The Head of Regulatory Services explained that he had spoken with the intelligence officer who would try and identify the different number of complainants and if possible include this information in future reports.

**RESOLVED** that the Activity and Performance Data report for Quarters 1, 2, 3 and 4, be noted.

10/19

## **WORCESTERSHIRE REGULATORY SERVICES ENFORCEMENT POLICY 2019**

The Board considered a report that provided information on the proposed Worcestershire Regulatory Services Enforcement Policy 2019.

The Head of Regulatory Services explained to Members that in 2011, the then Worcestershire Regulatory Services (WRS) Joint Committee had agreed to support the adoption of a single WRS Enforcement Policy that the service would use in relation to all of its activities. This policy would be an adjunct to other enforcement policies that each partner authority had for its remaining enforcement activities. The policy was based on the requirements of the then Regulator's Compliance Code; the policy would not have contradicted any approach being taken by partners in other areas of enforcement such as planning.

In 2016, when the partnership became a district only arrangement, the Head of WRS had made some minor amendments to the policy and had asked Members of the Board to ratify the amended policy and to

recommend adoption of the amended policy by the six partner authorities.

It was important that Members were reminded of how decision making on enforcement took place and that Members approved the processes that WRS followed when dealing with such serious matters. Virtually all of the legislation the service dealt with had criminal sanctions as its ultimate end-point and Members needed to be happy that the processes being followed would apply such sanctions in the right circumstances.

Local authorities were encouraged to produce Enforcement Policies for many years so that those regulated knew and understood what to expect. This was originally driven by the introduction of the Enforcement Concordat, created by LACORS, the Local Government Association's Regulatory Policy support framework for member authorities, and built upon by the Regulator's Compliance Code, issued by the Better Regulation Executive; under the Legislative and Regulatory Reform Act 2006.

The original Regulators Compliance Code was replaced with the Regulator's Code. The core of the new Code changed little from the original Regulators Compliance Code, but some aspects were clarified and tidied up. Whilst this had not changed since the last review, the Head of Service felt that by reviewing the policy every three years it would ensure that Members were aware of the processes that the service followed during regulatory decision making and that this would give them reassurance that the service was taking a fair and equitable approach when dealing with offending.

Before putting a case before the Courts, local authorities also needed to have regard to the Code for Crown Prosecutors, which laid down the very basic provisions for evidential sufficiency and public interest before a case could be considered a sound candidate to be taken to Court.

The policy, as attached at Appendix 1 to the report, met the criteria of both the Regulators Code and the Code for Crown Prosecutors, which should allow it to easily integrate with existing policies within each of the partner authorities and would allow WRS to operate in a consistent way across the county in relation to all enforcement matters.

By adopting a common approach to enforcing the functions discharged by WRS, partners would directly address these concerns of the business community and show that WRS remained a tool that local authorities could use to support their economies in a positive way.

In response to Members, the Head of Regulatory Services, clarified that the amended policy would be an adjunct to other enforcement policies that each partner authority had for its remaining enforcement activities.

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Worcestershire Regulatory Services Board  
27th June 2019

**RESOLVED** that, the Worcestershire Regulatory Services Enforcement Policy 2019, as detailed at Appendix 1 to the report, be adopted to support decision making within Worcestershire Regulatory Services.

**RECOMMENDED** that, the Council for each Member Authority adopts the Worcestershire Regulatory Services Enforcement Policy 2019, as detailed at Appendix 1 to the report.

The meeting closed at 5.15 p.m.

Chairman



## WRS Board

**27<sup>th</sup> June 2019**  
**Enforcement Policy 2019**

### Recommendations

(i) Members agree this policy be adopted to support decision making within WRS.

### Background

(ii) Members recommend the adoption of this amended policy by the individual partner authorities.

In 2011, the then Joint Committee agreed to support the adoption of a single WRS Enforcement Policy that the service would use in relation to all of its activities. This policy would be an adjunct to other enforcement policies that each partner authority had for its remaining enforcement activities. Being based on the requirements of the then Regulator's Compliance Code, the policy would not have contradicted any approach being taken by partners in other areas of enforcement such as planning. In 2016, when the partnership became a district only arrangement, the Head of Service made minor amendments to the policy and asked members of the committee to ratify the policy and recommend adoption by the six councils. It is important that members are reminded of how decision making on enforcement takes place and that they approve the processes that we follow when dealing with such serious matters. Virtually all of the legislation the service deals with has criminal sanction as its ultimate end-point and members need to be happy that the processes being followed will apply such sanctions in the right circumstances.

### Report

Local authorities have been encouraged to produce Enforcement Policies for many years so that those they regulate know and understand what to expect. This was originally driven by the introduction of the Enforcement Concordat, created by LACORS, the Local Government Association's Regulatory Policy support framework for member authorities, and built upon by the Regulator's Compliance Code, issued by the Better Regulation Executive, under the Legislative and Regulatory Reform Act 2006, and maintained by what is now the Office for Product Safety and Standards, part of the Department for Business, Energy and Industrial Strategy (BEIS). The concordat and the code provided businesses with a clear framework within which regulation would take place and provided this community with an outline of the kind of responses they might face should they be identified as being non-compliant.

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The original Regulators Compliance Code was replaced with the Regulator's Code. The core of the new Code changed little from the original Regulators Compliance Code, but some aspects were clarified and tidied up. Whilst this has not changed since the last review, the Head of Service feels that reviewing this policy every three years ensures that members are aware of the processes that the service follows during regulatory decision making and that this will give them reassurance that the service is taking a fair and equitable approach when dealing with offending.

Before putting a case before the Courts, local authorities also need to have regard to the Code for Crown Prosecutors, which lays down the very basic provisions for evidential sufficiency and public interest before a case can be considered a sound candidate to be taken to Court.

The attached policy meets the criteria of both the Regulators Code and the Code for Crown Prosecutors, which should allow it to easily integrate with existing policies within the partner authorities and it will allow the service to operate in a consistent way across the county in relation to all enforcement matters.

Improved consistency is something that businesses crave, so there is a level playing field for all of those in competition. Businesses have complained for a number of years about the alleged inconsistencies in enforcement between local authorities, although the LGA has always challenged this and the responses containing real evidence have been limited. By adopting a common approach to enforcing the functions discharged by WRS, partners will directly address these concerns of the business community and show that WRS remains a tool that local authorities can use to support their economies in a positive way.

## Contact

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## Background Papers

Enforcement Policy document attached as Appendix 1

## **Worcestershire Regulatory Services** **Enforcement Policy**

### **1. Introduction**

Worcestershire Regulatory Services (WRS,) is a shared service that is part of the six district councils in Worcestershire (Bromsgrove District Council, Malvern Hills District Council, Redditch Borough Council, Worcester City Council, Wychavon District Council and Wyre Forest District Council.) WRS delivers Environmental Health functions, including Food Safety, Health and Safety, many aspects of Pollution Control, and Licensing administration and enforcement on behalf of the six partner authorities. It reports to a Joint Board of the six authorities which means it is constitutionally part of each council.

This Enforcement Policy is a statement of how the Service will carry out its enforcement duties and, in addition, what business and citizens in Worcestershire can expect from our enforcement staff. It will be applied by WRS in relation to the functions it discharges on behalf of the six local authorities and it has been adopted by each of them. It is distinct from any general Enforcement Policies of the individual local authority partners, which apply to other regulatory functions provided by them such as planning.

The primary aim of WRS is to ensure businesses comply with the legislative framework within which they operate so that, consumers, businesses, employees, individuals and the environment are protected, and transactions are fair and equitable. Fair proportionate and effective enforcement is essential to protecting the health, safety and economic interests of all concerned, and there is a range of tools available to the Service to achieve this. Whilst in the main compliance will be achieved through the use of advice and lower level formal sanctions and actions, there will be a need to take people and businesses through the court process in some circumstances. These are outlined further in the policy.

The Service must also have regard to the various general duties imposed on the partner authorities e.g. section 17 of the Crime and Disorder Act, and the general powers given to local government for the promotion of well-being under the various Local Government Acts. WRS is obliged to comply with the Human Rights Act 1998, so will take its provisions into account when taking decisions relating to enforcement action.

### **2. Policy Scope**

WRS is committed to providing an effective service with officers carrying out their duties in an equitable, practical and consistent manner. To achieve this officers and the service will have regard to the principles in the following documents:

- The Regulators Code (BEIS)

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- Local Government Regulation's Home Authority Principle,
- Office for Product Safety and Standards' (OPSS) Primary Authority Principle
- The Crown Prosecution Service Code for Crown Prosecutors (as amended.)
- The Food Safety Act 1990 Code of Practice
- Human Rights Act 1998 and the European Convention on Human Rights.

The Policy applies to actions in relation to all of the legislation enforced by the Service. Enforcement action includes any action taken by officers aimed at ensuring that individuals or businesses comply with the law and goes beyond just formal enforcement action such as prosecution.

### **3. General Principles**

Prevention is generally better than cure and WRS's role therefore involves actively working with businesses to advise on and assist with compliance. Where the service considers that formal action is necessary, each case will be considered on its own merits. However, there are general principles that apply to the way in which each case will be approached. These are set out in this Policy.

The majority of cases involving regulatory matters will relate to businesses, however, there will be some cases put before the Courts that relate to individual members of the public, particularly those involving nuisance. These cases will be treated in the same way as those involving businesses and the general principles outlined around proportionality of action, for example trying informal approaches before resorting to formal action and the Courts, will be followed unless the law mandates that an authority must take action in certain circumstances, for example where a statutory nuisance is identified. Even then, the service will use the discretion that all local authorities have as to the timeliness of formally taking action.

Enforcement decisions will be fair, independent and objective and will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs, political views or the sexual orientation of the suspect, victim, witness or offender. Such decisions will not be affected by improper or undue pressure from any source. We will take into account the views of any victim, injured party or relevant person to establish the nature and extent of any harm or loss, and its significance, in making the decision to take formal action.

This enforcement policy helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens on business. We recognise the positive impact that the service can have on economic progress and growth in the local economy and see it as part of our role to encourage and support the growth of legitimate business activity within the legal framework provided by central government.

### **4. Intelligence and Risk**

We will ensure that our resources are targeted where they will be most effective. We will ensure that work is intelligence-led and that risk assessment informs all aspects of our approach to regulatory activity, including:

- Data collection and other information requirements;
- Inspection programmes;



- Advice and support programmes;
- Enforcement activity and sanctions.

We will normally use the appropriate risk assessment scheme developed either by government or recognised professional bodies to inform any inspection programme. In the absence of these, it is unlikely that routine inspection processes will inform activity. Instead, an intelligence-led approach will be taken and interventions will be driven by the risk and threat that comes from the assessment of intelligence. Decisions on tactical actions to be taken will be influenced by, in the absence of other factors:

- Compliance history and potential future risks
- The existence of effective management systems
- Evidence of recognised external accreditation
- Management competence and willingness to comply

Intelligence will be used to direct inspection based projects, targeting goods or business where there are known issues. Obviously, a complaint may also trigger a visit if that is the most appropriate response. We will review our approach to regulatory activities from time to time, in order to remove any unnecessary burdens from businesses.

## **5. Advice and Guidance**

We will provide general information, advice and guidance to make it easier for businesses to understand and meet their obligations in clear, concise and accessible language, using a range of appropriate formats and media. Information will cover all legal requirements relating to our regulatory activities, as well as changes to legal requirements. Where changes are of great significance, we will look at the best ways of informing businesses of these changes e.g. through newsletters, mail-shots or seminars.

WRS will promote self service via our website and, where possible, provide targeted and practical advice with a focus on encouraging this engagement through Primary Authority relationships. When offering advice, the service will clearly distinguish between statutory requirements and advice or guidance aimed at improvements above minimum legal standards. WRS recognises its advice should help achieve compliance but impose the minimum burden required on the business concerned. Advice will be confirmed in writing, if requested.

Where a business knows it has a problem and seeks advice to remedy the situation, this will not normally trigger enforcement action. Where appropriate WRS will seek to support the remedial action to prevent future problems however must reserve the right to take enforcement action in serious cases.

Where possible, the service will provide advisory services free of charge; however WRS reserves the right to charge a reasonable fee for services beyond the most basic advice and guidance necessary to help ensure compliance. In saying this, the service would take account of the needs and circumstances of smaller businesses and others in need of help and support in deciding whether or not to charge. Charging will be in line with any guidance issued by the OPSS in relation to the Primary Authority principle.

## **6. Inspection and other market surveillance tactics**

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WRS business activity will be driven by intelligence. Inspection and other forms of market surveillance will provide a good flow of intelligence about specific outlets but also, when aggregated, will help paint a picture of broader trends within business sectors. The service will ensure that any routine inspections and similar programmed visits to businesses only occur in accordance with a risk assessment methodology and the relevant intelligence picture. Other visits may be requested by businesses, or will result from relevant intelligence so this will not apply in such circumstances.

WRS will focus its efforts on businesses where intelligence and risk assessment show there is a higher likelihood of non-compliance or those which pose a more serious risk to regulatory outcomes. Some processes by their nature present a greater risk to health or the environment, or due to their complexity, may make it more difficult to ensure compliance. These are the areas where we will focus our proactive market surveillance activities including inspection.

Where appropriate, and where required by legislation, including the Protection of Freedoms Act, WRS officers will give a minimum of 48 hours notice prior to a routine inspection unless to do so would undermine the purpose of the visit. So, where giving notice might, for example, lead to additional work being done to hide non-compliance or offending, temporary behaviour changes or evidence being removed, no notice will be given. It should also be noted, however, that there is a general requirement in some Codes of Practice e.g. Food Law Code of Practice, that notice is not provided prior to a routine inspection. Where this is the case, notice will not be given unless it is necessary to achieve the services ends, for example, if the presence of a particular manager is essential at a manufacturing facility.

When officers visit or carry out inspections, they will give feedback to businesses to encourage and reinforce good practice. They will also share information about good practice amongst businesses, and with other regulators. Where serious non-compliances are identified during an inspection that requires some formal action, feedback on minor issues may be delayed until the serious issues are resolved.

Where WRS and another regulator have a shared interest in a business, officers will seek to work together with relevant colleagues to ensure that activities can be rationalised to minimise the burden on the business, where such action is of benefit to the business and does not harm the standard of enforcement for either regulator. The service will also take account of the circumstances of smaller businesses, including any difficulties they may have in achieving compliance unless the non-compliance in question creates a serious risk.

## **7. Information Requirements**

Worcestershire Regulatory Services do not require large quantities of information from businesses on a routine basis. When determining what data we may require, we will consider the costs and benefits of data requests to businesses and,

- Limit the data that we request to that which is either appropriate, or required by statute e.g. food registration, licensing applications, etc,
- Minimise the frequency of collection and seek the information from other sources where relevant and possible.

We will work with our fellow local regulators to minimise the information we request from businesses, and we will seek to maximise our data sharing within the provisions of the Data Protection Act. We will seek to use compatible collection methods to give consistency.

We will involve businesses in vetting data requirements and form design for clarity and simplification. We will also ensure that, where possible, data can be returned electronically.

## **8.0 Enforcement Action**

In accordance with good practice, we will:

- Publish our Enforcement Policy;
- Report on our enforcement activities year on year to interested parties through an Annual Report;
- Follow-up enforcement actions where appropriate;
- Be transparent in the way in which we enforce requirements and, apply and determine penalties (when such powers are made available.)

When considering what action should be taken, we will look to:

- Be proportionate to the nature of the offence and the harm caused,
- Change the behaviour of the offender;
- Eliminate any financial gain or benefit from non-compliance;
- Address the harm caused by regulatory non-compliance, where appropriate;
- Deter future non-compliance,
- Be responsive and consider what is appropriate for the particular offender and regulatory issue, and
- Avoid perverse incentives that might influence the choice of sanctioning response.

When considering formal enforcement action, we will, when appropriate, discuss the circumstances with those suspected of a breach and take these comments into account when deciding on the best approach, (unless immediate action is required to prevent or respond to a serious breach or where to do so would be likely to defeat the purpose of the proposed enforcement action.) Where a prosecution may be an option, the offender is likely to be offered an interview under the provisions of the Police and Criminal Evidence Act 1984, which will give an opportunity for the alleged offender to give their side of the story.

Where the outcome is a decision to send a file to the relevant legal service for them to consider prosecution, this will be reported to the potential defendants. For lesser disposals, an explanation of the need for the action will be provided as soon as is reasonable practicable after the intervention.

### **8.1 Deciding what enforcement action is appropriate**

In assessing what enforcement action is necessary and proportionate, consideration will be given to:

- The seriousness of compliance failure or offence;

- The business's past performance and its current practice;
- The risks being controlled;
- Legal, official or professional guidance;

There are a large number of potential enforcement options in some legislative areas. The level of action taken will vary from no action/ verbal advice & assistance through to proceedings in Court. Examples of the main types of action that can be considered are shown below:

- No action/ verbal advice & assistance;
- Informal Action and Written Advice;
- Fixed penalty Notices;
- Penalty Charge Notices;
- Statutory Notice;
- Formal closure
- Seizure of goods/equipment;
- Injunctive Actions;
- Refusal/revocation of a licence;
- Simple Caution;
- Prosecution.

## **8.2 No Action/ Verbal Advice or assistance**

There will be circumstances where a contravention may not warrant action, or it may be inappropriate. Many minor contraventions can be dealt with via advice and/ or assistance. Domestic nuisance issues may be best resolved by the neighbours entering into dialogue without the direct intervention of officers. Where this is not appropriate, due to the behaviour of one party or where the complainant is from a vulnerable group, the service will consider the best option for intervention depending on the circumstances.

## **8.3 Informal Action and Written Advice**

For minor breaches of the law we will give advice on how to put them right, including a deadline by which this must be done. The time allowed will be reasonable, and take into account the seriousness of the contravention and the implications of the non-compliance. Where the advice required is detailed, or there are potentially serious implications from the failure, the advice will be provided in writing. Failure to comply could result in further enforcement action.

Where ever possible we will advise alleged offenders about 'good practice', but we will clearly distinguish between what they *must do* to comply with the law and what is recommended best practice.

## **8.4 Statutory Notices**

Officers of the Service have the power under various pieces of legislation, or through delegation, to issue notices that:

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- Prohibit the sale or distribution of goods where relevant provisions may have been breached,
- Require a business to take specific actions to remedy an identified problem,
- Require a business to desist from particular activities that may not comply with legal requirements.
- Require any person to take action to ameliorate or stop nuisances being caused by their actions

Notices may require immediate action where, for example, there are risks to public health or safety, or an immediate risk of environmental damage or serious nuisance. In other circumstances, a reasonable amount of time will be given, depending on the circumstances, to rectify the problem.

Certain types of notice allow works to be carried out in default. This means that if a notice is not complied with (a breach of the notice) the service may commission the carrying out of any necessary works to satisfy the requirements of the notice. Where the law allows, the partner council may then charge the person/business served with the notice for any costs WRS incurs in carrying out the work.

In certain limited circumstances e.g. under the provisions of food safety legislation, where an authorised officer is satisfied that there is an imminent risk of injury to health from the condition of the premises, the officer may serve notice to close the premises. This would be immediately followed by an application to a Magistrates Court to confirm the closure.

All notices issued will contain details of any Appeals process that may be available to the recipient.

## **8.5 Fixed Penalty Notices**

A few offences prescribed by legislation are subject to fixed penalty notices. These notices are recognised as a low-level enforcement tool and avoid the defendant obtaining a criminal record. They will only be used in appropriate circumstances to give a fast and measured response to a situation. Where legislation permits an offence to be dealt with by way of a Fixed Penalty Notice (FPN), we may choose to administer a FPN on a first occasion, without issuing a warning.

## **8.6 Penalty Charge Notices**

Penalty Charge Notices (PCNs) are prescribed by certain legislation as a method of enforcement by which the offender pays an amount of money in recognition of the breach. Failure to pay the PCN will result in the offender being pursued in the County Court for non-payment of the debt. A PCN does not create a criminal record and we may choose to issue a PCN without first issuing a warning in appropriate circumstances.

## **8.7 Institution of Legal Proceedings**

Once an officer has completed his/ her enquiries, they will submit a case report to a senior officer, independent of the investigation, who will decide the most appropriate course of action using amongst other things, the criteria identified below.

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Where the law has been broken, there is a range of enforcement options available and, under normal circumstances, a process of escalation will be used until either compliance is reached or there is no option other than to instigate proceedings. This approach would not be appropriate where there is a serious risk to public safety or the health of the environment, or the offences have been committed deliberately or negligently or involve deception, or where there is significant economic detriment or potential detriment caused by the activity. Each case is unique and will be considered on its own facts and merits.

The senior officer will take into consideration the requirements of the Code for Crown Prosecutors and other relevant codes before deciding whether or not to pass the file to the relevant legal officer for their review and the formal consideration of whether to authorise the institution of legal proceedings.

Before doing this, the senior officer will have to be satisfied that there is sufficient evidence to provide a realistic prospect of conviction against each defendant on each offence identified. They must have concluded that a jury or bench of Magistrates, properly directed in accordance with the law, is more likely than not to convict the defendant of the charge alleged based on the evidence before them. To this end, the senior officer will look at all the available evidence, reliability of witnesses, supporting documentation and any other matters relating to the investigation. Only when this evidential test has been satisfied will the public interest to proceed with the prosecution be considered.

In deciding whether a prosecution will serve the public interest, the senior officer will balance factors for and against the prosecution carefully, fairly and impartially. Some factors may increase the justification to prosecute whereas others may militate against. Below are some of the matters to be taken into consideration for and against criminal proceedings. This is not an exhaustive list and, as such, each case is taken strictly on its own individual merits:

## **Factors in Favour of Prosecution**

- The offender was in a position of control within the business,
- The offender acted dishonestly, wilfully or negligently.
- The product or service was aimed at a vulnerable group or person.
- The product or service has caused or had the potential to cause physical or mental injury or suffering, significant harm or loss.
- The offender has received advice or a warning concerning the circumstances of the offence or similar matters.
- The offender has previous convictions that are relevant.
- The offence, though not serious in its self, is widespread in the area where it was committed.
- There are grounds to believe that the offence is likely to be continued or repeated, for example by a history of recurring conduct.
- The outcome of a prosecution might serve an important, informative purpose or establish a legal precedent.

## **Factors which would mitigate against the need for a prosecution**

- The offence was minor in nature and as a result of a genuine mistake or misunderstanding, which did not involve significant negligence.
- The offender is vulnerable, for example through age-related issues, or was at the time of the offence suffering from significant mental or physical ill health, which

- contributed to the commission of the offence, and the offence was neither serious nor likely to be repeated.
- The loss or harm could be described as minor and was as a result of a single incident, particularly if it was caused by a failure of judgment.
  - The offender put right the loss or harm caused prior to the intervention of the Service.
  - Prior to the Service's intervention, the offender had introduced adequate steps to prevent further similar offences.
  - The defendant was a youth at the time of the offence.
  - There has been a long delay between the offence and any potential court action, unless either:
    - (i) The offence is serious,
    - (ii) The delay has been caused by the defendant or his/ her legal representatives,
    - (iii) The offence has only recently come to light, or
    - (iv) The complexity of the offence meant that there has been a long investigation.

## **8.8 Proceeds of Crime Applications**

Some cases taken by the service can lead to applications being made under the Proceeds of Crime Act 2002 (POCA) for confiscation of assets or a POCA investigation may run alongside an investigation into breaches. These are likely to be the most serious cases, where there is persistence of offending over a long period of time or where the offences are deemed to be "lifestyle crime" under POCA. Their purpose is to recover the financial benefit that the offender has obtained from his criminal conduct. WRS will look to use these provisions in an appropriate manner.

## **8.9 The use of Simple Cautions**

Where the public interest justifies it, the senior officer reviewing a case will consider offering a Simple Caution (or Reprimand/ Final Written Warning if the offender is below the age of 18.) In offering a Simple Caution, we will take account of the Home Office Guidelines in relation to the cautioning of offenders, and the Code for Crown Prosecutors. Where the offender is under 18 and a formal approach is being considered, appropriate bodies such as the Youth Offending Team will be consulted.

A Simple Caution requires an admission of guilt on behalf of the offender, however there is no sentence and there is no recorded conviction. A caution will remain on record for a period of 2 years and may be cited in Court should a further offence be committed and prosecuted during that time.

## **8.10 Injunctions**

Injunctive action is a civil law process that may be used to ensure that person or business desists from a particular pattern of behaviour or action. Whilst these are not the norm in dealing with regulatory matters, seeking an injunction may be the most appropriate method of disposal for an issue. A decision to seek an injunction would be taken by the legal officer for the relevant partner council and is most likely to be relevant where the

normal legal processes such as the issuing of notices and prosecution have not led to resolution of a problem. WRS officers will work with the relevant partner legal team to develop such cases and support them being taken through the Court process.

## **8.11 Other Orders available**

There are a range of orders available in law under various provisions that can be used to tackle what is widely described as “anti-social behaviour.” Where these provisions offer a suitable way of dealing with an issue, the service has sufficient resource to deal with the matter and has delegated authority from the relevant partner, the service will take them forward with the support of the relevant partner legal service. The service may refer such matters back to the relevant partner where there is another enforcement team better placed to deal with the issue.

## **8.12 Refusal, Suspension and Revocation of Licence/ Permit**

Where there is a requirement for a business to be licensed or permitted by the local authority, the licence/ permit may be granted under delegated authority unless representations or objections are received against the application. In the majority of such cases, a Licensing Committee or Sub-Committee will hear the case and decide to grant, grant with conditions, or refuse the licence application. In addition, in relation to the Gambling Act 2005, applications for premises Licence, the Licensing Committee can exclude a condition of licence.

Some Licensing or permitting regimes are based on specialist knowledge and have detailed guidance that would make decision making by a lay-person difficult. In such circumstances officers may have delegated authority to refuse, suspend or revoke such licenses. Where this occurs, the applicant/ licensee will be told why and provided with details of any available appeal process.

In most circumstances, a licence/ permit may be considered for suspension, revocation, or the application of further conditions, where officers become aware of either the commission of offences relating to the conduct of the business, or breaches of existing conditions or similar controls. In the majority of cases, these matters will be heard before the Licensing Committee (or a Sub-Committee,) of the relevant partner Authority, and the elected members will determine what action should be taken unless it is one of the matters mentioned above where officers can make a decision under delegated authority. In relation to the more specialised regimes where officers have full delegated responsibility for decision making, explanations of why further conditions/ suspension or revocation are necessary will be provided to the licence/ permit holder along with any routes of appeal that are available.

## **9.0 Additional Information**

The Senior Managers involved in making the more serious decisions will also have regard to legal advice from the relevant partner Head of Legal Services and will not instigate any legal proceedings without their authority.



## 9.1 Standards and Accountability

Where relevant WRS will create effective consultation and feedback opportunities to ensure we have continuing cooperative relationships with businesses and other interested parties.

We will ensure our officers provide courteous and efficient services to businesses. We will enable them to interpret and apply relevant legal requirements and ensure that they enforce requirements fairly and consistently between like-businesses in similar situations. We will take account of comments from businesses and other interested parties regarding the behaviour and activity of our staff.

## 9.2 Liaison with other regulatory bodies and enforcement agencies

Where appropriate, enforcement activities within Worcestershire Regulatory Services will be coordinated with other regulatory bodies and enforcement agencies to maximise the effectiveness of any enforcement.

Where an enforcement matter affects a wide geographical area beyond the County boundaries, or involves enforcement by one or more other local authorities or organisations; where appropriate all relevant authorities and organisations will be informed of the matter as soon as possible and all enforcement activity coordinated with them.

Worcestershire Regulatory Services will share intelligence relating to wider regulatory matters with other regulatory bodies and enforcement agencies, and examples include:

- Government Agencies
- Police Forces
- Fire Authorities
- Other Statutory Bodies
- Local Authorities

## 9.3 Further Information

Anyone requiring further information on this policy should contact Worcestershire Regulatory Services by writing to:

Worcestershire Regulatory Services  
Wyre Forest House  
Finpoint Way,  
Kidderminster,  
Worcestershire  
DY11 7WF

Or by e-mail to:

[wrsenquiries@worcsregservices.gov.uk](mailto:wrsenquiries@worcsregservices.gov.uk)

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### **CABINET**

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#### **NHB COMMUNITY GRANTS PANEL**

Relevant Portfolio Holder	Cllr Geoff Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	Jayne Pickering, Executive Director Finance & Resources
Wards Affected	<b>All</b>
Ward Councillor Consulted	N/A
Key Decision / Non-Key Decision	

#### **1. SUMMARY OF PROPOSALS**

- 1.1 The purpose of this report is to allow Cabinet to consider the findings and recommendations of the NHB Community Grants Panel for 2019/20.

#### **2. RECOMMENDATIONS**

- 2.1 **That Cabinet agree the grants, as detailed in the Summary of NHB Grants Panel Recommendations attached at appendix 1.**
- 2.2 **Should the scheme continue into 2020/21 then a full review of the process be carried out prior to the commencement of the grants allocation for that year.**

#### **3. KEY ISSUES**

- 3.1 This is the fifth year of the NHB Community Grants Scheme. It was agreed within the Medium Term Financial Plan that the amount of £74,000 would be available for any Ward that could show growth, to submit an application and to be considered by the Panel.
- 3.2 A project needed to be able to provide clear evidence how the community had been affected by growth and that that growth would be met by the project.
- 3.3 Involvement from Ward Councillors was encouraged and all grants had to receive formal approval by the Ward Councillor before being considered by the Panel.
- 3.4 Applications were broken down into two categories, Lower (up to £1,480) and Higher (between £1,481 and £14,800). A “checking” service was once again provided for any potential applications prior to the closing date. This gave applicants an opportunity to amend where

### **CABINET**

**4th September 2019**

necessary their applications to ensure that it would be considered by the Panel.

- 3.5 Applications were invited over the period from 7<sup>th</sup> May 2019 to 14<sup>th</sup> June 2019, with the NHB Community Grants Panel meeting on 1<sup>st</sup> August 2019 to consider the applications at a public meeting and on 7<sup>th</sup> August 2019 in a private meeting.
- 3.6 Following the public meeting the Panel considered the merits of each application and the recommendations are attached at Appendix 1. This provides details of all applications, together with any conditions attached to those which the Panel recommend receive a grant and the rationale for those which have been refused.
- 3.7 At the private meeting the Panel Members also considered the lengthy, time consuming process that is involved in bringing the scheme to its conclusion each year. The Panel therefore recommend that a full and detailed review be carried out should the NHB Community Grants Scheme continue in future years, in order to establish a more cost effective way to distribute the funds available.

#### **Financial Implications**

- 3.8 As detailed in Appendix 1 £74,000 grants have been recommended by the Panel to be approved by Members.

#### **Legal Implications**

- 3.9 There are no direct legal implications as a result of the grants being approved.

#### **Service / Operational Implications**

- 3.10 The allocation of funding will support the provision of projects within local communities and do not impact on the operational services provided by the Council.

#### **Customer / Equalities and Diversity Implications**

- 3.11 The scheme allows all communities that are affected by growth to apply for a grant.

### **4. RISK MANAGEMENT**

- 4.1 The annual scheme based on the additional funding received from NHB for each financial year mitigates the impact on the Medium Term

## **CABINET**

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Financial Plan and ensures that should NHB be revised in the future there is no future commitment from the Council.

**5. APPENDICES**

Appendix 1 – Summary of NHB Grants Panel Recommendations

**6. BACKGROUND PAPERS**

NHB Grants Scheme and FQAs

**7. KEY**

None

**AUTHOR OF REPORT**

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**NEW HOMES BONUS COMMUNITY GRANTS PANEL - APPLICATIONS 2019/20**

**Total Funds Available £74,000**

**Applications £1,480 and Under**

App No	Applicant	Application Details	Ward Councillor	Amount Requested	Amount Allocated	Comments
					By Panel	
L1	3 <sup>rd</sup> Bromsgrove Evergreen Scouts	Replacement of existing combi boiler	Cllr Maria Middleton	£1,480	Nil	
L2	3 <sup>rd</sup> Bromsgrove Evergreen Scouts	Installation of new unisex and disabled wc facilities	Cllr Maria Middleton	£1,480	£1,480	Provide detailed explanation as to why they only got one - can use for whatever they see fit from any of the projects.
L3	3 <sup>rd</sup> Bromsgrove Evergreen Scouts	Kitchen Enabling Works	Cllr Maria Middleton	£1,470	Nil	
L4	Age UK Bromsgrove	Supporting the growth and development of Bromsgrove Men In Sheds	Cllr Malcolm Glass	£1,400	£1,400	
L5	Alvechurch Parish Council	Wiggin Memorial Playing Field Storage Unit	Cllr Van Der Plank	£1,480	1,480	
L6	The Lounge, Alvechurch	Mental Health Awareness with New Come and Talk Sessions	Cllr Van Der Plank	£1,450	£1,200	
L7	Bentley Paucefoot Parish Council	Refurbish and enhance the village playground	Cllr Peter Whittaker	£1,480	1,480	
L8	Finstall Village	Tarmac area outside main entrance hall	Cllr Peter Whittaker	£1,400	Nil	
L9	Romsley Parish Council	Romsley Marl Hole Community Park	Cllr Karen May	£1,480	£1,480	
L10	South Bromsgrove High School	Keep Our School Litter Free	Cllr Michael Thompson	£960	£560	
L11	Wythall Parish and Residents	Defibrillator at Wythall Train Station	Cllr Sarah Hession	£1,480	£1,480	
L12	Rubery Festival	Rubery Festival	Cllr Peter McDonald	£800	£250	
L13	Rubery Festival Committee	Rubery Volunteers Night Out	Cllr Peter McDonald	£500	£250	Must make all 3 sustainable in the future and would not consider similar applications in future years. Provide details of Town Centres Manager for assistance with this.
L14	Rubery Festival	Rubery Got Talent	Cllr Peter McDonald	£290	£250	
L15	The Challenge Stroke Group	Day trip to Boats in Gloucester Cannals	Cllr Peter McDonald	£300	£300	
<b>TOTAL</b>				<b>£17,450</b>	<b>£11,610</b>	

**Applications Between £1,481 and £14,800**

App No	Applicant	Application Details	Ward Councillor	Amount Requested	Amount Allocated	Comments
					By Panel	
H1	Avoncroft Cricket Club	Dual Lane Cricket Net Facilities	Cllr Malcolm Glass	£14,800	£7,400	On the condition that the Sports England funds are secured.
H2	Belbroughton Recreation Centre	Belbroughton Playground Redevelopment	Cllr Karen May	£14,800	£10,000	
H3	Bromsgrove Baptist Church	Bromsgrove Youth and Community Hub	Cllr S. Hughes	£14,800	7,400	
H4	Cofton Village Hall	New Village Hall for Cofton Hackett	Cllr R. Deeming	£14,705	£2,500	
H5	Cofton Hackett Village Hall Committee	Refurbishment of Kitchen and Toilet facilities	Cllr R. Deeming	£10,000	£7,500	On the condition that baby changing facilities are also provided in the gents toilets.
H6	Friends of St John's Bromsgrove	Re-surface Adam's Hill	Cllr M. Middleton	£3,000	Nil	
H7	Kings Norton Rugby Football Club Ltd	Freehold Land Purchase (Clifford's Field)	Cllr C. Hotham	£10,000	£5,000	
H8	Primrose Hospice	Complementary therapy and counselling services for terminally ill patients, carers and the bereaved.	Cllr P. Whittaker	£14,800	£7,400	
H9	St Michaels Stoke Prior Tower Fund	Protecting the heritage through community engagement	Cllr Malcolm Glass	£14,800	£10,000	
H10	Haybridge High School	Replacement Minibus	Cllr Steve Colella	£12,500	£5,190	On the condition that they work with the Ward Councillor around the vehicles availability for wider community use.
<b>TOTAL</b>				<b>£124,205</b>	<b>£62,390</b>	

**OVERALL APPLICANTION TOTAL £141,655**



### Bromsgrove Plan Review Update

**Cabinet**

4<sup>th</sup> September 2019

### Bromsgrove Plan Review Update

Relevant Portfolio Holder	Cllr A Kent
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Wards Affected	All
Ward Councillor Consulted	Yes – via Strategic Planning Steering Group
Non-Key Decision	Yes

**1. SUMMARY OF PROPOSALS**

- 1.1 This Report provides and update on the Bromsgrove District Plan Review process and outlines the next steps to be taken over the following months.
- 1.2 There are four main sections to the report
- Response to the Issues and Options consultation
  - Plan Update and Further Consultation
  - Stage 1 Green Belt Purposes Assessment
  - The Call for Sites process

**2. RECOMMENDATIONS**

- 2.1 **The Committee is asked to RECOMMEND to the Council**
1. That Council notes the response to the Issues and Options Consultation (Appendix 1).
  2. That Council notes and publishes for consultation, the Plan Update and Further Consultation document (Appendix 2), for a period of 6 weeks from 30<sup>th</sup> September to the 11<sup>th</sup> November 2019.
  3. That Council notes the contents of the Stage 1 Green Belt Purposes Assessment (Appendix 3).
  4. That Council opens the Call for Sites process for a period of 6 weeks between 30<sup>th</sup> September to the 11<sup>th</sup> November 2019.
  5. That delegated authority is given to the Head of Planning and Regeneration Services in conjunction with the Portfolio Holder for Planning and Regulatory Services, to make any minor technical corrections and editorial changes deemed necessary to aid the understanding of the documentation prior to final publishing.

## Bromsgrove Plan Review Update

**Cabinet**

4<sup>th</sup> September 2019

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### 3. KEY ISSUES

#### Financial Implications

- 3.1 There are no financial issues associated with this report at the current time. As the Plan develops, further financial resources will be required to commission the technical evidence which will underpin the policies of the Plan Review. As part of the budget setting process a funding strategy will be required to progress the Plan Review to adoption.

#### Legal Implications

- 3.2 Early consultation on development plans is required by Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012.

#### Service / Operational Implications

#### Issues and Option Consultation response

- 3.3 The Issues and Options consultation took place between 24<sup>th</sup> September and 19<sup>th</sup> November 2018. Widespread consultation was undertaken across the whole District with officers arranging and attending at least 38 different events over the course of the 7 weeks.
- 3.4 The Council received representations from 196 individuals, organisations and statutory consultees, including the Environment Agency, Natural England and Historic England. These consultation groups are categorised as follows:
- 21 Statutory Consultees
  - 9 Duty to Co-operate Bodies
  - 15 Interest Groups
  - 83 Landowners/Agents
  - 68 Local Residents

The 196 individuals, organisations and statutory consultees generated 3,563 representations in total. The total representations received in relation to each consultation Issue is set out in the table below:

Consultation Section	Number of Reps
Vision & Objectives of the District Plan	140

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Issues and Options	13
Strategic Issue 1 (Scale & Timeframe of the new Plan)	261
Strategic Issue 2 (Growing the Economy and the Provision of Strategic Infrastructure)	105
Strategic Issue 3 (Rebalancing the housing market through housing growth)	212
Strategic Issue 4 (Broad Options for Development distribution and allocating land uses)	278
Strategic Issue 5 (Co-operating with the West Midlands conurbation to address wider development needs)	152
Housing	688
Employment	174
Transport	339
Town Centre and Local Centres	125
Social Infrastructure	177
Natural and Historic Environments	70
Climate Change and Water Resources	72
Sustainability Appraisal	29
Others	30
Green Belt Purposes Assessment Methodology	592
Site Selection Methodology	106

- 3.5 As can be seen from the table above the responses covered all elements of the consultation, with some elements generating more interest than others. This is not unsurprising for this stage in the consultation process. Appendix 1 of this report contains a summary of the responses for each of the sections above, as well as the full response tables where officers' responses to every representation can be seen in Appendix 1 of this report. Where possible, officers have responded in detail to the representations, however in many cases a detailed response cannot be provided at this stage in the plan-making process. Responses will be used to help formulate the evidence base and develop detailed policies for the Preferred Option version of the Plan. This is normal for this stage in the plan-making process; all responses are valued and will continue to be considered as the Plan evolves.
- 3.6 As can be seen from the summary section of Appendix 1, the responses we received in some instances did not provide a consensus view on a number of the topics or questions. In order to help inform the Preferred Option version of the Plan, it is felt that for some of the strategic issues further input is required. In order to facilitate that, a short Plan Update and Further Consultation document has been prepared for consultation to help further inform the development of the Preferred Option.

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#### **Plan Update and Further Consultation**

- 3.7 Appendix 2 contains the full version of the Plan Update and Further Consultation document. As described above, it is felt that further views should be sought on some of the more strategic issues which were contained within the original Issues and Options document. This document is not designed to re-consult on everything previously covered under Issues and Options, it is focussed on a number of key areas. The intention of this document is to bridge the gap between Issues and Options and the Preferred Option, by providing a possible direction of travel for some key elements of the Preferred Option.
- 3.8 The sections of the document are listed below.
- Timeframe and Scale of the Plan Review
  - Development Needs
  - Development Distribution
  - The Green Belt Exceptional Circumstances
  - The Call for Sites exercise and approach to Site Selection
  - Evidence Base
  - Infrastructure provision
  - Neighbourhood planning

#### **Stage 1 Green Belt Purposes Assessment**

- 3.9 Alongside Issues and Options consultation was consultation on a methodology for the Green Belt Purposes Assessment. The Green belt in Bromsgrove has not benefited from a full assessment for a considerable number of years. The District Plans adopted in 2004 and 2017 did not benefit from the full extent of the Green Belt being assessed against the purposes of the Green Belt as defined in the National Planning Policy Framework (NPPF). During the Examination of the current District Plan, which was adopted in 2017, discussions at one point did focus on the need for a full Green Belt assessment to inform future versions of the Bromsgrove District Plan.
- 3.10 Appendix 3 to this report contains the Stage 1 Green Belt Purposes Assessment. This document should be read as the first stage in a wider process of Green Belt and site allocation work, which will ultimately inform the Preferred Option version of the Plan Review. This document does not, and is not intended to justify the release of land from the Green Belt; it does not consider the development potential of land, it is purely intended to establish a baseline of how the Green Belt currently performs against the purposes of the Green Belt.

## **Bromsgrove Plan Review Update**

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- 3.11 It is not possible to draw very specific conclusions about individual Green Belt parcels or the Green Belt as a whole as at this stage in the process, this is not an unexpected outcome of the work. As can be seen from the maps and table within the document, and the individual parcel assessments, the Green Belt performs differently against the different purposes depending on the location of the parcel and the land around it. This Assessment has provided a baseline for the more detailed site assessment and Green Belt assessment work to follow.

#### Call for Sites.

- 3.12 It expected that the most intensive element of the Plan Review process will be the consideration of development sites to meet future development needs. As has been discussed in both the original Issues and Options document and also the Plan Update and Further Consultation document (Appendix 2 to this report), land will have to be released from the Green Belt to meet these future development needs.
- 3.13 At the time of the Issues and Options consultation it was hoped that a detailed Site Selection Methodology could be established prior to the Call for Sites process. What has become clear after considering the responses to the consultation, is the inability to publish a detailed and fixed Methodology at this stage, without understanding the full extent of evidence that may be presented to the Council . The intention is now that the Methodology is developed to inform the Preferred Option, and which will be fully explained when the Preferred Option is published in due course.
- 3.14 The Call for Sites will now consist of a detailed form which will be required to be submitted for all sites. It has been designed to allow officers to begin to assess the potential of sites for possible future development. It is expected that many sites will be submitted across the District with differing levels of information to support them. It will be important for officers to fully understand the potential of all these sites and therefore as the Plan progresses it may be necessary for officers to request that further supplementary information is submitted in relation to proposed sites.

#### Next Steps

- 3.15 Following on from the Plan Update and Further Consultation and the Call for Sites process, a new timetable for Plan production will be produced and presented to members. This will take into account the likely amount of work the Call for Sites process has generated. The diagram in Appendix 2 to this report shows the stages of plan production we are intending to follow.

#### **Customer / Equalities and Diversity Implications**

## **Bromsgrove Plan Review Update**

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- 3.16 All the material associated with this report will be placed on the Council's website and notices sent out to all those statutory and non-statutory consultees on our database. This will include all those people and organisations that responded at the Issues and Options stage, and anyone who has requested to be kept informed of the plan-making process. Any further consultation will be carried out in line with the adopted Statement of Community involvement.

#### **4. RISK MANAGEMENT**

- 4.1 At this stage in Plan preparation the risks are low, although should the Plan Review not commence and proceed in a timely manner there is a risk that the Council is left without an up to date Plan. An inability to control development across the District could result in development taking place in areas which may not be the preferred locations of the Council

#### **5. APPENDICES**

Appendix 1 - Issues and Options Consultation Responses  
Appendix 2 - Bromsgrove District Plan Update and Further Consultation  
Appendix 3 - Bromsgrove Stage 1 Green Belt Purposes Assessment

#### **6. BACKGROUND PAPERS**

Please see District plan evidence base available here

<https://www.bromsgrove.gov.uk/council/policy-and-strategy/planning-policies/bromsgrove-district-plan-review/evidence-base.aspx>

#### **AUTHOR OF REPORT**

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Tel: 01527 881325

# APPENDIX 2

## **Bromsgrove District Plan Review Update and further Consultation**

### **1 Purpose**

1.1 The purpose of this document is to provide an update on the key Strategic Issues which may guide the Bromsgrove District Plan (BDP) Review and outline the next steps towards developing a preferred spatial strategy and accompanying policies. The update below has been directly informed by the previous consultation on the Issues and Options which took place from September to November 2018. A separate report which outlines the key findings of this consultation can be viewed at [www.bromsgrove.gov.uk/strategicplanning](http://www.bromsgrove.gov.uk/strategicplanning).

1.2 The considerations below are not policies and should not be read as such. They should be read as a possible direction of travel for strategic issues which could appear in the Preferred Option version of the BDP Review, providing the next 'step' in the plan making process. This paper only addresses Strategic Issues; there are many other issues which were highlighted during the issues and options consultation, which will be appropriately addressed later in the plan-making process.

1.3 If you submitted comments to the Council on matters not covered in this paper, you do not need to submit them again, we will return to the comments we received at an appropriate time in the future. However at this stage we would invite you to submit comments on any aspect of the document below.

### **2 What do we want to know from you?**

2.1 Is the broad direction of travel as articulated below the correct high level approach?

2.2 If not, what else should be considered or included?

2.3 Are there any Strategic issues not mentioned below?

2.4 Are there any other pieces of evidence that you feel the Council will need?

### **3 Context**

3.1 Reviewing the Bromsgrove District Plan is a requirement originally set out in the current version of the Plan in Policy BDP 3.1, because at that time the plan did not allocate enough housing land in locations not covered by Green Belt designation. Whilst it is still the intention of the BDP Review to allocate the unmet need of 2300 houses up to 2030, as explained in section 4 below the Plan should now look beyond the 2030 time period, and new end date of 2040 is now being suggested.

3.2 A requirement of government policy in the National Planning Policy Framework (NPPF) is to review plans to ensure they are kept up to date and relevant. Paragraphs 31 to 33 of the NPPF outlines the government approach to when and how plans should be reviewed, this states that plans should be considered for review at least every 5 years. When taking account of the need to consider a review of the BDP within 5 years coupled with the requirements of 3.1 of the BDP 2011 -2030, it is clear that the BDP needs to be reviewed now in order to maintain up to date plan coverage for the District.



## **4 Timeframe and Scale of the Plan Review**

4.1 The NPPF requires that plans look ahead for a minimum of 15 years from adoption. Our current draft timetable indicates that we will adopt the reviewed Plan in 2023 meaning that original end date of 2030 is now not appropriate. In order to align with infrastructure planning at a Worcestershire County level which includes strategic Transport infrastructure, it is proposed that the new BDP will have likely start date of 2023 and an end date of 2040.

4.2 Reflecting responses received at Issues and Options stage, it is also proposed that the plan will only cover the geographic area covered by Bromsgrove District Council, although discussions under the duty to cooperate will establish any needs from other authorities which the plan could cater for.

## **5 Development Needs**

5.1 Prior to compiling a comprehensive evidence base, the quantum and precise nature of development needed to meet the District's needs is unknown at the present time, but it is likely that site allocations will be needed for a range of land uses, including:

- Housing (including specialist accommodation for older persons, affordable housing, self-build homes Traveller sites, including Travelling Showpeople)
- Economic development uses (including offices, storage and distribution and industrial buildings)
- Retail
- Community facilities
- Leisure facilities

5.2 As required by the standardised methodology for local housing need in the NPPF, the reviewed BDP will need to provide for a minimum of 379 new dwellings per annum equalling 6443 up to the 2040. The Council notes the role of small sites in contributing to meeting housing needs of an area. The NPPF requires that Council's should identify land to accommodate at least 10% of their housing requirement on sites no larger than one hectare. Applying the 10% requirement to Bromsgrove would mean approximately 640 dwellings would be provided on smaller sites. A detailed Housing Needs Assessment will be carried out to look into the housing issues across Bromsgrove District more closely, and establish any additional and specialist needs over and above those identified in the standardised methodology, this is a requirement of Planning Practice Guidance.

The Council notes the role of small sites in contributing to meeting housing needs of an area. The NPPF requires that Council's should identify land to accommodate at least 10% of their housing requirement on sites no larger than one hectare. Applying the 10% requirement to Bromsgrove would mean approximately 640 dwellings would be provided on smaller sites."

5.3 The BDP will also look to provide a step change in employment delivery to ensure that Bromsgrove's economy can grow in a sustainable but positive manner. Basic economic forecasting would suggest that over the period to 2040 only a very small amount of additional employment land would be required. In order to investigate this step change further, more detailed scenarios have

been developed which suggest that the new employment land required for the District could be up to 90 hectares.

5.4 In the adopted BDP, the Council committed to consider its ability to accommodate some of the unmet housing requirement of the Greater Birmingham HMA. Alongside this and to ensure the District grows in a sustainable manner, the housing and employment growth will need to broadly align. It should therefore be emphasised that the above local housing need figure generated by the standard methodology is a minimum. It is anticipated that the housing requirement in the BDP Review will ultimately be higher than this, to reflect the following:

- any additional housing needs of Bromsgrove District identified in the Housing Needs Assessment or to align with the districts employment needs
- any requirement to partially meet the needs of the conurbation

5.5 NPPF Green Belt policy states that when reviewing plans and Green Belt boundaries; *where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period.*; If this policy is to be complied with, additional land will also need to be taken out of the Green Belt for the post 2040 period.

## **6 Development Distribution**

6.1 Whilst it is not possible at this stage to be definitive on where the above development needs will be accommodated, there was some general consensus that a combination of the some of the identified options at Issues and Options stage would be the most likely and favourable approach to meeting future development needs

6.2 There was clearer support for Options 1) *Focussing Development on Bromsgrove Town & Option 2) Focus Development on transport corridors and locations with good transport links.*

6.3 Option 5) *Focus development on the edge of the conurbation, along the border with Solihull/Birmingham and Dudley* was the most favoured approach for accommodating development to meet the needs of the Wider Housing Market Area.

6..4 There was also a level of support for Option 4) *Disperse development around the District, allocating some new growth to a variety of settlements to allow them to grow and sustain services*

6.5 It was generally accepted that Option 9 Urban intensification - *Focus development in existing urban areas and the potential to increase densities on allocated sites in the current BDP* would not be able to play a significant role in meeting future development needs. Overall there was the least support for Option 7 *Focus development in a new settlement* due to concerns about land take and timescales for delivery within the Plan Period.

6.6 What appears to be clear from the Issues and Options responses is that extensions to existing settlements are favoured over large scale interventions such as new settlements. Alongside the lack of support for a new settlement, it is also unrealistic to suggest that a new settlement in excess of 10,000 dwellings and the associated infrastructure could be delivered by 2040. Therefore it is suggested that the BDP Review will focus on a range of sites which can be delivered within the

timeframe of the Plan, rather than more fundamental intervention such as ‘new’ settlements in the order of 10 -15,000 dwellings. The final distribution will be informed by the evidence collected to inform the plan including the call for sites.

## **7 The Green Belt Exceptional Circumstances**

7.1 A key element of the review is the future consideration of the Green Belt. The NPPF at para 137 requires that the following elements need to be considered to help establish if exceptional circumstances exist

*“...whether the strategy:*

*a) makes as much use as possible of suitable brownfield sites and underutilised land;*

*b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*

*c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.”*

7.2 When taking into account the likely level of development needs across the District it would appear that a) above will not provide for the amount of land needed to accommodate the growth needs. The lack of previously developed land (PDL) has been a consistent feature of planning across Bromsgrove for a considerable period of time. This lack of PDL has led to Green Belt land being released in previous plans, and it is expected to be a feature of this plan review. This lack of PDL also draws into question b) above. Whilst some density optimization may increase the amount of development on available sites, the lack of available sites in the first place would suggest that this policy will not overcome need to realised Green Belt land.

7.3 Whilst discussions with neighbouring authorities will be an ongoing feature of the BDP review, through the preparation of the current Bromsgrove District Plan and other development plans across the West Midlands It has also been established, that neighbouring authorities are relying on more rural districts such as Bromsgrove District to accommodate the needs of the conurbation. Therefore it is unlikely that discussions as identified at c) will allow for the development needs of Bromsgrove to be met in non-Green Belt authorities elsewhere.

7.4 A conclusion that could be drawn from the above is the review of the BDP does have exceptional circumstances to support amending green belt boundaries to allow for future development needs.

## **8 The Call for Sites exercise and approach to Site Selection**

8.1 Alongside the publication of this further consultation paper, the Council is launching a ‘Call for Sites’ exercise, where we are inviting landowners, their agents and the public to submit sites to us which they feel have development potential. To guide this process, we have produced a Call for Sites form and table of Identified Considerations. These Considerations provides guidance to

developers and landowners on some of the factors and constraints we will be using when assessing the submitted sites.

8.2 Potential sites for development will be drawn from a range of sources, namely:

- Sites submitted through the Call for Sites process
- Existing Strategic Housing Land Availability Assessment (SHLAA) sites
- Current allocations in the Bromsgrove District Plan
- Site identified by Planning Officers
- Any sites identified in emerging Neighbourhood Plans, and
- a review of Village Envelopes

8.3 It is anticipated that the Council will receive a high volume of sites for consideration, some of which may not represent sustainable locations or be consistent with the spatial strategy for the District which will emerge as the BDP Review progresses. A more specific methodology for selecting sites will develop as the evidence base is collected. This methodology will aid the consistent and objective assessment of sites in a timely manner to inform the BDP Review. The Preferred Option plan and its supporting evidence base, which is envisaged to be the next substantive stage after this consultation, will explain the approach that has been taken to site selection and provide justification for why sites have been included in the Plan or dismissed.

## **9 Evidence Base**

9.1 The Council has begun to gather evidence to inform the BDP Review. A key piece of work since the Issues and Options consultation has been Stage 1 of the Green Belt Purposes Assessment which is now complete and published alongside this paper. This Assessment divides the District into strategic parcels and assesses them against relevant Green Belt purposes from the NPPF. At this stage the Stage 1 Green Belt Purposes Assessment does not look at the development prospects of any piece of land, this will follow as part of the Preferred Option preparation.

9.2 Over the coming months, the Council will gather further evidence to inform our policy approaches for the Preferred Option. Below is a list of the key pieces of evidence that are likely to be needed, it is also envisaged that additional evidence will emerge or be requires as the Plan progresses:

- Green Belt Purposes Assessment (Stage 2)
- Strategic Flood Risk Assessment
- Strategic Transport Assessment
- Infrastructure Delivery Plan
- Sustainability Appraisal
- Settlement Hierarchy Background Paper
- Housing Needs Assessment and Employment Needs Assessment
- Landscape Character Assessment / Landscape visual impact assessment
- Green Infrastructure Strategy
- Viability Assessment
- Site Selection Assessment
- Duty to Cooperate discussions

Are there any other pieces of evidence that you feel the Council will need?

## **10 Infrastructure provision**

10.1 A clear theme from the Issues and Options responses is the need to plan comprehensively for future infrastructure and in particular transport infrastructure. Therefore the Plan will be prepared taking into account the ability to use existing infrastructure capacity. If, as is expected the existing capacity does not facilitate the levels of growth required, the distribution of future growth will be directly influenced by evidence such as the strategic transport assessment which establish the ability for existing capacity to be upgraded or new infrastructure provided in a sustainable and viable manner.

10.2 Infrastructure assessments will feed into the process for developing the spatial strategy and for choosing appropriate sites as early into the process as possible, ensuring that the Plan is making the best use of any existing infrastructure and that new infrastructure is clearly able to deliver the planned growth.

## **11 Neighbourhood planning**

11.1 Neighbourhood planning is a growing feature of the planning system and in the district we now have one 'made' Neighbourhood Plan (NP) covering Alvechurch Parish and also the Lickey & Blackwell and Cofton Hackett NP currently at examination.

11.2 For those NP areas where progress is less advanced, and where there is a desire to prepare a NP, it will be preferable that NPs are prepared in tandem with the BDP Review. The NPPF 65 at para states that within the overall housing requirement for a local authority, "...strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations." In advance of up-to-date district-wide housing needs evidence being produced, and whilst the future spatial strategy for the district is emerging, it is not possible at this stage of the BDP Review to provide a housing requirement figure

11.3 However NPPF para 66 goes on to say that "where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by a neighbourhood planning body." It will be particularly important, where it is the intention of a NP to allocate land for development that any allocation(s) can contribute to meeting the strategic development needs in the BDP Review. The District Council will work closely with neighbourhood areas to ensure a local housing requirement is in conformity with the district's housing requirement and distribution of development.

## **12 Summary**

To summarise, the broad direction of travel for the BDP Review is suggested as

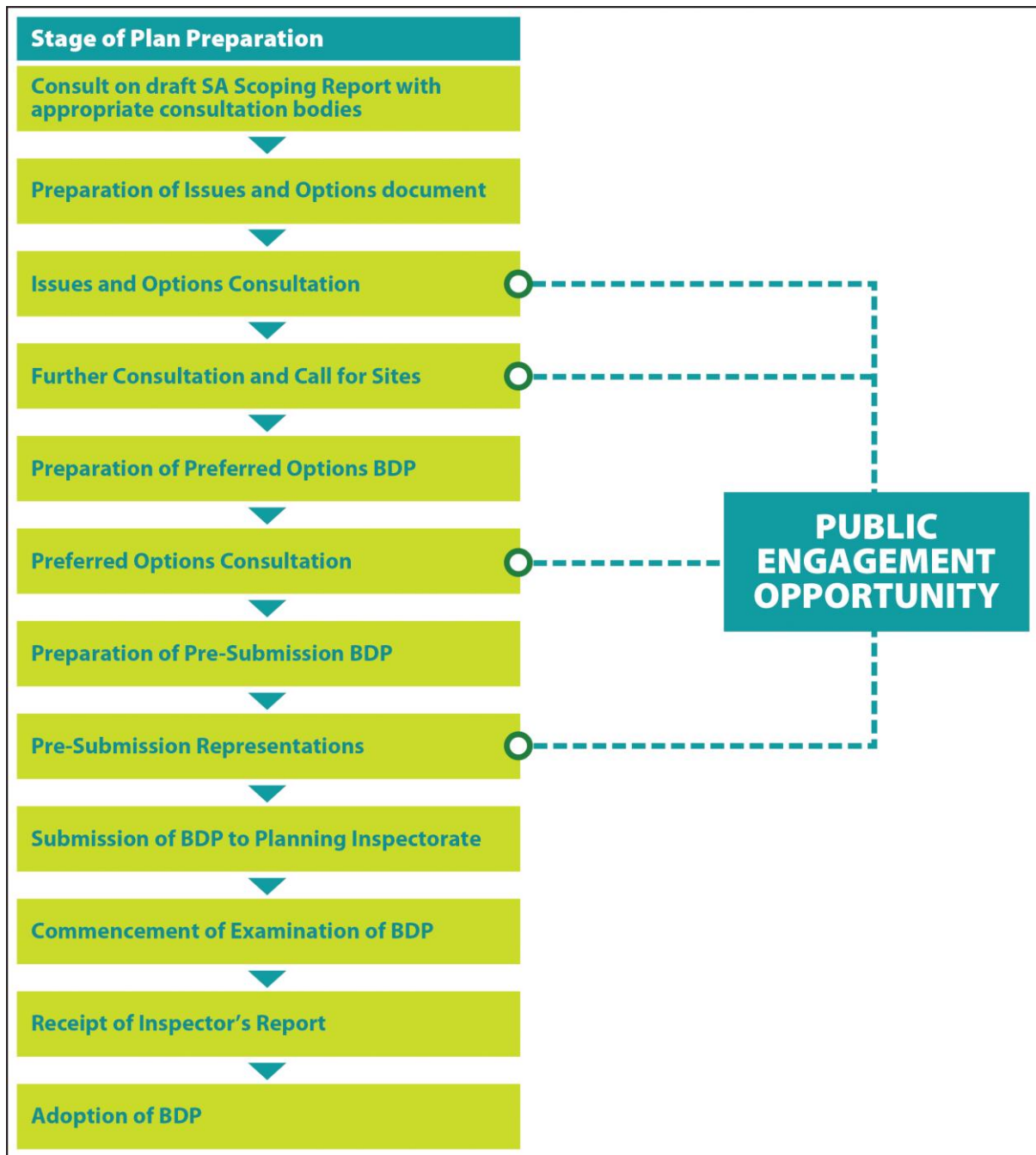
- The necessity to review the current plan still exists.
- Plan for the period up to 2040.

- Identify land for housing needs using the standard methodology as a starting point and taking account of specialist local housing need, balancing housing with increased employment aspirations, and considering the housing needs of the conurbation.
- Removing additional land from the Green Belt to be held as safeguarded land to meet post-2040 development needs.
- Removing land from the Green Belt to allow for the above to happen.
- Continue with the Call for sites process and identifying possible sites from a range of sources.
- Continue to assemble the evidence base
- Infrastructure provision playing a key role in the development of the Strategy
- Continue to work with Neighbourhood planning groups and where possible align the development of the Neighbourhood plan with the plan review process, in order allocate suitable housing requirements to Neighbourhood Plan Areas, where appropriate.

## **13 Next Steps**

13.1 The diagram below shows how we envisage the plan process being carried out in relation to the BDP Review. It can be seen from the diagram that following this consultation and the call for sites exercise the next substantive step is likely to be the preferred option.

13.2 Due to the complex nature of preparing a local plan the Council may decide to alter the process below if circumstances dictate that additional work of consultation is required. The Council's website [www.bromsgrove.gov.uk/bdp](http://www.bromsgrove.gov.uk/bdp) will be updated as necessary to keep all those involved in the process as up to date as possible, please check the website regularly for updates on the plans progress.



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## BROMSGROVE DISTRICT COUNCIL

### Response to Worcestershire County Council Passenger Transport Strategy **Cabinet** **4<sup>th</sup> September 2019**

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#### Response to Worcestershire County Council Passenger Transport Strategy

Relevant Portfolio Holder	Cllr A Kent
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Wards Affected	All
Ward Councillor Consulted	N/A

#### **1. SUMMARY OF PROPOSALS**

- 1.1 In June 2019 Worcestershire County Council published its Passenger Transport Strategy (The strategy) for consultation. The strategy is seen as a positive step in addressing how public transport across Bromsgrove will operate in the future and is to be supported. The BDC response is attached at Appendix A. The Strategy is listed as a background document and has been circulated to all members previously.

#### **2. RECOMMENDATIONS**

- 2.1 **That Cabinet recommend to Council that the response at Appendix A to the Worcestershire County Council Passenger Transport Strategy is endorsed.**

#### **3. KEY ISSUES**

##### **Financial Implications**

- 3.1 There are no financial implications of this report

##### **Legal Implications**

- 3.3 There are no Legal implications of this report

##### **Service / Operational Implications**

- 3.5 The strategy contains 8 sections covering the Statutory Duties of WCC in relation to passenger transport, scene setting, geography and demographics, and the aim and objectives of the strategy. Then follows the more substantial elements of Home to School and Social Care Transport, Information & Infrastructure, and Delivery.
- 3.6 The comments at appendix A have been structured where possible to follow the questions in the questionnaire produced by WCC, where

## BROMSGROVE DISTRICT COUNCIL

### Response to Worcestershire County Council Passenger Transport Strategy

**Cabinet**

**4<sup>th</sup> September 2019**

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there was no specific question, the relevant sub heading from the Strategy have been used to give the comment context.

- 3.7 In general terms officers are happy that the strategy is a positive step in the right direction and is a document which will help inform other strategies and plans such as the review of the Bromsgrove District Plan. Further close working with WCC on the Strategic Transport Assessment will help to ensure that the aims and objectives of the strategy can then be translated into delivery though the planning process where possible and appropriate.

#### **Customer / Equalities and Diversity Implications**

- 3.8 Access to public transport services is an essential part of daily life for many of the districts residents. Ensuring services are maintained and enhanced in a sustainable way is vitally important. Whilst BDC has no direct control over many element of public transport provision. In responding to this consultation it's clear that BDC see it has a role to play working with WCC, to ensure that services are maintained, increased, and modernised wherever possible.

#### **4. RISK MANAGEMENT**

- 4.1 There are no risks associated with this report

#### **5. APPENDICES**

Appendix 1 – BDC response to Passenger Transport Strategy

#### **6. BACKGROUND PAPERS**

WCC Passenger Transport Strategy Consultation Document

#### **AUTHOR OF REPORT**

Name:

E Mail:

Tel:

## **Worcestershire County Council Passenger Transport strategy consultation.**

- 1 BDC are committed to continue working alongside WCC to improve the transport infrastructure across North Worcestershire and beyond. The passenger transport strategy is a positive step and another key document which will help inform other strategies and plans such as the review of the Bromsgrove District Plan review. BDC welcome the opportunity to work with WCC and other stakeholders, such as public transport operators, on implementing the strategy following on from this consultation period.
- 2 The focus of this response has been from the perspective of Planning and climate change. Where possible responses to the specific consultation questions posed have been answered, although opportunity has also been taken to address other issues not covered specifically by the questions asked.
- 3 The strategy contains a wide range of elements which are positive and can be supported. With increased numbers of houses to be built particularly in Bromsgrove Town, and with further housing and employment allocations to be made through the review of the Bromsgrove District plan, whilst the strategy can be supported, it is the view of BDC that more consideration should be given to how passenger transport considerations can influence spatial strategies.

WCCs consultation questions or Section headings have been repeated in **bold** below to give the context to the response.

### **WCC's aims should focus on meeting essential transport needs in most cost effective way**

- 4 If services are not cost effective then there is a danger that they could be lost, however there is a need to balance the human need with environmental and financial. The social advantages that services such as buses offer should not be overlooked, for some people the bus is the only realistic method of transport, and plays a vital role in allowing people to access day to day locations and services. If financial considerations take precedent and as a result much needed services are lost, then one of many implications will be increasing instances of social exclusion as people become isolated from the wider community in which they live. Instances of social exclusion may then places further pressure on other key local public services. A balance needs to be struck between the cost of the service and the impact it has on people's lives, especially more vulnerable people in society.
- 5 The strategy mentions it will 'Further support the objective in LTP 4 to limit the impacts of transport on the local environment. The environmental benefits of bus provision and in particular more energy efficient modern buses such as those with battery technology should play an increased role in the future fleet. Its key that public transport should be as sustainable as possible, methods which reduce harmful carbon emissions need to be introduced. Innovative power solutions such a solar charging of fleet at bus stations should be considered. All efforts to increase patronage and reduce cost with new innovations will be important in allowing services to operate successfully reducing any burden on the public purse that currently exists.

**Home to School transport should be considered for integration with local bus services.**

- 6 There is potentially a conflict of purpose / need of service for users in home to school transport. Integration between the various users groups should be explored. If a shared bus service can be achieved in a way which ensures higher quality and more frequent services though increase patronage, this will be a benefit to a larger amount of service users and potential new service users. This could also have additional benefits such as better community cohesion. An alternative model where pupil usage is high could be to continue to separate home to school and general use, although this is not considered the most sustainable way of operating buses.

**WCC should explore alternative local transport solutions.**

- 7 Agree; It would have been useful to see proposed alternatives. The strategy could elaborate upon issues such as;
- addressing accessibility issues for people with restricted mobility,
  - providing rural locations without a service that is viable,
  - community uber or similar type solution,
  - volunteer community drivers,
  - lower cost vehicles, such as 12 seaters that are more viable to run in rural areas,
  - promoting vehicles with the objective of injecting these solutions into the transport network,
  - bus stops with secure cycle storage (there should be secure storage at all transport nodes eg bus stops and train stations,
- 8 A key issue is the integration of existing modes, it is acknowledged that the strategy does include a section on modal integration, but it is BDCs view that this section lacks sufficient detail for it to be considered a robust strategy at this point. We agree further efforts should be made to join up key nodes throughout Bromsgrove and the district. For example Bromsgrove Town Centre, and Bromsgrove rail station. A more regular and convenient service which operates between key places, should allow for greater modal shift of people away from private cars onto buses and trains. Encouraging people to access the train station by means other than the car, or making it easier to access the train station at peak times from across the town would be advantageous, both from the point of sustainable transport but also encouraging linked trips to the tow centre, helping to support its vitality. Alternatives to the current traditional bus provision including using new technologies and EVs should be explored as a more sustainable option to providing rapid transit between the rail station and the town centre.
- 9 An essential element for more northern parts of the district served by the rail routes that feed into the West Midlands conurbation will be the policy on parking at rail stations. A strategy which ensures that the station car parks are used effectively and parking issues not displaced to other areas will be key. Collaboration with authorities in the conurbation to ensure that there is a coherent strategy for parking at all stations is essential.

**WCC should consider supporting new technology initiatives.**

- 10 Agree; including those which support sustainable transport integration live feed notices (delays, alternative routes), contactless payments, e-tickets and through ticketing. Also use of more sustainable technology in fleets (electric, hydrogen, etc.)
- 11 Smart traffic management such as,
- scheduling additional buses at expected peak times, particularly aligning the arrival and departure times with rail services,
  - giving buses right of way at traffic lights,
  - the creation of bus lanes where possible and appropriate,
  - Creating better links between bus and rail and shared uber/community rides etc. particularly to help support the weekend/retail and evening economy
  - Consider the potential introduction of a congestion charge at certain times, whilst ensuring adequate provision for those that need access via public transport, this could help address congestion issues within the town centre.

**To what extent do you agree with how we propose to decide if we financially support a particular bus service?**

- 12 Agree: supporting decision to provide access for residents to local centre (healthcare, education, shops etc.). However, we must have due regard to prioritising support to areas with higher population density over those with smaller populations. In theory, with adequate management & partnership working, commercial viability in urban areas could be higher. Funding support should not be targeted to urban areas to support poorly managed services, above much needed rural transport that is less commercially viable.
- 13 Deprivation, car ownership, primary journey purpose should be the primate indicator of the benefit of supporting the service, followed by economic viability. However, the strategy suggests that the economic viability of the service is the key priority.
- 14 The commitment to supporting community transport is welcomed. The strategy suggests that in rural areas WCC will work with Parish Councils and interest groups to define the most appropriate solution, BDC would be interested in also being part of this work. The work should not stop at defining the most appropriate solution; it also needs to deliver the most appropriate solution as well.

**Worcestershire Developments**

- 15 In the longer term this should be the focus of the strategy. Whilst decisions about where new development takes place are complicated, time consuming and influenced by a wide range of factors, the ability of new developments to help sustain existing passenger transport options or create new passenger transport option should not be overlooked. BDC welcomes the commitment to work *‘with planning authorities and developer to ensure development is brought forward in locations that offer genuine opportunities for access by a range of travel modes.’* WCC has already committed to developing a Strategic Transport Assessment (STA) and subsequent strategy with BDC as part of the plan review process. The

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STA and subsequent strategy needs to consider all options in terms of the facilitation of passenger transport at the outset. This means the correct tools need to be in place to ensure that the evidence for the required infrastructure is robust, so all infrastructure that is eventually identified to support development is deliverable.

- 16 BDC do not feel that the strategy of encouraging developers to engage with operators goes far enough or is early enough in the process; similarly whilst seeking S106 funding is an essential part of the planning system it should be considered from the outset. It is accepted that in some areas it will be difficult to align the need for development and passenger transport provision. As identified above locations for new development, where possible, should be in places where the development helps sustain existing or create new passenger transport opportunities, and this consideration should be part of the evidence collected to justify the development.
- 17 Leaving the engagement with developers and the operators once a site has been allocated, introduces the very real possibility that the development location is not one which is commercially viable for the operator, and therefore an acceptable passenger transport solution is not provided. Also if likely 106 requirements are not known from the outset before land is allocated, the amount of s106 which may be required for the passenger transport solution could be at a level which is not viable for the development to sustain, therefore again the service does not get provided as intended. Early meaningful and evidenced based engagement with all stakeholders will be key to the ensuring the scenarios above do not happen.
- 18 Other initiatives within new developers and where possible with existing developments, could be the use of some of the following to encourage the use of more sustainable forms of transport.
  - Work place parking schemes
  - Better promotion and education on alternative more sustainable modes
  - Better facilities within new development to encourage cycling and walking such as showers and lockers for staff members, or the ability to hire bikes and scooters
- 19 In conclusion we hope the above proves useful in informing the final strategy, BDC will continue to work with WCC on preparing a robust complimentary planning and transport strategies. Decreasing the reliance on personal motor vehicles and therefore assisting in the reduction of carbon emissions, improving air quality and reducing congestion, providing a better environment for residents and visitors to live and work in.

### **CABINET**

**4<sup>th</sup> September 2019**

#### **Worcestershire Strategic Direction for Tackling Homelessness**

Relevant Portfolio Holder	Councillor Shirley Webb
Portfolio Holder Consulted	Yes
Relevant Head of Service	Judith Willis
Wards Affected	All
Ward Councillor Consulted	Not Applicable

#### **1. SUMMARY OF PROPOSALS**

- 1.1 Under the Homelessness Act 2002 all housing authorities must have a homelessness strategy in place which is based on a review of all forms of homelessness in their district.
  
- 1.2 The Worcestershire Strategic Housing Partnership produced a high level Housing Partnership Plan in 2017, and a report detailing this came to the committee in 4<sup>th</sup> April 2017. The Strategic Direction for Tackling Homelessness contained in Appendix 1 expands on the themes contained in the 2017 plan, and sets out how councils across Worcestershire prevent and respond to homelessness.
  
- 1.3 The introduction of the Homelessness Reduction Act in April 2018 means that the Strategic Direction for Tackling Homelessness needs to be updated in light of these latest legislative changes.

#### **2. RECOMMENDATIONS**

**Cabinet is asked to note:**

- 2.1 the Worcestershire Strategic Direction for Tackling Homelessness.
  
- 2.2 that this document expands on previously agreed high level actions within the Housing Partnership Plan that relate to tackling homelessness.
  
- 2.3 that this document will need to be updated and renamed within the next 12 months to ensure compliance with the new national Rough Sleeping Strategy with amendments being made at officer level.

### **CABINET**

**4<sup>th</sup> September 2019**

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#### **3. KEY ISSUES**

##### **Financial Implications**

3.1 None

##### **Legal Implications**

3.2 Producing an up to date homelessness strategy is a legal requirement under the homelessness legislation.

##### **Service / Operational Implications**

- 3.3 In 2017 the Worcestershire Strategic Housing Partnership developed their first Housing Partnership Plan (HPP). This is the overarching document which sets out Worcestershire's combined strategic direction for housing including homelessness.
- 3.4 The HPP was subject to a 10 week public consultation ending on 31st December 2016 and committee endorsed the HPP in April 2017.
- 3.5 Many of the high level actions within the HPP and the projects/proposals developed to achieve them relate either directly or indirectly to the prevention of homelessness.
- 3.6 The conclusions and recommendations of the 2016 Worcestershire Homelessness Review fed directly into the development of the HPP. The review was a comprehensive assessment of the nature and extent of homelessness across the County, developed by analysing homelessness data and the views of customers and partner organisations.
- 3.7 Under the Homelessness Act 2002 all housing authorities must have in place a homelessness strategy based on a review of all forms of homelessness in their district.
- 3.8 The strategy must set out the local authority's plans for the prevention of homelessness and for securing that sufficient accommodation and support are or will be available for people who become homeless or who are at risk of becoming so.
- 3.9 The implementation of the Homelessness Reduction Act which came into force on 3<sup>rd</sup> April 2018 and the new Homelessness Code of Guidance developed by Government to assist Local Authorities to implement the Act has subsequently placed further requirements on Authorities strategic response to preventing homelessness.



### **CABINET**

**4<sup>th</sup> September 2019**

- 3.10 The Act strengthens statutory duties to prevent homelessness for all eligible applicants, including those who do not have priority need or may be considered intentionally homeless. The Act also creates a new duty on certain public authorities to refer users of their services who are threatened with homelessness to a housing authority of their choice, which enables earlier identification of people at risk of becoming homeless through their interactions with other services.
- 3.11 The Strategic Direction for Tackling Homelessness has been written to expand on the high level actions within the HPP and in response to the new duties of the HRA (which were not known in as much detail at the time of developing the HPP).
- 3.12 It is also recognised that to be effective, a strategic homelessness prevention response will need to be developed and owned jointly with partners who will be responsible for its delivery. This document will now provide an opportunity to develop an effective implementation plan, with partners, to help ensure that the objectives set out in the homelessness strategy are achieved.
- 3.13 The Strategic Direction for Tackling Homelessness 2018-21 was publicly available for consultation from 24<sup>th</sup> April until 19<sup>th</sup> June 2018. A countywide Stakeholder event was also held at Wyre Forest District Council on 22<sup>nd</sup> May 2018.
- 3.14 On 13<sup>th</sup> August 2018, the Government published a Rough Sleeping Strategy with the aim of supporting everyone off the streets and into a home, and to end rough sleeping entirely by 2027.
- 3.15 Local Authorities have been directed to update their homeless strategies in light of this document and rebrand it as a Homelessness and Rough Sleeper Strategy by the end of 2019.
- 3.16 Whilst it is anticipated that some amendments to Worcestershire's homelessness strategy will need to be made, much of the national strategy is already encompassed within the document, so it is proposed those changes can therefore be made at officer level, rather than returning to the decision making process again at each district council.

#### **Customer / Equalities and Diversity Implications**

- 3.17 These are covered in the Equality Impact Assessment carried out for the original HPP.

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**4<sup>th</sup> September 2019**

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**4. RISK MANAGEMENT**

There are no risks identified.

**5. APPENDICES**

Appendix 1 – Worcestershire’s Strategic Direction for Tackling Homelessness 2019/20

**6. BACKGROUND PAPERS**

**None**

**AUTHOR OF REPORT**

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# Worcestershire's Strategic Direction for Tackling Homelessness

2018-2021



Agenda Item 9

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# Foreword by the Chair of Worcestershire Strategic Housing Partnership

**I am very pleased to introduce Worcestershire's Strategic Direction for Tackling Homelessness. It is the third homelessness strategy developed for the County and comes at a crucial time with the implementation of the Homelessness Reduction Act in 2018.**



This document represents the continued commitment that we have as a County to preventing homelessness in partnership, across sectors and districts. I would like to take this opportunity to thank all of the organisations and individuals who have contributed towards its development.

We are clear that we want to tackle homelessness in all its forms. Although the most acute and obvious form of homelessness can be seen among those sleeping rough, it is much wider than this. It can include those "hidden homeless" who might be sleeping on a sofa. It can also include those who have a roof over their head, but where it is not safe to remain, perhaps due to abuse or violence, or those living in a home that is unsuitable for a variety of reasons e.g. severe overcrowding, poor property standards, poor health.

Homelessness is experienced by single people, couples and families alike. It can be a consequence of individual risk factors and triggers, or wider structural issues that are beyond their control.

The effects of homelessness for families and individuals can be devastating and can have significant negative impacts on health and wellbeing, employment, education, and crime. It can also have significant costs to communities, local authorities and public services.

Tackling homelessness is becoming particularly challenging in today's tough external environment. Welfare reform has increased pressure on people's ability to manage their finances and access and sustain accommodation. The demand for social and affordable housing far outstrips supply.

Whilst reductions in public spending and additional duties contained within the Homelessness Reduction Act have increased pressure on housing and homelessness

services. We need to work together to ensure the best use and balance of limited resources.

This is why it is vital that this strategy sits at strategic partnership level within the umbrella of the Worcestershire Strategic Housing Partnership Plan - recognising that tackling homelessness benefits the economy, the health of our population, reduces crime and disorder, and reduces costs to the taxpayer. It should therefore be seen as all of our problem to solve.

Our approach to tackling homelessness is based around three priorities. Firstly, to prevent homelessness at a much earlier stage by targeting groups that are more vulnerable to becoming homeless (and developing complex needs in the future).

Secondly, to provide flexible and comprehensive responses to those in crisis and those with complex needs. We need to design services based on what is best for customers whose needs go beyond homelessness – so that they receive the services they need (not limited by existing practice or legislation).

Finally, to improve the supply of and access to good quality, affordable and supported housing.

This strategy will govern our approach for three years. However, in a period of new legislation, welfare reform and austerity measures, it is vital that it remains responsive.

## **Kevin Dicks**

Chief Executive of Bromsgrove and Redditch Councils and  
Chair of the Worcestershire Strategic Housing Partnership

## Two

# Introduction

**The causes of homelessness are complex, and it is often a combination of individual circumstances as well as structural issues (that are often outside of someone's control) that lead up to crisis point.**

Each person or household's journey into homelessness is different and requires a tailored and flexible approach in order to prevent it from happening.

It is widely recognised that individual risk factors and triggers such as poor mental or physical health, adverse childhood experiences, substance misuse, and domestic abuse can increase the risk of homelessness. Recent research found that the chances of experiencing homelessness by age 30 can be predicted by childhood poverty, geography, adverse experiences as a teenager and early adult experiences.

It is vital that the right interventions and solutions are provided at the right time in someone's life, to prevent crisis and a reoccurring cycle of homelessness. The earlier, more "upstream" the intervention, the more chance there is of avoiding a situation that is complex and expensive to resolve, both in the human and financial sense.

Structural issues such as the demand for social and affordable housing outstripping supply, welfare reform, and affordability/access to private rented housing also impact on levels of homelessness.

In order to carry out more "upstream" prevention activities and to mitigate the risk of structural issues resulting in homelessness, true collaboration across statutory, voluntary and community sectors is required – now more than ever with the implementation of the [Homelessness Reduction Act](#) in 2018.

It is also important to recognise that however good our upstream prevention efforts, there will always be some people who find themselves homeless, therefore the need to take a systemic approach and co design services to help people not just at crisis point, but also to recover and move on from homelessness is essential.

To ensure this systemic approach is taken, this document sits within the umbrella of the [Worcestershire Housing Partnership Plan 2017](#), in recognition that homelessness is not just a housing issue and needs to sit within the wider context if we are to truly tackle it.



# Three

## Worcestershire Housing Partnership Plan 2017

In 2017 the Worcestershire Strategic Housing Partnership developed their first Housing Partnership Plan. This is the overarching document which sets out Worcestershire’s strategic combined approach for housing including homelessness.

Creating the right home environment and meeting housing need is not only essential for residents, but is vital to enable the Partnership’s organisations to achieve their ambitions, policy objectives and duties, such as reduced homelessness, improved health and wellbeing, educational achievement of children and young people, employment, crime reduction and sustainable, resilient communities.

The Plan’s vision is:

*To create the right home environment for Worcestershire residents that is essential to their health, wealth and wellbeing, throughout life*

This new way of developing a partnership document/approach to housing for the County is viewed as a real step forward. It recognises that to maximise the health, wealth and wellbeing of residents and make the most effective use of existing resources, we need to work very closely with partner organisations across a range of sectors.



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To achieve its Vision, the Partnership Plan sets out five High Level Actions and a number of Projects to deliver on those actions. The links to the prevention of homelessness are clear throughout many, if not all, of the projects. Therefore, it is important to note that the Partnership Plan has set the Strategic Direction for Tackling Homelessness.

### Partnership Plan Projects

- Develop a county wide supported housing plan
- Undertake a whole systems review of support and accommodation for people with vulnerability or disability
- Develop an 'Housing First' approach to provide permanent housing quickly for homeless people and then provides services as needed
- Develop an intensive support provision for those with complex needs
- Establish clear pathways into support and accommodation for people with complex needs
- Deliver on the Interim Homelessness Action Plan 2017-2018<sup>1</sup>, central to which is preparation for the Homelessness Reduction Act 2018
- Jointly commission new models of accommodation for young people and care leavers
- Establish a multi agency approach to sharing information relating to issues in the private rented sector
- Demonstrate the impact poor housing has on health and social care intervention, to promote the strategic relevance and future design of services

This document will provide a more in depth focus on homelessness and provide the detail on how all the partners dealing with homelessness are going to work together to address the need at both a county and local level. It will provide the link to the wider strategies of our partners and each district council's corporate objectives.

<sup>1</sup> This action plan was developed as an interim measure to direct homelessness prevention activities whilst the Partnership Plan was in development and until the implications of the Homelessness Reduction Act were known. It will be superseded by this document.





## Four

# Defining Homelessness



Department for  
Communities and  
Local Government



Homelessness  
Reduction Act 2017

**The Ministry of Housing, Communities and Local Government (MHCLG) says that someone is considered to be homeless if “they do not have accommodation that they have a legal right to occupy, which is accessible and physically available to them (and their household) and which it would be reasonable for them to continue to live in.”**

## Homelessness Reduction Act 2017

The Homelessness Reduction Act (HRA) 2017 significantly reformed England’s homelessness legislation by placing duties on local authorities to intervene at earlier stages to prevent and relieve homelessness in their areas. It also requires Local Housing Authorities (LHA) to try to help households to secure accommodation but it isn’t a duty to rehouse all homeless households.

The HRA will also impose a duty on some public authorities to refer homeless cases to LHAs and the LHAs will work with public and non-public bodies to ensure an effective referral process. It is essential LHAs are clear to partners about the range of duties we now have.

Local Housing Authorities are bound by various Housing Acts defining what assistance they should provide to those facing homelessness. For further details on definitions of homelessness and the legal duties, please see Appendix One.

However this current legislation has been amended to further extend legal duties and these are outlined below.



# Five

## Impact of Homelessness

**Identifying and addressing the impact of homelessness for people at every stage of life is essential. The cost of homelessness is too high; for individuals, for communities, for Local Authorities and the tax payer, for it not to be considered a priority.**

One of the drivers of the Homelessness Reduction Act was the recognition that homelessness has a higher impact on single people and childless couples who are more likely to be considered “non priority” homeless. The Act will transform the way homelessness services are delivered and ensure that all eligible applicants are given some help to resolve their homelessness regardless of whether they have a “priority need.”

### The impact of homelessness on health and wellbeing

Homelessness affects many different household groups and happens for a variety of reasons. The table opposite outlines some of the reasons for homelessness and the variety of impacts homelessness can have on a person’s life. Some groups can be particularly adversely affected including young people and prison leavers, who perhaps don’t have the resilience, social networks and/or income to resolve the issues they face.

*“Young people who experience homelessness are at risk of embarking on a ‘career’ in homelessness, criminal justice and health systems, at significant cost to their own health and wellbeing, their families and communities, and to the public purse. Their potential to contribute to and benefit from society and the economy is affected by homelessness.”*

Social economic political factors that may lead to homelessness	Consequences of homelessness
<ul style="list-style-type: none"> <li>● Housing market failure including low levels of housing supply</li> <li>● Adverse childhood experiences</li> <li>● Family breakdown or poor relationships</li> <li>● Becoming a looked after child</li> <li>● Domestic abuse</li> <li>● Substance or alcohol misuse</li> <li>● Low income or benefit dependency</li> <li>● Involvement with the criminal justice system</li> <li>● Not in education, employment and training</li> <li>● Welfare reform</li> <li>● Public sector austerity leading to cuts in housing related support and other services</li> <li>● Teenage pregnancy</li> <li>● Overcrowding</li> </ul>	<ul style="list-style-type: none"> <li>● Poor mental health including stress for adults/children – common mental health problems are over twice as high among people who are homeless compared with the general population, and psychosis is up to 15 times as high.</li> <li>● Poor physical health- greater risk of infection (delayed access to health care / immunisations)</li> <li>● Lower education attainment for children especially if access to school places is affected</li> <li>● Social isolation and loneliness</li> <li>● Additional financial burdens</li> <li>● Greater likelihood of not being in education, employment or training</li> <li>● Substance or alcohol misuse</li> <li>● Young people in particular might face; exploitation, abuse and trafficking, involvement in gangs.</li> <li>● Likelihood of premature death, dementia or other long term health condition</li> <li>● Low self-esteem and confidence</li> </ul>

## Six

# Evidence Base - Worcestershire Homelessness Review 2016

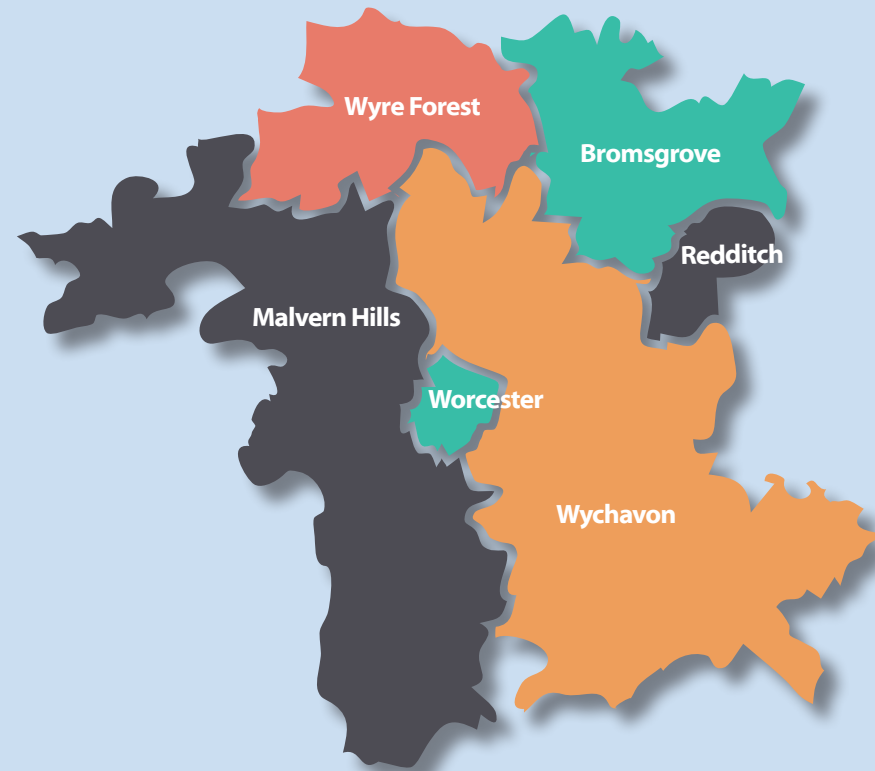
The evidence base for our Strategic Direction for Tackling Homelessness is the [Worcestershire Homelessness Review 2016](#).

**T**he review is a comprehensive assessment of the nature and extent of homelessness across the County, developed by analysing homelessness data and the views of customers and partner organisations.

It draws a number of conclusions and recommendations which have been used to develop our approach to preventing and managing homelessness locally, and these fed directly into the development of the Worcestershire Strategic Housing Partnership Plan.

It is vital that services are developed and delivered in partnership if we are to truly prevent homelessness from an individual, structural and systemic point of view. We believe that sitting our approach firmly within the Partnership Plan is the key to achieving this, bringing together statutory, voluntary and community organisations.

Local Housing Authorities are also working with the County Council in the development of the Joint Strategic Needs Assessment. The JSNA is designed to inform decisions made locally about what services are commissioned to improve the public's health and reduce inequalities; therefore, it is vital to make sure it contains robust homelessness data and supports the county's homelessness prevention approach.



## What did the Homelessness Review tell us?

Homelessness is increasing locally, as it is nationally. Successful prevention work across the county continues to have an impact as homelessness applications have remained relatively static whilst approaches for homelessness assistance have increased.

The impact of legislation, national policy, austerity measures and welfare reform will have a huge effect on housing options and the ability to continue preventative work at the same levels.

Welfare reform will impact the affordability of housing. There are concerns about whether there are any affordable housing options for some households, especially large families and those under 35 in the private rented sector.

The demand for social and affordable housing far outstrips supply, a buoyant private sector housing market means private landlords can afford to be selective.

Pressures on temporary accommodation are set to increase with the Homelessness Reduction Act.

The homelessness service does not adequately meet the needs of people with complex needs and the reduction in public sector budgets have meant the removal of housing related support for most homeless households.

The ending of Assured Shorthold Tenancies continues to be a major reason for homelessness, and should become a priority for prevention work.



Supported accommodation in Worcestershire

General lack of supported accommodation especially for victims of domestic abuse, young people, prison leavers and those with low level mental health or learning disabilities.

General lack of good quality shared accommodation, particularly for young people and those under the age of 35. Particularly acute in some areas.

It is becoming increasingly difficult to move people on from temporary accommodation not just due to affordability, but also due to complex or higher support needs and poor tenancy histories – both in the private and social rented sectors.

The Single Person and Childless Couples service focuses on prevention work and quickly moving those newly arrived to the streets into long term housing, but there is gap in provision for continuing and entrenched rough sleepers – this will be reduced by the new MOATS service (rough sleeper outreach) commencing in April 2018.

The Audit of Services identified a number of gaps in provision for certain client groups and also geographically. Gaps could increase as services become unviable due to further funding cuts.

## Recommendations from the review

### Increase the range of prevention services

- Protect and increase good quality, cost effective support services that will prevent homelessness from the earliest possible stage and equip people with the skills to establish and maintain lifelong independence (systems thinking approach).
- Develop pathways to ensure a different and more integrated approach to meet the needs of single people and families with complex needs e.g. mental and physical health, social care, substance misuse. Increase service provision to assist entrenched rough sleepers move off the street.
- Increase the use of tenancy ready schemes and tenancy support especially for those in private rented accommodation to improve access and to prevent homelessness.
- Explore gaps in service provision identified by the audit of services - mediation and reconciliation services, support for ex offenders, those with mental health issues, low level Learning Difficulties and Autism.
- Work with partners to improve people's wealth and resilience to prevent homelessness occurring throughout their lives - getting people into work, provision of debt advice/financial management and maximising benefits.
- Upscale communications on housing options and support services to avoid crisis point and improve likelihood of preventing homelessness. Review whether current systems are achieving this.



Improving communications to prevent homelessness



Helping rough sleepers move off the street



Getting people into work



Improving access to debt advice

### Increase the supply of accommodation

- Review and expand the provision of interim accommodation and permanent affordable accommodation, particularly for large families and those under 35 who are increasingly finding it hard to access any accommodation options. This may include a local authority owned/procured property.
- Consider how to overcome the lack of supported accommodation for care leavers (especially those with complex needs) and young parents.
- Consider the lack of direct access accommodation for individuals who are homeless in an emergency.
- Improve data recording and analysis to reflect the true nature of homelessness across the County.
- Analyse the cost effectiveness of homelessness services (cost of statutory vs cost of prevention).

## Achievements - Worcestershire Homelessness Strategy 2012-2017

**Through the work of the Worcestershire Homelessness Strategy 2012-2017 and recommendations from the Homelessness Review, we have been able to improve services across Worcestershire. Under the four goals set out in the Homelessness Strategy 2012-2017 we have achieved the following:-**

### Improving Pathways

- Reviewed the housing and support pathway for 16/17 year olds.
- Introduced Young People's Pathway Workers within housing advice teams.
- Mapped out local single homeless services and implemented prison and hospital pathways.

### Partnership

- Developed a Mental Health and Housing Protocol.
- Established closer working arrangements with Clinical Commissioning Groups and Health and Wellbeing Boards
- Developed agreements with Registered Providers to ensure that their response to flexible tenancies and affordable rent schemes does not increase homelessness.
- We now have one set of generic information for homelessness assistance with local elements for the majority of districts.
- Developed joint arrangements on the use of temporary accommodation and Rent Deposit Schemes across the County.
- Enabled the extension of Domestic Abuse support services, protected refuge accommodation and been able to carry out Survivor and Freedom programmes.
- Improved practice and procedure across Housing Benefit and Strategic Housing.

### Preventing rough sleeping

- Established No Second Night Out.
- Developed more accommodation for single homeless people including emergency crash pads and move on accommodation.
- Developed a personalised approach for entrenched rough sleepers.
- Provided an emergency shelter during extreme cold weather and provisions for severe hot weather.
- Enabled support for rough sleepers to return to the area where they can access their support networks and services.

### Reducing Financial Deprivation

- Secured funding through the Homes and Communities Agency for housing development.
- Established discretionary welfare schemes across the County.
- Developed plans to mitigate the affects of welfare reform locally.

During 2017 and 2018, Worcestershire Local Housing Authorities have been working to an Interim Homelessness Strategy Action Plan – whilst this new strategy is in development. This has resulted in:

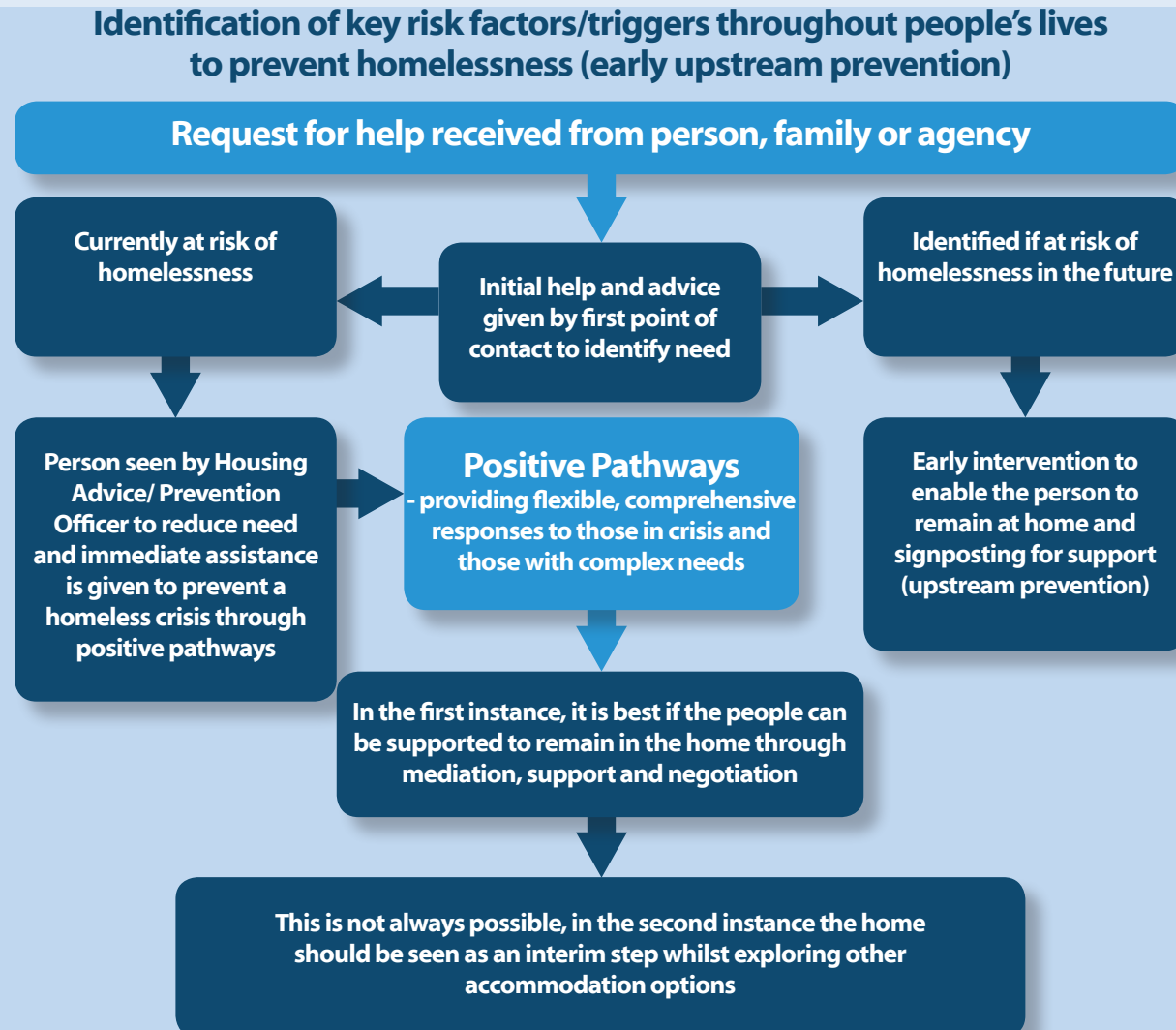
- Continued joint strategic work to implement the Homelessness Reduction Act.
- Utilising the Rough Sleepers grant of £380k to recruit six homelessness prevention officers working to prevent rough sleeping.
- Developing a new outreach service for entrenched rough sleepers through a joint bid led by Maggs Day Centre.
- The implementation of new data monitoring system to enable a better understanding of need and inform commissioning.
- Identification of funding to enable the continuation of the Hospital and Prison Pathway support work.

# Eight

## Positive Pathways Approach

Like many Local Authority Areas, the Positive Pathways Model first developed by St. Basil's (in relation to young people) has been successfully implemented in Worcestershire. We would like to build on that success and extend the concept across all groups that might be more vulnerable to becoming homeless. The adjacent diagram and priorities explain how we will do this.

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# Nine

## Our Priorities for Tackling Homelessness

The Homelessness Monitor 2017 suggests that priorities for homelessness prevention should be based around – ‘upstream’ prevention (preventing homelessness at the earliest stage), systemic prevention (designing services based on what is best for people in crisis) and structural prevention (mitigating the impact of things that are outside individual control e.g. lack of affordable housing, welfare reform).

We need to minimise the risk of homelessness for people experiencing these factors to truly prevent it happening and reoccurring throughout life, to prevent a generation of homeless people with complex needs and to improve health and wellbeing.

The Homelessness Reduction Act provides opportunity to build on our preventative work with partner organisations and to identify those at risk of homelessness at a much earlier stage. However, it is becoming clear nationally and locally that the strengthened duties within the Act have increased pressure on local authority housing teams - and will require improved cooperation across sectors to truly prevent homelessness for all of our customers.

The Partnership Plan and the Homelessness Review evidence identified a number of priorities and actions to aim to end homelessness from these perspectives – and there are clear links with the Pathways approach we want to achieve.

### Priority One

#### Prevent homelessness at a much earlier stage

##### What do we want?

We want to prevent homelessness by identifying the key risk factors/triggers in people’s lives that can cause it, and take action at a much earlier stage.

##### What does this mean?

We know that individual risk factors and triggers such as poor mental or physical health, adverse childhood/early adult experiences, substance misuse, and domestic abuse can increase the risk of homelessness. Childhood poverty and geography also have a part to play in predicting homelessness.





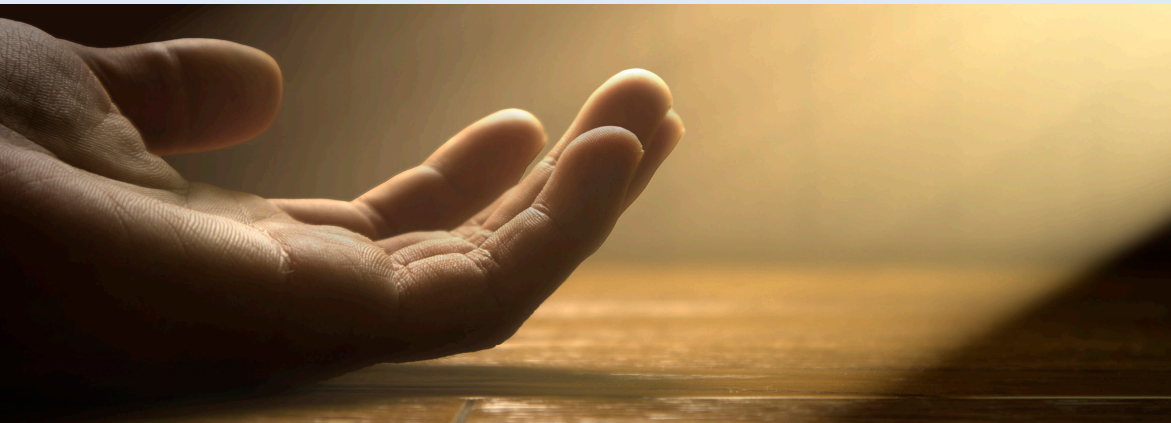
### What will we do?

- Gain commitment to the **‘Worcestershire Partner Agreement – Duty to Co-operate’** to achieve better joint working across sectors to prevent homelessness earlier.
- **Upscale engagement with/communications to customers, communities and partners** - it is vital that people know where to go to get help and advice on their housing and support options before crisis point – and that this continues throughout lifetimes.
- Identify **critical intervention opportunities** to divert people away from homelessness e.g. through GP’s, schools, custody suites, care leavers panels, prisons etc. Develop a shared approach for going into schools.
- Develop **housing and support pathways for specific vulnerable groups** so that customers and partners are clear on what tools/services there are in place to prevent homelessness for certain groups. This is a key legal requirement for statutory bodies under the Homelessness Reduction Act and we must work together to achieve this.
- **Increase our focus on single people** (including young people) and childless couples who are more at risk of becoming homeless and with **complex needs**.
- Take a **‘No First Night Out’ approach** - going further upstream to prevent rough sleeping before it even occurs.
- Identify and work with people at risk of losing private and social rented accommodation by **building on relationships with private landlords and developing pre-eviction protocols** with registered housing providers.
- **Improve data collection and analysis** across all sectors to understand need, commission services based on ‘what works’ and demonstrate the cost effectiveness of those services. Only by doing this will we commission the right things, and in partnership to ensure continuation funding beyond the life of this approach.
- **Protect and increase** good quality, cost effective, proactive support services and practical homelessness prevention tools.
- Work with our partners to **build family stability and supportive social networks within communities** – a key buffer to preventing homelessness and improving resilience.



“ There must be a focus on helping people to remain in their own homes (where it is safe to do so), prevention and support services should view losing accommodation as the last resort. ”

“ By investing in proactive, front line services we will avoid crisis situations and the use of Bed and Breakfast accommodation which is expensive and unsuitable, especially when people have to be placed in temporary accommodation out of area. ”



## Priority Two

### Provide flexible and comprehensive responses to those in crisis and those with complex needs

#### What do we want?

To design services based on what is best for people in crisis and for those whose needs go beyond homelessness – so that they receive the services they need (not limited by existing practice or legislation).

#### What does this mean?

However good our upstream prevention efforts, there will always be some people who find themselves homeless or threatened with homelessness. This is why an improved systemic response (particularly in relation to single homeless people) provided for in the Homelessness Reduction Act is so important for us to achieve.

We must also focus on providing sustained support required by homeless people with needs beyond housing.

Our evidence locally tells us that large families and those with complex needs find it particularly challenging to maintain and access housing, often due to poor tenancy/housing histories. Their needs are not just about housing and they will require intensive support provision to resolve their housing need - for example those with mental health or substance misuse problems.

#### What will we do?

- Develop a **Housing First Model** - an approach to provide permanent housing quickly for homeless people with mental health issues and then provides services as needed. This is shown to drastically reduce rough sleeping.
- Develop different and more **integrated pathways to meet the needs of families and single people with complex needs**. Clearly set out what services are available, clarify how referrals are made and when posts/services are at risk/ending. Map services and identify gaps.
- Develop an **intensive support provision** for individuals and families with complex needs. Consider focus on mental health, substance misuse, domestic abuse, tackling loneliness and isolation, improving social skills.
- Address the current gap in provision for continuing and entrenched rough sleepers through providing an outreach support service and via the County's Severe Weather Emergency Protocol (which provides shelter to those sleeping rough over the winter period when temperatures hit zero degrees). Address the gaps in provision for care leavers; increasing housing provision for those with complex needs, improving processes to avoid B&B placements, ensuring they are tenancy ready and in work where possible and carrying out joint working/training across teams so that housing expectations are realistic.
- Consider the role of **complementary therapeutic treatments** and support/conciliation to help reduce conflict with neighbours/in shared tenancies.

*“ The use of psychological or trauma informed care in commissioning and treatment/support services is key to the design of this intensive support service – the need to recognise the impact of life experiences on behaviours – and needs to be understood across sectors. ”*

## Priority Three

### Improve supply of/access to good quality, affordable and supported housing

#### What do we want?

We want to ensure that we work together with partners to make the best use of land and property assets – to meet affordable and supported housing needs.

We want any barriers to accessing accommodation for particular groups to be overcome for example low income households, those with poor tenancy histories, those with high support needs.

#### What does this mean?

There is not enough affordable housing to meet the need, both nationally and locally. There are also some identified groups who are acutely affected by welfare reform including those under the age of 35 and large families for whom affordability is a huge factor, for any type of housing, including affordable housing.

Other groups such as those with certain support needs, or with poor tenancy histories find it difficult to access any type of housing. If people within these groups become homeless, they often have very limited housing options and remain in temporary or “move on” accommodation for some time. This is often not suitable for the household, and also expensive for local authorities.

In very simplistic terms, it can be said that homelessness is about money. If you have a low or insecure income, or you don't manage money well (for a variety of reasons which may or may not be outside your control) you can be at risk of homelessness or find it hard to access housing.

#### What will we do?

- **Work closely with our Registered Housing Providers** in ensuring the most effective use of existing social housing stock and through their plans to develop new housing. We will also look to improve the dialogue with charities to support the expansion of provision.
- Ensure that the new funding for supported housing model supports the existing and future housing related support needs for Worcestershire residents.
- Develop a **county wide supported housing plan** based on housing need evidence.
- **Improve our Private Sector Offer** to potential tenants by ensuring the accommodation is of good quality and meets standards but also **improve our offer to landlords** to ensure they accept homeless applicants. This maybe through offering mediation/support to landlords, or through other incentives.
- Develop **'tenancy ready' training** and providing support to sustain tenancies. Including developing general principles around what tenancy ready training is and mapping what services are already being provided.
- Consider a **'second chance' housing model** and recognising the need to have open and honest conversations about past tenancy history in order to provide the right housing and support for that individual/family.

*“ If landlords (social or private) can be assured that someone has the skills to manage a tenancy, including financial skills and the payment of rent, then the risk to them is reduced and they may be inclined to offer them housing. Add to that the fact that support will be in place should a problem arise, then the future risk is further reduced. ”*

#### What will we do?

- **Review temporary accommodation** to provide more suitable and cost effective solutions for those who are homeless and having difficulty accessing permanent housing.
- **Work with partners to get people into work, improve digital skills, improve financial management skills and provide debt advice.** This is vital to address affordability, and improve people's economic resilience to prevent homelessness reoccurring throughout their lifetime.
- **Develop an approach to reduce former rent arrears** to assist with chances of being re-housed.

“ *Getting into work and digital skills is a real focus with the introduction of Universal Credit and mitigating the impact of further welfare reform. There is a great deal of work being carried out by voluntary sector partners to address education, training and employment, we need to ensure the strategic links are made to make the best use of resources. Access to sustainable employment is crucial.* ”



# Delivering on our Approach

## 1 Oversight

Worcestershire Strategic Housing Partnership (WSHP) is responsible for, and committed to ensuring that this Strategic Direction for Tackling Homelessness is realised. It is a multi-agency, and cross sector partnership, ensuring homelessness prevention is placed in the wider context.

The role of the WSHP is to influence commissioning and system change across sectors to resource and deliver on this Strategy.

## 2 Accountability

Worcestershire Strategic Housing Officers Group (WSHOG) is responsible for delivery of this document. WSHOG is a well established group, with a proven track record of housing and homelessness strategy delivery, representing each of the districts.

## 3 Assurance

WSHP will seek assurance from the delivery group on the effectiveness of partnership working in the development and implementation of Local Strategy Implementation Plans. In addition, Worcestershire Health and Wellbeing Board will seek assurance on the commitment to the Local Housing and Health Memorandum of Understanding and the Homeless Health Charter.



## 4 Monitoring

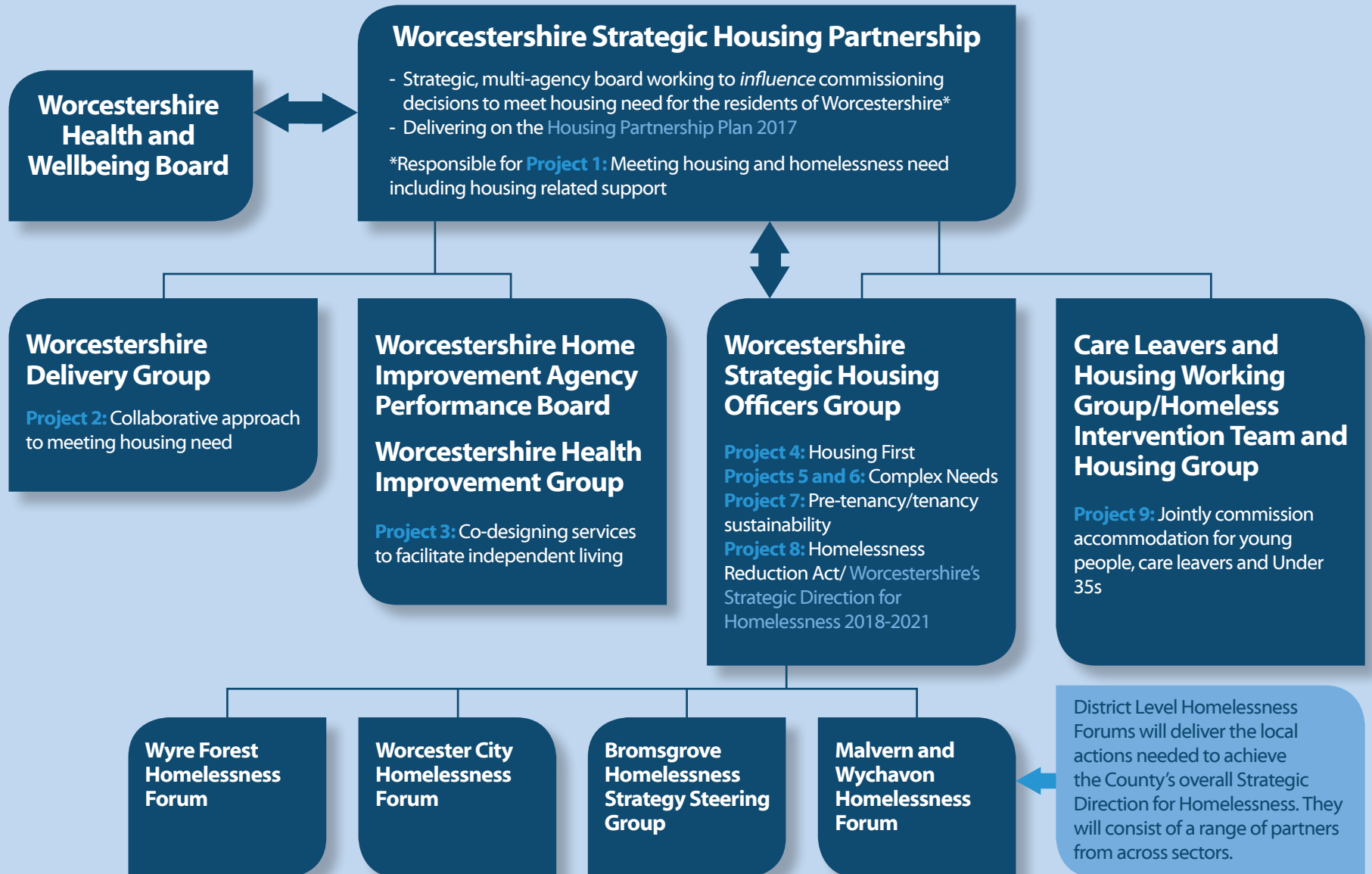
WSHOG will report progress against Local Strategy Implementation Plans to WSHP. WSHP will undertake a review of progress on an annual basis up to and including 2021.

## 5 Equality Duty

The Public Sector Equality Duty (Equality Act 2010) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities. Our approach will adhere to this.

## 6 Governance Structure

### Worcestershire Housing Partnership Plan - Delivery Groups



# Eleven

## Implementation

**Our approach recognises that the causes of homelessness are complex and multi-faceted – and that to tackle it holistically, we need to prevent the structural as well as individual factors that lead to homelessness.**

**B**y sitting this Strategic Direction for Tackling Homelessness within the Partnership Plan, we will ensure that homelessness prevention will be placed at the forefront when designing system change needed to achieve our vision.

It is important to recognise that although this is a county approach, there are differences between districts that will need individual district focus. Some districts experience higher levels of rough sleeping, some have higher levels of deprivation and domestic abuse, some have a huge lack of supported and temporary accommodation as compared to others.

Worcestershire Strategic Housing Officers Group will be responsible for delivery of this strategy. Local Strategy Implementation Plans will be developed in partnership with local organisations and partners via local homelessness forums that currently exist or will need to be developed in each of the districts. They will identify a series of actions, initiatives and opportunities.

The Implementation Plan will be delivered by working with key partner agencies and will be achieved through task and finish groups and through the expertise and resources of existing meetings/groups. They will continually be reviewed and monitored by Worcestershire Strategic Housing Officers Group and the Worcestershire Strategic Housing Partnership – to keep up to date and have the flexibility it needs to have.

There will be briefings and regular training on the importance of tackling homelessness, including an annual stakeholder event.



# Appendix One - Legal Duties

## Legal duties

The primary homelessness legislation – Part 7 of the Housing Act 1996 – provides the statutory under-pinning for action to prevent homelessness and provide assistance to people threatened with or actually homeless.

In 2002, the Government amended the homelessness legislation through the Homelessness Act 2002 and the Homelessness (Priority Need for Accommodation) (England) Order 2002 to ensure a more strategic approach to tackling and preventing homelessness and to strengthen the assistance available to people who are homeless or threatened with homelessness by extending the priority need categories.

## Statutory Homelessness – where the rehousing duty is owed

Housing authorities have a legal duty to provide advice and assistance to anyone that is homeless or threatened with homelessness. If a housing authority has reason to believe that someone may be homeless or threatened with homelessness, they must investigate what duty they owe to them under the homelessness legislation.

A 'main homelessness duty' is owed where the authority is satisfied that the applicant is eligible for assistance, unintentionally homeless and falls within a specified 'priority need' group.

The 'priority need groups' include households with dependent children or a pregnant woman and people who are vulnerable in some way e.g. because of mental illness or physical disability. In 2002 the priority need categories were extended to include applicants who are aged 16 or 17, care leavers aged 18-20, people who are vulnerable as a result of time spent in care, in HM Forces, in prison or custody, and those who are vulnerable as a result of having to flee their home because of violence or the threat of violence.



## Homelessness Households not owed the rehousing duty

Homeless people not owed the full rehousing duty are typically single people or childless couples who are not assessed as being in 'priority need' or those deemed to be intentionally homeless. These groups are only entitled to advice and assistance if homeless, not the 'main housing duty'. Some non-priority homeless people are offered access to Local Authority commissioned housing support services.

## Street Homelessness

DCLG defines street homelessness as: "People sleeping, about to bed down (sitting on/in or standing next to their bedding) or actually bedded down in the open air (such as on the streets, in tents, doorways, parks, bus shelters or encampments). People in buildings or other places not designed for habitation (such as stairwells, barns, sheds, car parks, cars, derelict boats, stations, or 'bashes')"



# Notes

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## Worcestershire's Strategic Direction for **Tackling Homelessness**



# **CABINET**

**4<sup>th</sup> September 2019**

## **Finance Monitoring Quarter 1 2019/20**

<b>Relevant Portfolio Holder</b>	Councillor Geoff Denaro Portfolio Holder for Finance and Enabling Services
<b>Relevant Head of Service</b>	Jayne Pickering, Executive Director Finance and Corporate Resources
<b>Non-Key Decision</b>	

### **1. Purpose and Summary**

- 1.1 To report to Cabinet on the Council’s financial position for Revenue and Capital for the period April 2019 – June 2019.

### **2. Recommendations**

#### **That Cabinet is asked to resolve**

- 2.1 That Cabinet note the current financial position in relation to revenue and capital budgets for the period April – June 2019 as detailed in the report.

#### **That Cabinet recommend to Council**

- 2.2 Approval of an increase in the 2019-20 Capital Programme of **£80k** ( as detailed at 6.1) for CCTV Cameras funded by releasing funds allocated in 2020-21 £40k and 2021-21 £40k to increase the existing budget already approved in 2019-20.

### **3. Revenue budgets**

- 3.1 This report provides details of the financial performance of the Council. The purpose of this report is to ensure officers and members have relevant information to consider the overall financial position of the Council. The report reflects the finances across all of the Strategic Purposes to enable Members to be aware of the level of funding attributed to each area and how this compares to budget. The summary at 3.4 shows the financial position for revenue funding for the period April – June 2019.
- 3.2 Financial reports are sent to budget holders on a monthly basis. As part of this process a detailed review is undertaken with support from the finance team to ensure that all issues are considered and significant savings or cost pressures are addressed. This report aims to focus on the key variances from budgets to ensure that these are addressed appropriately during the year.

**CABINET**

**4<sup>th</sup> September 2019**

- 3.3 The £11.837m original budget as included in the table below is made up of the budget approved in February 2019 of £11.676m, which is then adjusted to reflect the approved transfers from reserves of £159k held in Corporate Financing.
- 3.4 In addition the Latest Budget 2019-20 of £12.215m includes transfers to/from reserves of £356k which is shown in appendix 1 and use of balances of £22k.

**Revenue Budget summary  
Financial Year 2019/20 – Overall Council**

Please note figures have been rounded

Strategic Purpose	Original Budget 2019/20 £'000	Revised budget 2019/20 £'000	Budget to date 2019/20 £'000	Actuals to date 2019/20 £'000	Variance to date 2019/20 £'000
Keep my place safe and looking good	4,492	4,571	83	-89	-172
Help me run a successful business	-506	-506	79	56	-23
Help me be financially independent	231	239	97	103	6
Help me to live my life independently	-58	-58	-193	-196	-3
Help me find somewhere to live in my locality	677	889	296	293	-3
Provide Good things for me to see, do and visit	684	789	153	126	-27
Enable others to work/do what they need to do (to meet their purpose)	6,318	6,293	2,485	2,321	-164
<b>Total</b>	<b>11,837</b>	<b>-12,215</b>	<b>3,000</b>	<b>2,614</b>	<b>-386</b>
Corporate Financing	-11,837	-12,215	-10,238	-10,257	-18
<b>Grand Total</b>	<b>0</b>	<b>0</b>	<b>-7,239</b>	<b>-7,643</b>	<b>-404</b>

**Financial Commentary:**

There are a number of variances across the strategic purposes. The summary above shows the overall 2019/20 revenue position for the Council and the main variations are as a result of:

**Keep my place safe and looking good (£172k saving)**

These budgets include those relating mainly to environmental services, planning, CCTV and other activities to deliver against the purpose ensuring an area is both safe and attractive for the community.

The variance position is explained as below: **Page 96**

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- Within Core Waste services (trade and garden waste) there has been new business across the services and has boosted the quarter 1 income, in line with forecast income shown on budget for this financial year. Additional business may exceed this, and will be reported on as we generate new business throughout the rest of the year **£124k**.

### **Help me run a successful business (£23k under budget)**

The budgets within the strategic purpose include economic development, car parking, all licenses and costs associated with the town and other centres within the District.

- There has been a saving in business rates on the car parks **£15k**, due to a change in the rateable value.

### **Help me be financially independent (£6k over budget)**

The strategic purpose includes all costs relating to the support of benefits and the administration and delivery of Council Tax services and business rates in the District.

- There are no individual variances in the quarter 1 to report.

### **Help me to live my life independently (£3k saving)**

There are a number of budgets relating to the delivery of the strategic purpose including; Lifeline, Community Transport and Disabled Facilities Grants.

- There are no individual variances in the quarter 1 to report.

### **Help me find somewhere to live in my locality (£3k saving)**

The costs associated with homeless prevention, housing strategy and land charges are all included in the strategic purpose.

- There are no individual variances in the quarter 1 to report.

### **Provide Good things for me to see, do and visit (£27k saving)**

The majority of budgets within this purpose relate to Leisure and Culture services.

- There is an underspend of **£12k** within Parks and Events on general supplies and services.
- Sports and Arts Development has a small underspend due to a staff vacancy which has now been filled **£11k**.

### **Enable others to work/do what they need to do (to meet their purpose) ( £188k saving)**

All support services and corporate overheads are held within the enabling purpose. These include; IT, HR, Finance, Management team and other support costs.

- There is saving within central overheads **£43k** due to a pension adjustment on paying the pension payment in advance.
- Central post opening has a slight overspend of **£10k** due to postal costs for Neopost (franking

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**4<sup>th</sup> September 2019**

machine) and CFH (Docmail). This is higher than budget, due to not all departments having transferred to CFH/Docmail. We are continuing to move this out across the departments and therefore the costs should then decrease.

- Facilities Management has an underspend of **£25k** due to supplies and services budgets not yet spent in the first quarter.
- Human resources have an underspend on the training budget **£28k** but it is expected the training programme will have commenced well in to the second quarter of 2019/20
- There are other salary vacancies within CMT, Professional Legal advice & services, ICT and Transformation **£68k**. Whilst some will be filled in the new financial year the remaining savings will be offset against the vacancy management target.

It is worth noting that a vacancy management saving target has been included in the 2019/20 budgets to offset the impact of vacant posts during the year.

**Corporate Financing (£18k saving)**

- There is a variance in corporate financing due to borrowing costs not being as much as expected due to the spending profile of the capital programme in the first quarter of the year.

**4. Savings Monitoring**

- 4.1 The medium term financial plan included £332k of savings identified to be delivered during 2019/20 the breakdown of these savings is attached at appendix 2. £166k of these identified savings is in relation to a vacancy factor.

To quarter 1 £88k of the savings has been realised against the budgeted April to June savings £83k.

In addition officers have been required to find further savings throughout the financial year and to date they have identified a further £87k. These will be vired off the relevant services to be returned to working balances by quarter 2.

**5. Cash Management**

- 5.1 The financial position in relation to borrowing at the start and end of the financial are shown in the table below:

Date	£m	Position
As at 31 <sup>st</sup> March 2019 (Actual)	13.5	Borrowing
As at 30 <sup>th</sup> June 2019	10.0	Borrowing

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**4<sup>th</sup> September 2019**

### **5.2 Borrowing**

Outstanding as at the 30<sup>th</sup> June 2019 are £10.0m in short term borrowing with associated borrowing costs of £8.1k due to the flexible way debt is managed during the period.

An interest payable budget had been set of £133k for 2019/20 due to expenditure relating to current capital projects.

### **5.3 Investments**

At 30th June 2019 there were £2m investments held.

## **6. Capital Budgets**

<b>Capital Budget summary</b> <b>Financial Year 2019/20 – Overall Council</b>
--

Please note figures have been rounded

Strategic Purpose	Original Budget 2019/20 £'000	Revised budget 2019/20 £'000	Budget to date 2019/20 £'000	Actuals to date 2019/20 £'000	Variance to date 2019/20 £'000
<b>Keep my place safe and looking good</b>	3,385	3,385	570	180	-390
<b>Help me to live my life independently</b>	950	950	434	384	-50
<b>Provide good things for me to see, do and visit</b>	170	1,116	867	833	-34
<b>Enable others to work/do what they need to do (to meet their purpose)</b>	10	10	2	0	-2
<b>Totals</b>	<b>4,515</b>	<b>5,461</b>	<b>1,875</b>	<b>1,398</b>	<b>-477</b>

**Finance commentary:**

- ***Please note capital carry forwards from 2018/19 are not included in the above figures – please see appendix 3 – these budgets now approved will be loaded for quarter 2 monitoring.***

**Keep my place safe and looking good**

- The main variances for this strategic purpose relate to the following projects;
  - Resurfacing works at the Bromsgrove depot – Design work planned to start in August with

## **CABINET**

**4<sup>th</sup> September 2019**

a possible start on site in November 2019.

- Vehicle replacement budget - Meetings to be held with all service areas to see if their vehicles need to be replaced this year and has their specification requirements changed. Finance will be informed by the end of quarter 2 of all the vehicles planned to be rolled forward into future years. The procurement process for the remaining vehicles will start at the end of August.

### **Help me to live my life independently**

- The small variance relates to Energy Efficiency Installation and Home Repairs Assistance projects. The energy advice service has been procured and is due to commence on July 1st 2019 until March 31st 2022. Discretionary home repairs assistance will hopefully begin uptake within the second quarter of 2019/20.

### **Provide Good things for me to see, do and visit**

- The small underspend here relates to the s106 project re-landscaping of Recreation ground – this is currently going through the tender/procurement process and is likely to commence towards the last end of the quarter of 2019/20.

### **Enable others to work/do what they need to do (to meet their purpose)**

- The variance for this strategic purpose relates to the SAN (storage area network) capacity in ICT services which is expected to commence in the second quarter of 2019/20.

#### **6.1 CCTV**

The request for approval of an increased budget £80k at 2.2 is due to the funds to be allocated for the replacement of CCTV analogue cameras to digital cameras in 20/21 and 21/22 now. To release the £80K capital will avoid unnecessary expenditure on encoders and decoders.

The first part of the CCTV digital infrastructure project is to change transmission and telemetry to a digital signal, because the existing cameras are analogue there would be a requirement to purchase an “encoder” and “decoder” in order to make the analogue cameras work.

The cost of an encoder and decoder for each camera location will be around £350 but this equipment will become obsolete when the new digital replacement cameras are purchased 1 to 2 years later.

If Members would release the capital money for years 2 and 3 now this would save on the encoder/decoder costs in the region of £10k allowing us to buy a further 4 or 5 cameras.



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### **7. Earmarked Reserves**

7.1 The position as at 30<sup>th</sup> June 2019/20 is shown in Appendix 1. This also details the planned use of the reserves for the future budget years 2020/21 and 2021/22.

### **8. General Fund Balances**

8.1 The General Fund Balance as at the 31<sup>st</sup> March 2019 is £4.926m. A balanced budget was approved in February 2019 to include identified savings which have been built into individual budget allocations. This also included a planned use of balances for 2019/20 of £946k towards the demolition of the Dolphin centre and implementation of associated car parking. The current level of balances will therefore reduce to £3.980m.

### **9. Legal Implications**

9.1 No Legal implications have been identified.

### **10. Service/Operational Implications**

10.1 Managers meet with finance officers on a monthly basis to consider the current financial position and to ensure actions are in place to mitigate any overspends.

### **11. Risk Management**

11.1 Effective budget monitoring supports any risks associated with the Council.

## **APPENDICES**

Appendix 1 - Earmarked Reserves 2019/20  
Appendix 2 - Savings Monitoring 2019/20  
Appendix 3 – Capital Carry forwards 2018/19

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# FINANCIAL RESERVES STATEMENT 2019/20

Appendix 1

Please note these figures have been rounded

Description	Balance b/fwd 1/4/2019	Budgeted Release 2019/20	Revised Balance b/fwd 1/4/2019	Transfers in existing reserve 2019/20	Transfers out existing reserve 2019/20	New Reserve 2019/20	C/fwd 31/3/2020	Planned use for 2020/21 Budget	Planned use for 2021/22 Budget	Comment
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
Building Control	(7)	0	(7)	(11)	0	0	(18)	0	0	To Fund the mobile working project
Building Control Partnership	(61)	0	(61)	0	0	0	(61)	0	0	Partnership income has to be reinvested back in to the service.
Commercialism	(33)	0	(33)	0	0	0	(33)	0	0	To help fund costs in relation to commercialism projects
Community Services	(31)	0	(31)	0	31	0	0	0	0	To help towards a district network feasibility study
Economic Regeneration	(476)	150	(326)	0	0	0	(326)	150	150	To fund the Economic Development opportunities across the District
Election Services	(88)	0	(88)	0	0	0	(88)	50	0	To support the delivery of individual electoral registration and to set aside a reserve for potential refunds to government
Environmental Services	(8)	0	(8)	0	6	0	(2)	0	0	To help towards the unauthorised trespass prevention scheme, Tree works, and single use plastic project within the district
Financial Services	(179)	0	(179)	0	0	0	(179)	0	0	A number of reserves / grants have been set aside to support residents through the changes to welfare reform
Corporate Financing	(3,441)	0	(3,441)	0	0	0	(3,441)	0	0	The reserve has been created to offset the loss on Business rates collection and appeals in 2019/20.
Housing Schemes	(511)	0	(511)	0	181	0	(330)	0	0	To support the feasibility and implementation of housing schemes across the district
ICT/Systems	(164)	11	(152)	0	0	0	(152)	0	0	To provide for replacement ICT systems
Leisure/Community Safety	(266)	0	(266)	0	155	0	(111)	0	0	Grant received and reserves set aside to support a number of leisure and well being schemes across the District
Local Development Framework	(31)	0	(31)	0	0	0	(31)	0	0	To fund the costs associated with the Core Strategy
Local Neighbourhood Partnerships	(16)	0	(16)	0	0	0	(16)	0	0	Grant received in relation to liveability schemes
Other	(86)	0	(86)	0	0	0	(86)	0	0	To support apprentices, set up costs and other general reserves
Planning	(30)	0	(30)	0	0	0	(30)	0	0	To support apprentices, set up costs and other general reserves
Regulatory Services (Partner Share)	(38)	0	(38)	0	0	0	(38)	0	0	BDC Share of WRS grant related reserves
Shared Services Agenda	(311)	0	(311)	0	0	0	(311)	0	0	To fund potential redundancy and other shared costs
<b>Grand Total</b>	<b>(5,777)</b>	<b>161</b>	<b>(5,615)</b>	<b>(11)</b>	<b>373</b>	<b>0</b>	<b>(5,253)</b>	<b>200</b>	<b>150</b>	

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**BROMSGROVE - SAVINGS & ADDITIONAL INCOME FROM 19-20 BUDGET ROUND**

APPENDIX 2

Department	Description of saving	2019-20 £'000	Comments	Quarter 1			
				On target Y/N	Additional (add to in yr savings) £'000	below target Y/N	Pressure £'000
Community Services	Additional Income from new contract with Cannock Chase Council	-60	New SLA with Cannock	Y			
Community Services	Additional Income from new contract with Cannock Chase Council - SLA with Cannock	-20	New SLA with Cannock	Y			
Corporate Services	New Print Contract	-29	Savings realised on procurement of new print contract	Y	-5		
Corporate Services	Car Mileage	-2	Reduction in Car Mileage	Y			
Corporate Services	Community Group Funding	-5	Budget has decreased due to the impact of the New Homes Bonus scheme reducing	Y			
Environmental Services	Review of budget allocations	-15	Reductions in various materials, equipment & vehicle R&M budgets	Y			
Legal & Democratic	Review of budget allocations within Land charges	-2	Budget no longer required	Y			
Legal & Democratic	Additional income on external legal work	-7		Y			
Customer Services & Financial Support	Reduction in operational budgets	-26		Y			
Corporate Services	Vacancy Management	-166	2% on any employee that does not require agency cover	Y			
		<b>-332</b>			<b>-5</b>		<b>0</b>

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**BDC Capital forward requests - 19-20 Budget**

Description	Department	strategic purposes	Funding	Full year Budget 2018-19 £'000	Full year expenditure 2018-19 £'000	Full year Variance 2018-19 £'000	Request for Carry Forward into 2019/20 £'000
San (Storage Area Network)	Business Transformation	enabling	Capital Receipts / Borrowing	26	19	-7	7
San Storage Capacity	Business Transformation	enabling	Capital Receipts / Borrowing	20	13	-7	7
Energy Eff Hom Insulation Prog	Community Services	help me be financially independent	Capital Receipts / Borrowing	6	1	-5	5
CCTV	Community Services	help me live my life independently	Capital Receipts / Borrowing	40	0	-40	40
Energy Efficiency Installations	Community Services	help me live my life independently	Capital Receipts / Borrowing	110	0	-110	110
Disabled Facilities Grant	Community Services	help me live my life independently	Grant income WCC	1,122	947	-175	175
Burcot Lane	Customer Access & Financial Support	keep my place safe and looking good	Capital Receipts / Borrowing	1,611	66	-1,545	1,545
North Cemetery - Phase 2 Expansion	Environmental Services	keep my place safe and looking good	Capital Receipts / Borrowing	35	10	-25	25
Refuse Coll Veh Replacement-Garden	Environmental Services	keep my place safe and looking good	Capital Receipts / Borrowing	1,675	1,063	-612	612
Replacement Lighting - Depot	Environmental Services	Keep my place safe and looking good	Capital Receipts / Borrowing	23	0	-23	23
Infrastructure Works Bdc Depot	Environmental Services	Keep my place safe and looking good	Capital Receipts / Borrowing	161	9	-152	152
BDC Combined F/Path & Cycl	Environmental Services	Keep my place safe and looking good	Capital Receipts / Borrowing	390	0	-390	390
Boundary Security at Depot	Environmental Services	Keep my place safe and looking good	Capital Receipts / Borrowing	20	0	-20	20
Replacement Parking machines	Environmental Services	keep my place safe and looking good	Capital Receipts / Borrowing	120	0	-120	120
New Finance Enterprise System	Finance & Resources	enabling	Capital Receipts / Borrowing	455	0	-455	455
BDC Dolphin Centre	Leisure & Cultural Services	provide good things for me to see, do & visit	Capital Receipts / Borrowing/balances	1,080	0	-1,080	1,080
Hagley Scouts	Leisure & Cultural Services	provide good things for me to see, do & visit	Capital Receipts / Borrowing	100	0	-100	100
Replace Perimeter Fencing Allotments	Leisure & Cultural Services	Keep my place safe and looking good	Capital Receipts / Borrowing	21	16	-5	5
Wythall Park Pos Improvement	Leisure & Cultural Services	provide good things for me to see, do & visit	S.106	15	0	-15	15
Barnt Green Millenium Park - Toilet	Leisure & Cultural Services	provide good things for me to see, do & visit	S.106	62	0	-62	62
Rubery Redevelopment Works	Planning & Regeneration	provide good things for me to see, do & visit	Capital Receipts / Borrowing	75	39	-36	36
<b>TOTAL CURRENT CAPITAL PROGRAMME</b>				<b>7,167</b>	<b>2,183</b>	<b>-4,984</b>	<b>4,984</b>

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