



# Executive Committee

Tue 11 Jun  
2019  
7.00 pm

Committee Room Two  
Town Hall  
Redditch

**REDDITCH** BOROUGH COUNCIL

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# Executive

Committee

Tuesday, 11th June, 2019

7.00 pm

Committee Room 2 - Town Hall  
Redditch

## Agenda

### Membership:

Cllrs:	Matthew Dormer (Chair)	Brandon Clayton Bill Hartnett
	David Thain (Vice- Chair)	Mike Rouse Craig Warhurst
	Juliet Brunner	
	Greg Chance	

### 1. Apologies

### 2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests and / or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

### 3. Leader's Announcements

### 4. Minutes (Pages 1 - 16)

### 5. Civil Penalty Notices Powers - Private Sector Housing (Pages 17 - 32)

### 6. Private Sector Home Repair Assistance Policy Update (Pages 33 - 56)

Members are asked to note that the Overview and Scrutiny Committee will be pre-scrutinising this item at a meeting on 6<sup>th</sup> June 2019, which will take place after the publication of this agenda. Any recommendations arising from this meeting will be reported to the Executive Committee in an additional papers pack.

### 7. Statement of Common Ground (SoCGs) Approach to Agreement with Local Authorities (Pages 57 - 70)

### 8. High Quality Design - Supplementary Planning Document (SPD) (Pages 71 - 74)

Due to the length of the paperwork the covering report only will be included in the main agenda pack for this meeting. The full report, including the appendices, will be published in a separate additional papers pack.

### 9. Upper Norgrove Site, Webheath - Development of Land (Pages 75 - 82)

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## **10. Performance Report - Help me be financially independent** (Pages 83 - 90)

## **11. Performance Report - Help me run a successful business** (Pages 91 - 100)

## **12. Overview and Scrutiny Committee** (Pages 101 - 112)

The minutes of the Overview and Scrutiny Committee meeting held on 21<sup>st</sup> March 2019 are attached for Members' information. There are no outstanding recommendations detailed within those minutes for consideration.

Any recommendations arising from the meeting of the Overview and Scrutiny Committee due to be held on 6<sup>th</sup> June 2019 will be published in an additional papers pack for the consideration of the Executive Committee.

## **13. Minutes / Referrals - Overview and Scrutiny Committee, Executive Panels etc.**

To receive and consider any outstanding minutes or referrals from the Overview and Scrutiny Committee, Executive Panels etc. since the last meeting of the Executive Committee, other than as detailed in the items above.

## **14. Advisory Panels - update report**

Members are invited to provide verbal updates, if any, in respect of the following bodies:

- a) Constitutional Review Working Panel – Chair, Councillor Matthew Dormer;
- b) Corporate Parenting Board – Council Representative, Councillor Juliet Brunner;
- c) Member Support Steering Group – Chair, Councillor Matthew Dormer; and
- d) Planning Advisory Panel – Chair, Councillor Matthew Dormer.

## **15. Exclusion of the Press and Public**

Should it be necessary, in the opinion of the Chief Executive, during the course of the meeting to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged, it may be necessary to move the following resolution:

“That, under S.100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs (to be specified) of Part 1 of Schedule 12 (A) of the said Act”.

These paragraphs are as follows:

Subject to the “public interest” test, information relating to:

- Para 3 – financial or business affairs;

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## **16. Investment Opportunity** (Report to follow)

An offer has been made by the Council on an asset for a commercial property. We are currently waiting to hear from the seller if they will accept the offer. Should this occur a report will be published ion an additional papers pack.

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## Executive

### Committee

Tuesday, 26 March 2019

## MINUTES

#### Present:

Councillor Matthew Dormer (Chair), and Councillors Tom Baker-Price, Greg Chance, Brandon Clayton, Bill Hartnett, Gareth Prosser, Mike Rouse and Craig Warhurst

#### Also Present:

Dan Johnson (Environment Agency)

#### Officers:

Matthew Bough, Thomas Curwell, Clare Flanagan, Sue Hanley, Jayne Pickering and Paul Spooner

#### Committee Services Officer:

Jess Bayley

#### 105. APOLOGIES

There were no apologies for absence.

#### 106. DECLARATIONS OF INTEREST

There were no declarations of interest.

#### 107. LEADER'S ANNOUNCEMENTS

The Leader circulated a written update in respect of his announcements at the meeting.

#### 108. MINUTES

##### RESOLVED that

**the minutes of the meeting of the Executive Committee held on Monday 25<sup>th</sup> February 2019 be held as a true and correct record and signed by the Chair.**

.....  
Chair

**109. ARROW VALLEY CATCHMENT RESTORATION PROJECT**

The Waste Management Engineer, assisted by a representative of the Environment Agency, presented a report outlining proposals in respect of the Arrow Valley Catchment Restoration Project. Members were advised that the project had been launched following a fatality at the Arrow Valley weir in 2014. The Council had subsequently reviewed water safety and a review had been undertaken by the Royal Society for the Prevention of Accidents (ROSPA) which had identified a number of safety issues that needed to be addressed. Many of the recommendations detailed in the ROSPA report had already been implemented. ROSPA had raised concerns about the safety of children swimming in the River Arrow and had suggested that structural changes needed to be made at the sites which presented the greatest risk. The structural changes were very complex as the Council had to liaise with Historic England about what could and could not be done at the site. An application had been made for European funding to support the works required and Members were asked to agree match funding in the form of a capital bid, which added to funds previously agreed in the Medium Term Financial Plan 2019/20 to 2022/23.

The Council had been working closely with the Environment Agency on the project since 2015. The Environment Agency had already contributed £50,000 towards design work in respect of the structures, which would be undertaken by external consultants. This would ensure that the project both addressed safety concerns and that any works did not increase the potential for flooding or associated risks. The catchment for the River Arrow was considered a priority by the Environment Agency. Rivers were assessed on an ecological basis by the Environment Agency and under the criteria that the organisation used the River Arrow was classified as a failing waterway. The project provided a good opportunity to address the causes of this problem.

Following presentation of the report a number of matters were discussed in detail:

- The family of the child who had sadly died at the weir had been informed about the Council and Environment Agency's work on the project. Members paid their respects to the family and thanked them for their hard work to raise awareness in respect of water safety.
- The financial costs involved in checking the safety equipment at the weirs and the amount of time staff spent undertaking safety checks.



- The ecological benefits of the proposed works, in terms of the positive impact that this might have on fish stocks in the River Arrow.
- The definition of a failing river. Members were advised that this was defined under the Water Framework Directive which assessed the health of a river based on fish stocks, water quality, and other related matters. Whilst the River Arrow had satisfactory fish levels and water quality exposure to industrial waste water resulted in a failing rating.
- The extent to which the funding from the EU had been secured. Members were advised that the EU funding was paid arrears and had already been provided to Solihull Metropolitan Borough Council which would distribute the funding.

**RECOMMENDED that**

**the Council agrees to additional capital funding of £35,000 in 2019/2020 in addition to the £180K already included in the Medium Term Financial Plan for the proposed improvement works to the weirs in the Arrow valley Park; and**

**RESOLVED that, subject to Recommendation 1 being approved that:**

**authority be delegated to the Head of Environmental and Housing Property Services to procure the works at each of the sites.**

**110. HOMELESSNESS GRANT, FLEXIBLE HOMELESSNESS SUPPORT AND HOMELESSNESS NEW BURDEN'S FUND REPORT 2019/20**

The Housing Strategy and Enabling Team Leader presented a report in respect of the Homelessness Grant, Flexible Homelessness Support and the Homelessness New Burdens fund and proposed expenditure in 2019/20. Members were informed that the Council had been allocated just over £193,000 for 2019/20 in the flexible support grant and over £30,000 for the New Burdens Fund. The New Burdens Fund had been introduced to help Councils manage the additional duties set out in the Homelessness Reduction Act 2017. A number of suggestions had been made regarding the use of this funding, which included investing in two new posts to assist with temporary accommodation and rents in the private sector. Financial support continued to be provided to Redditch Nightstop and Redditch Borough Council was working with Bromsgrove District Council to provide funding to the CCP Rough Sleeper Outreach Service.

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

- The need for the Council to support residents living in both social housing and the private rented sector. Members noted that the proposed use of the funding would support this objective.
- The additional Council duties arising from the Homelessness Reduction Act 2017 and the emphasis that this placed on preventing homelessness which required Councils to be proactive.
- The use of grant funding to support additional posts and the extent to which the Council could expect to receive this funding in the future. Officers advised that the Council had not been advised that the funding would be ending and therefore it had been built into the Medium Term Financial Plan for inclusion in the budget in future years.
- The announcement by the Secretary of State for Housing, Communities and Local Government that an extra £46 million would be invested in the Rough Sleeper Initiative and the impact that this funding could have on rough sleepers in the Borough.
- The number of rough sleepers in Redditch and the reasons why they were in this position. Members noted that there were eight rough sleepers and all had been and would continue to be offered assistance by the Council, though they had to date refused any help.

## RESOLVED that

- 1) **the Flexible Homelessness Support Grant is allocated to the initiatives in 1(a) and that the Homelessness Reduction Act 2017 New Burdens Funding be allocated to fund the required homelessness IT system with Housing Partners at £9,000 per year, additional staffing resources and any appropriate training requirements;**

a)

Initiatives	£
<b>Homelessness Reduction Act Prevention – funding for posts</b>  <b>Detail – the latest Act created two new legal duties – to prevent and relieve homelessness. As a result the numbers of households living in temporary accommodation could rise and it also becomes increasingly</b>	<b>60,000</b>

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<p>important to help people remain appropriately housed. The proposed funding will therefore create 2 new posts to support the timely move-on from temporary accommodation, and tenancy sustainment in the private rented sector in Redditch. (see 3.8) The Executive has already agreed to support these posts as part of the Medium Financial Plan 2019/20-2022/23 when it met in February 2019.</p>	
<p><b>Rent Deposits and Spend to Save</b></p> <p>Detail – most local authorities operate a fund that helps people access the private rented sector, and which can also be used to intervene to prevent tenants losing their existing home. These interventions are far less than the cost of homelessness itself, so they represent good value for money, in addition to helping reduce homelessness in the borough. In the last two years the Council has provided over 80 rent deposits, so investing extra in this area and making spend to save interventions with local households should reduce homelessness in the borough.</p>	<p>17,060</p>
<p><b>Temporary Accommodation Management Fee replacement.</b></p> <p>The Council is legally obliged to provide temporary accommodation to eligible homeless households. The Temporary Accommodation Management Fee previously associated with this activity has now been rolled up into the new Flexible Homelessness Support Grant.</p>	<p>66,380</p>
<p><b>Redditch Nightstop - Outreach Worker up to 35yrs</b></p> <p>Detail – in August 2018, with financial support from the Council, Nightstop launched a new extended service to</p>	<p>27,000</p>

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<p>provide emergency housing for people aged 21 to 35. This was in response to increasing demand from this client group, who have been subject to some of the most significant changes inside the welfare benefits system. Since August, Nightstop have assisted 23 single people, often with complex and multiple needs, aged 21 to 35 with emergency housing placements, providing short term practical and emotional support whilst also reducing demand on other services. Nightstop also work closely with the Council on addressing the longer term housing needs of this client group.</p>	
<p><b>CCP Rough Sleeper Outreach Service</b></p> <p>Detail – in the past year CCP have worked with 40 people, some of whom have been street homeless in Redditch, or have a street presence in the town centre since March 2018. CCP works closely with the Council to secure accommodation for these people, safeguarding their health and wellbeing, reducing costs and demand on other services such as the Police and Health, whilst ensuring the town centre remains an attractive and safe place for local residents and businesses alike. This funding also supports CCP interventions under the Severe Weather Emergency Protocol, which targets street homelessness at times of the year when temperatures are at their lowest.</p>	<p>34,990</p>
<p><b>Total</b></p>	<p><b>£205,430*</b></p>

- 1) delegated authority be granted to the Head of Community Services following consultation with the Portfolio Holder for Housing to use any unallocated Grant during the year or make further adjustments to current initiatives as necessary to ensure full utilisation of the Grants for 2019/20.

**111. WORCESTERSHIRE STRATEGIC DIRECTION FOR TACKLING HOMELESSNESS**

The Housing Strategy and Enabling Team Leader presented the Worcestershire Strategic Direction for Tackling Homelessness. Three priorities had been agreed for inclusion in the strategy and officers would undertake work in relation to each of these. Members were asked to note that there was a Redditch Homelessness Forum which hadn't been listed on the draft copy of the document provided for Members' consideration but would be included in the final version of the report. Further changes would need to be made to the strategy 12 months after the date of the meeting to ensure compliance with the new national Rough Sleeping Strategy.

Members discussed the report and in so doing noted the following:

- The introduction of the Redditch Homelessness Forum in recent months and the positive contribution that this would make to tackling homelessness in the Borough.
- The location of the six officers referred to in the strategy who provided support in respect of rough sleeping. Officers advised that there were two officers serving Redditch Borough and Bromsgrove District, though primarily their main demand for work was in Redditch.
- The arrangement by which it had been agreed that two officers would work in Redditch Borough and Bromsgrove District and how this compared to other parts of the county. Members were advised that services in respect of rough sleepers had been determined at a local level and Redditch Borough Council had chosen to work with the CCP Rough Sleeper Outreach Service.
- The support provided by the staff to rough sleepers. Members were advised that the Officers worked with the Housing Options team and also engaged directly with rough sleepers.
- The complexity of rough sleeping cases, whereby individuals often had a range of mental health needs and substance abuse issues.
- The training provided to staff and whether this covered mental health needs. Members were advised that whilst specific details were not available about the training received by staff it was understood that this was comprehensive.
- The levels of homelessness nationally and how this compared to previous years.
- The need for the Council to work in partnership with other organisations to meet the needs of people who were homeless.
- The need to provide residents with secure accommodation.

**RESOLVED that**

- 1) **the Worcestershire Strategic Direction for Tackling Homelessness be endorsed and supported;**
- 2) **this document expands on previously agreed high level actions within the Housing Partnership Plan that relate to tackling homelessness.**
- 3) **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.**

**112. MATCHBOROUGH AND WINYATES DISTRICT CENTRES - UPDATE**

The Town Centre Advisor explained that the report followed a previous decision made by Members in January 2019 to permit officers to undertake soft market testing in respect of the redevelopment of Matchborough and Winyates district centres. The Council had approach five organisations from a range of backgrounds about the potential to redevelop the district centres. Four organisations had responded and had indicated that they would be interested in working with the Council in the future in respect of this matter.

In their feedback the four organisations had commented on the potential for housing and commercial units to be provided in the redevelopment. The majority had suggested that between 250 and 300 houses could be built, subject to planning permission. A range of ideas about the centres had been suggested in the feedback, including retention of two district centres, having one smaller district centre and one larger centre and retaining just one district centre. The organisations had all wanted to work not just with the Council but also with the public in respect of the redevelopment. Members were asked, however, to note that no decisions had yet been taken by the Council about the redevelopment of the district centres. A further report would be presented for the consideration of the Executive Committee in June 2019 which would provide more information that would enable Members to make decisions that would lead to the Council going out to tender in July 2019.

Following the presentation of the report Members discussed the matter in detail and in so doing noted that there was a need to engage with the community in respect of the redevelopment of the district centres. The Council needed to ensure that an effective communications plan was in place as residents and local

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businesses would be keen to learn about the project as it progressed.

During consideration of this item Members noted that the Overview and Scrutiny Committee had pre-scrutinised the report at a meeting on 21<sup>st</sup> March. At the end of their discussions the Committee had endorsed the recommendations detailed in the report. However, a number of questions had been raised by Members about the informal groups that had been established to discuss the redevelopment of the district centres and concerns had been raised that some ward Councillors had not been involved. A briefing note had subsequently been circulated amongst Members of the Overview and Scrutiny and Executive Committees which provided clarification about the various groups. Members noted from this briefing note that:

- There had been an informal meeting at Christ Church, Matchborough, where Officers had met with business tenants to discuss the redevelopment. All ward Members had been invited to attend.
- There was an officer working group that was reviewing areas such as communications arrangements and legal requirements.
- There was a stakeholder group involving a range of stakeholders including the Leader of the Council in his capacity as the relevant Portfolio Holder.
- No minutes were taken at any of these meetings as they were only informal, and for information gathering.
- Ward Members would be welcome to attend future informal meetings and stakeholder meetings.
- The purpose of all of these meetings was to provide an opportunity for attendees to share information. Decisions would need to be taken by the Executive Committee and full Council.

During consideration of this item Councillor Bill Hartnett proposed an amendment to the recommendations. This was seconded by Councillor Greg Chance.

The amendment called for the following two additional recommendations to be added to the three recommendations proposed in the report:

“(d) All Winyates and Matchborough ward Councillors will be fully and meaningfully consulted throughout the process from this point forward including preparing the Council tender documents and the options.

(e) Consistent consultation with affected residents, Tenants and stakeholders will be undertaken from this point forward in the process.”

In proposing the amendment Councillor Hartnett explained that he was of the opinion that the Borough should continue to have two district centres in Matchborough and Winyates respectively, rather than one. This would ensure that income for the Housing Revenue Account (HRA) and from business rates would remain the same. Councillor Hartnett expressed concerns that not every ward Member had been involved in the project to date and that rumours were circulating within the community which ward Councillors did not feel in a position to address. Information about the redevelopment of the centres had been publicised in the local press and it was suggested that the time was therefore right to start engaging with the public, to provide reassurance and information rather than to wait until 2020. Lessons needed to be learned from the redevelopment of Church Hill district centre and the proposals were designed to address this.

In seconding the amendment Councillor Chance commented that the amendment called for the Council to undertake consistent consultation with the public and other relevant stakeholders, including ward Councillors. This would provide them with an opportunity to shape the proposals. Information about the redevelopment had already been shared with the local press so it seemed appropriate to share details with the public too at this stage.

Members discussed the amendment and in so doing noted that the Council was at the start of the redevelopment process. No decisions had been made and it was considered too early to provide any information for public consultation. However, at the appropriate time consultation would form a key part of the process. There was still a lot of work to be undertaken in respect of the financial and legal implications of the redevelopment and this information would be built into a future business case which would form the basis for terms of reference and a specification. Concerns were also raised that it would be inappropriate for Members to become involved in preparing Council tender documents and considering the outcomes of the procurement process as this was an operational matter managed by Officers.

On being put to the vote the amendment was lost.

Members proceeded to consider the recommendations detailed in the report and it was noted that the desire to enable ward Councillors to shape the project was implicit within the third recommendation. To clarify this Members agreed that the wording



of the third recommendation should be amended to acknowledge the role of ward Councillors and that all stakeholders referred to in the recommendation would be involved in both developing and shaping the redevelopment of the district centres.

**RESOLVED that**

- a) **the positive outcome of the soft market testing is noted and officers are instructed to continue to analyse the results;**
- b) **as a preparatory to procuring a preferred developer, to instruct officers to continue to work to develop the Council's parameters for a potential scheme (economic, social and environmental) and the frame of reference for joint working with a developer and delivery of a scheme; and**
- c) **Officers report back with specific proposals for the formal procurement of a suitable development partner to work with the Council, stakeholders, the local community and ward Councillors to develop, shape and agree a comprehensive regeneration scheme for Matchborough and Winyates.**

**113. FINANCE SYSTEM**

The Executive Director of Finance and Corporate Resources presented a report which updated Members on the progress that had been achieved with the procurement of the new finance system. The procurement exercise had been completed and the new system, once delivered would apply to HR, Financial Services, Payments, including cash receipting and Payroll. The systems would be fully integrated, though the full system would take up to 24 months to implement as Officers would review service delivery as part of the system's introduction in line with transformation principles. Unfortunately, the procurement exercise had revealed that the financial costs would be higher than had been anticipated and the Council would ask to provide additional financial investment in order to progress with the system. Savings arising from the introduction of the new system had not yet been built into the Medium Term Financial Plan, though it was anticipated that efficiencies may be achieved in the long-term.

A briefing had been provided to all Members in respect of the system on 19<sup>th</sup> March. The Budget Scrutiny Working Group had also scrutinised the proposals for the new system in detail and had made a helpful contribution to the work of officers on the project.

Members subsequently discussed the report and noted the following points:

- The new system would provide an opportunity for the Council to undertake digital transformation and change the ways in which the authority worked.
- The financial costs quoted in the report represented the maximum possible spend on the new system. There was the possibility that the Council would spend less than this if fewer implementation days were used during the roll out of the new system.
- The system was being procured jointly for Redditch Borough and Bromsgrove District Councils and Members questioned what stage had been reached in the decision making process in Bromsgrove. Members were advised that the report was due to be considered at a meeting of Bromsgrove's Cabinet on 27<sup>th</sup> March and at a full Council meeting in the district that same evening.
- The reasons why the Council had underestimated the financial costs of the new system. Members were advised that the original report had estimated costs based on soft market testing. However, the end specification and the outcomes of the procurement process had led to an increase in the costs.
- The benefits of the new system for the Council. Officers explained that the new system would provide managers with easier and immediate access to budget information for their departments which would help with financial management. At present officers were working with old fashioned spreadsheets and this caused delays.
- The potential to integrate the system with the new housing ICT system. The Committee was informed that Officers from the ICT department were working to ensure that the two systems were integrated.
- The potential to remove residents from the system once they had passed away to ensure that the Council's billing service was sensitive to the needs of family members. The Committee was informed that, subject to complying with GDPR requirements, it would be possible to remove the details of deceased residents.
- The need for the Council to work in a digital manner, in line with developments within society whereby people were working in a more integrated fashion. Members welcomed the fact that the Council had signed up to the Local Digital Declaration in 2018.

**RESOLVED that**

**the completion of the procurement exercise for the new Council enterprise system be noted and that if the project is to be progressed additional funding is required**

**RECOMMENDED that**

**additional capital receipts to the value of £208k are approved to fund the system in 2019/20 and that the Capital Programme is updated to reflect this expenditure.**

#### **114. FINANCE MONITORING QUARTER 3 2018/19**

The Executive Director of Finance and Corporate Resources presented a monitoring report updating Members on the Council's financial position in the period 1st April to 31<sup>st</sup> December 2019. Unfortunately there was a projected overspend of £236,000 for the end of the financial year. However, since the period covered by the report Heads of Service and managers had been asked to ensure that essential spend only occurred and based on this Officers were anticipating that the shortfall would be closer to £70,000. This gap was primarily in respect of the unidentified savings which had been included in the Medium Term Financial Plan 2018/19 to 2021/22. Members were asked to note that no unidentified savings had been included in the Medium Term Financial Plan for the period 2019/20 to 2022/23 so this problem was unlikely to recur in 2019/20.

Details in respect of the capital budget were referred to during the presentation of the report. Members were advised that the Council had budgeted for borrowing to support capital expenditure of £4.8 million. However, the Council had only used £2.4 million in capital spending during the year. The Corporate Management Team (CMT) had therefore recently discussed the need for officers to more accurately manage the capital budget.

In relation to the Housing Revenue Account HRA the Council was aiming to use £876,000 in balances to balance the budget. There had been some overspends on voids, largely due to the fact that the number of voids turned around by the department had increased. This would ensure that those properties could be let to tenants at an earlier stage than in the past, which would have a positive impact on income for the HRA moving forward.

The Committee discussed the report and it was noted that the Council would be able to balance the budget in time for the accounts to be approved. Questions were raised about the action taken to promote the availability of disabled facilities grants to eligible residents and the reasons why an extra £96,000 had been allocated to this budget when it was generally left underspent each year. Members were advised that further information would be

requested from relevant Officers, though it was understood that the additional funding was in the form of a Government grant.

Reference was also made to the Feckenham Parish Recreation Ground and whether the funding referred to related to Section 106 monies. Members were advised by Councillor Brandon Clayton, in his capacity as local ward Councillor, that this funding was connected to a Section 106 agreement in respect of an application for Yates Acre in Feckenham. Members agreed that it was important that the Council ensured that Section 106 funds were spent on the projects to which the funding had been allocated.

**RESOLVED that**

- 1) **the Executive Committee note the current financial positions for the period April – December 2018 as detailed in the report.**

**RECOMMENDED that**

- 2) **the Council approve an increase in the 2018-19 Capital Programme of £4.5k s106 monies for use on undertaking a traveller/trespass function for the Council on land adjacent to Oakenshaw South roundabout.**
- 3) **the Council approve an increase in the 2018-19 Capital Budget of £96k for the Disabled facilities grant budget. This is due to further grant funding being received following the budget announcement in December 2018.**
- 4) **the Council approve the increase to the Capital Programme of £14.5k s106 monies for improvements to the play areas and open spaces on Feckenham Recreation Ground.**

**115. INVESTMENT STRATEGY - UPDATE TO THE STRATEGY**

The Executive Director of Finance and Corporate Resources presented a report that proposed updates to the Acquisition and Investment Strategy that had been approved in January 2018. The Council had anticipated making investments worth £5 million in 2019/20 but none of the funding had yet been spent. Under the existing terms in the strategy any investment opportunities that were identified would have to first be reported back to the Executive Committee before any action could be taken. The update report proposed that Officers should be able to undertake initial financial modelling in line with KPMG guidance and an initial offer could be made by officers, subject to approval by the Executive Committee.

During the debate in respect of the strategy Members questioned whether the Council had identified any potential opportunities for investment. Officers confirmed that no opportunities had been identified by the date of the meeting, though the Head of North Worcestershire Economic Development Unit was monitoring local developments. As agreed in the policy the Council could choose to invest in projects within the Borough or in locations adjacent to the Borough.

**RESOLVED that**

**the Investment Strategy Report 2019/20 be approved and adopted.**

**116. OVERVIEW AND SCRUTINY COMMITTEE**

The Chair advised that there were no outstanding Overview and Scrutiny Committee minutes for consideration at the meeting.

**117. MINUTES / REFERRALS - OVERVIEW AND SCRUTINY COMMITTEE, EXECUTIVE PANELS ETC.**

The Chair confirmed that there were no further recommendations from either the Overview and Scrutiny Committee or any other Committees for consideration at the meeting.

**118. ADVISORY PANELS - UPDATE REPORTS**

- a) Constitutional Review Working Party – Chair, Councillor Matthew Dormer

Councillor Dormer confirmed that there had been no further meetings of the Constitutional Review Working Party (CRWP) since the previous meeting of the Executive Committee. The following meeting of the CRWP was scheduled to take place on 16<sup>th</sup> July 2019.

- b) Corporate Parenting Board – Council Representative, Councillor Gareth Prosser

Councillor Prosser confirmed that there were no updates to provide in respect of the Corporate Parenting Board.

- c) Grants Panel – Chair, Councillor Greg Chance

Councillor Chance confirmed that there were no updates to provide in respect of the Grants Panel.

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- d) Member Support Steering Group – Chair, Councillor Matthew Dormer

Councillor Dormer confirmed that there had been no further meetings of the Member Support Steering Group (MSSG) since the previous meeting of the Executive Committee. The following meeting of the MSSG was scheduled to take place on 18<sup>th</sup> June 2019.

- e) Planning Advisory Panel – Chair, Councillor Matthew Dormer

Councillor Dormer noted that the latest meeting of the Planning Advisory Panel (PAP) had taken place on 13<sup>th</sup> March 2019. During the meeting Members had discussed the redevelopment of Matchborough and Winyates district centres as well as housing numbers in the Borough.

The Meeting commenced at 7.00 pm  
and closed at 8.47 pm

**EXECUTIVE  
COMMITTEE**11<sup>th</sup> June 2019**INTRODUCTION OF CIVIL PENALTIES FOR FAILURE TO COMPLY WITH  
STANDARDS IN THE PRIVATE RENTED SECTOR**

Relevant Portfolio Holder	Councillor Craig Warhurst
Portfolio Holder Consulted	Yes
Relevant Head of Service	Judith Willis
Ward(s) Affected	All wards
Ward Councillor(s) Consulted	No
Key Decision / Non-Key Decision	No

**1. SUMMARY OF PROPOSALS**

The Government has introduced powers under the Housing and Planning Act 2016 for local authorities to use Financial Penalties as an alternative to prosecution for some offences under the Housing Act 2004 and this report seeks approval to introduce the use of financial penalties in tackling offences in the private sector and to adopt Government guidance on the implementation of this power to establish a framework for levels of penalty to be imposed.

**2. RECOMMENDATIONS**

**The Executive Committee is asked to RECOMMEND**

- 2.1 **That 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**
- 2.2 **That the financial penalty matrix attached to this report as Appendix 1 be adopted**

**3. KEY ISSUES**

- 3.1 The council currently provides a number of services to tenants and landlords in the private rented sector in Redditch, which supplies in the region of 4000 homes to local residents.
- 3.2 Inevitably, things can sometimes go wrong in the private rented sector and when this happens the council can intervene to try and resolve the situation. Usually a resolution can be found through negotiation but sometimes the council has no other option but to pursue enforcement action against landlords which is often a costly, protracted and resource-intensive exercise.

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- 3.3 Introducing Civil Penalties as an alternative to other enforcement action should offer a swifter and more financially efficient way of working as well as helping the council drive up standards in the private rented sector, with the associated benefits for tenants, in line with the council's strategic purpose 'help me find somewhere to live in my locality'.

**Financial Implications**

- 3.4 The use of Civil Penalties to address incidents of non-compliance with current housing standards in the Private Rented Sector will result in the Council imposing a fine aligned to the degree of non-compliance. Under the Fixed Penalty Notice process the fines imposed are fully retained by the Council to recompense the full costs associated with the general enforcement function whereas under the existing court process the Council receives only the specific enforcement costs for each individual case and only where the case is successful.
- 3.5 Landlords and agents can appeal against a Civil Penalty to the First Tier Tribunal. Where the landlord or property agent fails to pay a Civil Penalty, the local authority can seek a Court Order in the County Court. If necessary, the local authority may use county court bailiffs to enforce the Order and recover the debt.
- 3.6 In cases where there is difficulty in obtaining the payments the Council may instead opt to secure recovery of the fine by placement of registered charge against the property.

**Legal Implications**

- 3.7 The Housing and Planning Act 2016, introduced powers for local authorities to use Civil Penalties (a fine) as an alternative to prosecution. The prosecution process via the Courts system is becoming increasingly protracted and resource-intensive and the use of Civil Penalty Notices is considered to provide a more efficient means of penalising non-compliance for the majority of cases, however prosecution will nonetheless remain as an option for the most serious offenders, subject to the public interest test.
- 3.8 Civil Penalties can be used for wide range of breaches under the Housing Act 2004. This report sets out the principles to be adopted when using this new power. The Council may also consider whether or not to undertake the works in default when an Improvement Notice has not been complied with.
- 3.9 Guidance issued by the Ministry of Housing Communities and Local Government (MHCLG) in April 2017 sets out the criteria for decision making about the level of fine able to be imposed and the process that the Council should follow. In consultation with other West Midlands and Worcestershire local authorities it was generally agreed to seek adoption of a common standard for Civil Penalties



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which has regard to the Government guidance to enable a more consistent approach to the penalties across the region.

- 3.10 The Act allows a maximum financial penalty of £30,000 to be imposed for the most serious offence. This is an increase on previous levels to reflect the governments concerns that the Fixed Penalty process should not be considered a lesser deterrent than the court process.
- 3.11 In determining whether to impose a financial penalty the Council will have regard to any relevant Governmental guidance. In particular to the factors set out in the Government Guidance on Civil Penalties under the Housing and Planning Act 2016 has been incorporated into the charging table adjustments set out in Appendix 1.
- 3.12 Where it has been determined that a financial penalty may be appropriate to impose as an alternative to prosecution, the Council will follow the following process.
- 3.13 A "Notice of Intent" shall be served on the person suspected of committing the offence. The Notice shall specify:
  - a. The amount of any proposed financial penalty
  - b. The reasons for proposing the financial penalty
  - c. Information about the right to make representation to the Council.
- 3.14 The person to which the notice relates will be given 28 days to make written representation to the Council about the proposal to impose a financial penalty. The representation may be via any legible written format, but to aid respondents, a form will be included with the Notice of Intent.
- 3.15 Following the 28 day period the Council will decide:
  - a. Whether to impose a financial penalty on the person, and
  - b. Any amendments to the value of any such penalty imposed.
- 3.16 If the Council decided to impose a financial penalty, a final Notice shall be issued imposing that penalty. The final notice will specify:
  - a. The amount of financial penalty,
  - b. The reasons for imposing the penalty,
  - c. Information about how to pay the penalty,
  - d. The period for payment of the penalty,
  - e. Information about the rights of appeal to the First Tier Tribunal,
  - f. The consequences of failure to comply with the notice
- 3.17 If, after any appeal has been finally determined or withdrawn, a person receiving a financial penalty does not pay all or part of the penalty charge, the Council will

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recover the penalty by Order from a County Court. Where appropriate, the Council will also seek to recover the additional costs incurred in taking this action from the person to which the financial penalty relates.

- 3.18 Financial penalties are an alternative to criminal proceedings and as such if a penalty is imposed, no criminal proceedings can be initiated for the same offence.
- 3.19 The Council may, at any time:
- a. Withdraw a notice of intent or final notice
  - b. Reduce the amount specified in a notice of intent or final notice.
- Where the Council decided to take either action, it will write to the person to whom the notice was given.
- 3.20 Where a person has received two financial penalties under the legislation in any 12 month period, irrespective of the locality to which the offence were committed, the Council will consider making an entry on the national database of rogue landlords and property agents. When considering making an entry, The Council will have regard to any guidance issued by the Secretary of State.
- 3.21 Where the Council secures a financial penalty it will have a zero tolerance approach to the recovery of this debt. Income received from Civil Penalties will be retained by the Council to further help the statutory functions of the Private Sector Housing Team.

**Background / Service Implications**

- 3.22 The introduction of financial penalty charge notices, as an additional enforcement measure, for Part 1 Housing Act 2004 allows authorised officers to consider the best course of action to address non-compliance by private sector landlords. The Government's position is clear and detailed in paragraph 5.5 requiring Local Authorities to be robust in their enforcement approach.
- 3.23 The rationale in relation to the financial penalty is in accordance with Magistrates Court procedures for imposing fine levels taking into account culpability and income from their housing related activities.
- 3.23 The financial penalty matrix and associated enforcement notes have been consulted and adopted in both the Worcestershire Authorities and the wider West Midlands Authorities through the Private Sector Housing Officers Group. Officers from Private Sector Housing Team have consulted with other Worcestershire and West Midland local authorities and national groups such as the Houses in Multiple Occupation Network on the framework for Civil Penalties. The majority of West Midlands Authorities have adopted or are in the process of adopting the same standard of charges set-out in this report to help ensure a level of consistency across the region. The proposed policy has also been

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discussed with the MHCLG who issued guidance. The MHCLG model on how to implement the Civil Penalty is proposed to be adopted by most West Midlands Authorities.

**Customer / Equalities and Diversity Implications**

- 3.24 The options available within the Civil Penalties approach are an important way of addressing poor practice in the private rented sector, thereby helping vulnerable adults and children remain housed and living independently in the borough.

**4. RISK MANAGEMENT**

- 4.1 Landlords receive advance warning from the council of an impending fixed penalty so they are given sufficient time to address issues identified.
- 4.2 Prosecution of landlords will remain an option for the most serious offenders, subject to the public interest test.
- 4.3 Officers from the council's Private Sector Housing Team will analyse and monitor the impact of this new approach and its impact on the sector in Redditch. They will also share this analysis and any future proposals for developing this approach with both the Portfolio Holder for Housing and the Portfolio Holder for Community Services and Regulatory Services.
- 4.4 The Private Sector Housing Team will manage and respond to ongoing Civil Penalty cases, liaising with landlords and tenants as necessary.

**5. APPENDICES**

Appendix 1 - Civil Penalty legislation & Fine Matrix

**6. BACKGROUND PAPERS**

Civil Penalties under the Housing and Planning Act 2016 – Guidance for Local Housing Authorities (MHCLG).

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/697644/Civil\\_penalty\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/697644/Civil_penalty_guidance.pdf)

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## Appendix 1

Civil Penalties under the Housing Act 2004 (as amended by the Housing and Planning Act 2016)

The Housing and Planning Act 2016 section 126 and Schedule 9 amended the Housing Act 2004 and introduced the ability for Local Housing Authorities to use financial penalties of up to £30,000 per offence as an alternative to prosecution for the following offences under the Housing Act 2004:

- 1. Failure to comply with an Improvement Notice (section 30).**
- 2. Offences in relation to Licensing of Houses in Multiple Occupation (section 72);**
- 3. Offences in relation to Licensing of Houses under Part 3 of the Act (section 95);**
- 4. Offences of contravention of an Overcrowding Notice (section 139)**
- 5. Failure to comply with Management Regulations in respect of Houses in Multiple Occupation (section 234).**

The Council will normally seek to use the Civil Penalties power to impose a financial penalty in preference to using the power of prosecution for the above offences. Prosecution will be considered in preference to financial penalty where there is a reasoned public interest case to do so or it is considered the more appropriate or effective sanction. The Council will still have to be satisfied of a realistic prospect of conviction should the Council have decided to prosecute the case. The case would still have to meet the evidential and public interest stages referred to in the Crown Prosecution Service Code for Crown Prosecutors. The Council will also consider whether or not to undertake works in default when an improvement notice has not been complied with.

Statutory guidance issued by the Department for Communities and Local Government in April 2017 sets out clearly appropriate criteria for decision making about the level of fine able to be imposed and the process that the Council will follow.

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The Council will have regard to this guidance and the Code for Crown Prosecutors in considering cases. Reflecting this guidance the following factors will be used for the basis of determining the level of financial penalty for a specific apparent offence:

1. **Consideration of the financial means of the landlord**, including the number of properties and tenants and likely monthly income from those.
2. **The severity of the offence**. The more serious the offence the higher the penalty.
3. **Culpability and track record of the offender**. A higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities. Landlords are running a business and should be expected to be aware of their legal obligations.
4. **The harm caused to the tenant**. This is a very important factor when determining the level of penalty. The greater the harm or the potential for harm (this may be as perceived by the tenant), the higher the amount should be when imposing a civil penalty.
5. **Punishment of the offender**. A civil penalty should not be regarded as an easy or lesser option compared to prosecution. While the penalty should be proportionate and reflect both the severity of the offence and whether there is a pattern of previous offending, it is important that it is set at a high enough level to help ensure that it has a real economic impact on the offender and demonstrates the consequences of not complying with their responsibilities.
6. **Deter the offender from repeating the offence**. The ultimate goal is to prevent any further offending and help ensure that the landlord fully complies with all of their legal responsibilities in future. The level of the penalty should therefore be set at a high enough level such that it is likely to deter the offender from repeating the offence.
7. **Deter others from committing similar offences**. While the fact that someone has received a civil penalty will not be in the public domain, it is possible that other landlords in the local area will become aware through informal channels when someone has received a civil penalty. An important part of deterrence is the realisation that (a) the local housing authority is proactive in levying civil penalties where the need to do so exists and (b) that the level of civil penalty will be set at a high enough level to both punish the offender and deter repeat offending.

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8. **Remove any financial benefit the offender may have obtained as a result of committing the offence.** The guiding principle here should be to ensure that the offender does not benefit as a result of committing an offence, i.e. it should not be cheaper to offend than to ensure a property is well maintained and properly managed.

The Council will determine the level of financial penalty from a review of the case that will start with considering which of the following 6 categories the case falls into:

1. **Very minor.** Examples: First apparent offence of one or two minor breaches of HMO management regulations not causing any harm and rectified as soon as practical or failing to comply completely with the works required in an improvement notice but most works are done within the timescale required and remaining works are in progress. ***For such cases no financial penalty is appropriate but a warning letter would normally be issued.***
2. **Minor.** For example a first apparent offence by a small scale landlord with only one or two properties and only one or two hazards that were not having a direct significant impact on the tenant and where the works required have been done, albeit not in the notice timescale or, once alerted to the offences under management regulations the works were undertaken within the shortest practical timescale. There may have been some minor financial benefit to the landlord. ***Such cases should be considered for a financial penalty of up to £1000.***
3. **Medium.** For example where several failures to comply with management regulations have occurred on more than one occasion, or an improvement notice has failed to be complied with even after prior notification of works by a landlord who only has one property. Also for example where a landlord has failed to apply for a licence for a house in multiple occupation. ***For such cases a financial penalty up to £5000 to be considered.***
4. **Significant.** For example there is a history of failing to comply with management regulations on 2 or more occasions by a landlord who has more than 2 properties and has also failed to respond to requests to undertake work or provide information within a reasonable time. Also for failure to comply with all or most of the requirements of an improvement notice without seeking a justified variation in timescale or an offence following a history of non-compliance with requirements including requests for information. Normally cases where there is some harm or potential harm to the tenants. ***For these cases a financial penalty of between £5000 and £10000 to be considered.***
5. **Very Significant.** Examples to include cases of failing to comply with all or most of improvement notice requirements with a history of failing to comply or

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being a landlord with 2 or more properties and no apparent reasonable excuse for not undertaking the works required. The works being themselves significant actual or potential harm to residents. ***For these cases a financial penalty of between £10000 and £20000 to be considered.***

**6. Most Serious.** Examples to include where a landlord with multiple properties has been operating an HMO without required licence and failing to meet multiple HMO regulation requirements and not having appropriate fire precautions in place and having history of non-compliance with requirements, including requisitions for information. Also where the landlord is not co-operating with officers, to attend notices of entry for example, and multiple regulation failures are apparent and there is significant harm or potential harm to residents. Cases where there is failure to comply with an improvement notice that has a number of very significant category 1 hazards causing harm or potential harm to the residents and there is no attempt by the landlord to undertake work or engage with the Council. ***For these cases a financial penalty of between £20000 and £30000 to be considered.***

The above categories with typical examples are the starting point for determining what actual level financial penalty is appropriate. For each specific case a record sheet will be produced that relates the case to one of the above categories and determines, taking into account the statutory guidance and relevant factors, the exact level of financial penalty to be imposed. For example multiple historic offences or landlords who have more properties and therefore more income should expect their financial penalty to be at the higher end of the scale within that category.

The actual amount of the financial penalty will be considered for variation (normally within the scale of that category) following any representation, in particular if the landlord can demonstrate otherwise good compliance record and a willingness to work with the Council to improve conditions for tenants.

If a landlord receives two or more financial penalties in a 12 months period they will normally be included in the rogue landlord database to help inform other local housing authorities.

A landlord who has received a Civil Penalty would not normally be considered fit and proper to manage a HMO within the next year for a minor or medium category penalty or for 3 years for a significant, very significant or most serious category penalty.

**Charging table for determining value of Financial Penalties imposed  
under Housing Act 2004**



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<b>Failure to comply with an Improvement Notice (Section 30)</b>	Up to £
1st offence (note 1)	5000
2nd subsequent offence by same person/company (note 2)	15000
Subsequent offences by same person/company (note 7)	25000
<b>Premiums (use all that apply)</b>	
Acts or omissions demonstrating high culpability (note 8)	+2500
Large housing portfolio (10+ units of accommodation) (note 3)	+2500
Multiple Category 1 or high Category 2 Hazards (note 4)	+2500
Vulnerable occupant and/or significant harm occurred as result of housing conditions (note 5)	+2500
Perpetrator demonstrates Income less than £440/week (note 6)	-50%

<b>Offences in relation to Licensing of HMOs under Part 2 of the Act (Section 72)</b>	£
Failure to obtain property Licence (section 72(1)) (note 1)	10000
2nd subsequent offence by same person/company (note 2)	30000
Perpetrator demonstrates Income less than £440/week (note 6)	-50%
Breach of Licence conditions (Section 72(2) and (3)) - Per licence breach	5000
Perpetrator demonstrates Income less than £440/week (note 6)	-50%

<b>Offences in relation to licensing of HMOs under Part 3 of the Act (Section 95)</b>	£
<b>Failure to Licence (section 95(1))</b> (note 1)	10000
2nd subsequent offence by same person/company (note 2)	30000
Perpetrator demonstrates Income less than £440/week (note 6)	-50%
Breach of Licence conditions (Section 95(2)) - Per licence breach	5000
Perpetrator demonstrates Income less than £440/week (note 6)	-50%

<b>Offences of contravention of an overcrowding notice</b>	£
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<b>(section 139)</b>	
1st relevant offences (note 1)	5000
2nd subsequent offence by same person/company (note 2)	15000
<b>Premiums (use all that apply)</b>	
Acts or omissions demonstrating high culpability (note 8)	+2500
Vulnerable occupant and/or significant harm occurred as result of overcrowding (note 3)	+2500
Perpetrator demonstrates Income less than £440/week (note 6)	-50%

<b>Failure to comply with management regulations in respect of HMOs (Section 234)</b>	£
1 <sup>st</sup> relevant offences (note 1)	1000/offence
Second subsequent offences by same person/company for the same offence	3000/offence
<b>Premiums (use all that apply)</b>	
Acts or omissions demonstrating high culpability (note 8)	+2500
Large housing portfolio (10+ units of accommodation) (note 3)	+2500
Vulnerable occupant and/or significant harm occurred as result of housing conditions (note 5)	+2500
Perpetrator demonstrates Income less than £440/week (note 6)	-50%

**NOTES****Note 1 – Offences that may be dealt with by way of imposing a financial penalty**

The starting point for a financial penalty is based on the number of previous convictions or imposition of a financial penalty for the same type of offence in the previous four years.

After the starting point has been determined, relevant Premiums are added to the starting amount to determine the full financial penalty to be imposed

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No single financial penalty may be over £30,000. Where the addition of all relevant premiums would put the penalty above the maximum, it shall be capped at £30,000

**Note 2 - 2nd subsequent offence by same person/company**

The Council will take into account any such convictions or financial penalties irrespective of the locality to which the offence relates.

**Note 3 - Large housing portfolio (10+ units of accommodation)**

The premium is applied where the perpetrator has control or manages of 10 or more units of accommodation.

For the purposes of this premium, the definition of a person having control and person managing are as defined by Housing Act 2004 Section 263.

**Note 4 - Multiple Category 1 or high Category 2 Hazards**

This premium will apply where the failure to comply with the Improvement Notice relates to three or more Category 1 or high scoring Category 2 hazards associated with different building deficiencies. For the avoidance of doubt this means that where two hazards are present but relate to the same property defect, they are counted as one hazard for purposes of this calculation.

For the purpose of this premium, a high scoring category 2 hazard is defined as one scored following the Housing Health and Safety Rating System as "D" or "E".

**Note 5 - Vulnerable occupant and/or significant harm occurred as result of housing conditions**

This premium will be applied once if either the property is occupied by a vulnerable person or if significant harm has occurred as a result of the housing conditions.

For purposes of this premium a vulnerable person is defined as someone who forms part of a vulnerable group under Housing Health and Safety Rating System relating to hazards present in the property or an occupant or group of occupants considered by the Council to be at particular risk of harm that the perpetrator ought to have had regard.

For purposes of this premium, significant harm is defined as physical or mental illness or injury that corresponds to one of the four classes of harm under the Housing Health and Safety Rating System Operating Guidance.

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At the time of publication this document can be found at [www.gov.uk](http://www.gov.uk) and a summary table is below.

<b>Hazard</b>	<b>Vulnerable age group (age of occupant)</b>
Damp and mould growth	14 and under
Excess Cold	65 or over
Excess Heat	65 or over
Carbon Monoxide	65 or over
Lead	under 3 years
Personal Hygiene, Sanitation and Drainage	under 5 years
Falls associated with baths etc.	60 or over
Falling on level surfaces etc.	60 or over
Falling on stairs etc.	60 or over
falling between levels	under 5 years
Electrical hazards	under 5 years
Fire	60 or over
Flames, hot surfaces etc.	under 5 years
Collision and entrapment	under 5 years
Collision and entrapment - low headroom	16 or over
Position and operability of amenities etc.	60 or over

**Note 6 - Perpetrator demonstrates Income to be less than £440/week**

This premium will be applied after all other relevant premiums have been included and if applicable will reduce the overall financial penalty by 50%.

To be applicable, the person served by the Notice of Intent must provide sufficient documented evidence of income.

The figure of £440/week is to be calculated after omission of income tax and national insurance.

The Council reserves the right to request further information to support any financial claim, and where this is incomplete or not sufficiently evidenced may determine that the premium should not be applied.

**Note 7 - Previous history of non-compliance with these provisions**

This premium is applied where there has been a conviction or imposition of a financial penalty for the same type of offence in the previous four years.

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The Council will take into account any such convictions or financial penalties irrespective of the locality to which the offence relates.

**Note 8 – Acts or omissions demonstrating high culpability**

This premium will be applied where, the person to which the financial penalty applies, acted in a reckless or deliberate manner in not complying with the statutory notice or previous relevant formal advice.

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**Executive Committee****11<sup>th</sup> June 2019****Private Sector Housing Assistance Policy**

Relevant Portfolio Holder	Cllr Craig Warhurst
Portfolio Holder Consulted	Yes
Relevant Head of Service	Judith Willis – Head of Community Services
Wards Affected	All
Ward Councillor Consulted	No
Key Decision	

**1. SUMMARY OF PROPOSALS**

This report provides an overview of updates made to the Council's Private Sector Housing Assistance Policy (Appendix 1). The policy has been updated in line with a recommendation from Audit during 2017-18, which highlighted that the existing policy needed to be updated to reflect changes around loan limits for applicants and local land charge arrangements. These changes have now been made, and the policy has also been checked to ensure it accurately captures the changing nature of health and adult care services in the local community.

**2. RECOMMENDATIONS**

**That the Executive NOTES the changes made to the Private Sector Housing Assistance Policy and RESOLVES to approve its implementation**

**3. KEY ISSUES****Financial Implications**

3.1 There are no financial implications associated with updating this policy.

**Legal Implications**

3.2 The duties and powers to provide the suite of options available within the Private Sector Housing Assistance Policy are set out in various pieces of Housing Legislation. There is also a requirement to adopt and publish a policy in relation to these in the Regulatory Reform (Housing Assistance) Order 2002.

**Service / Operational Implications**

3.3 The changes made in light of the recommendation by Audit bring the policy up to date in terms of current procedure and practice in relation to two specific areas. The first of these changes updates the policy so

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that the Home Repairs Assistance loan limit is set at £10000 per applicant. The second change makes it clear to applicants that charges are now registered as local land charges only.

- 3.4 More broadly, the policy aims to provide information to applicants about eligibility, products and funding streams into a single document and in as straightforward and transparent way as possible.

**Customer / Equalities and Diversity Implications**

- 3.5 The options available within the Private Sector Housing Assistance approach are an important way of helping vulnerable adults and children remain housed and living independently in the district.
- 3.6 These functions therefore play a role in meeting the Council's Strategic Purposes:
- Help me live my life independently
  - Help me find somewhere to live in my locality

**4. RISK MANAGEMENT**

Audit identified a risk associated with not updating the policy, which they classified as a medium priority. The risk focussed on correct practice, finances and reputation. So making the changes in line with the Audit recommendation removes this risk.

**5. APPENDICES and BACKGROUND PAPERS**

Appendix A – Redditch Borough Council – Private Sector Housing Assistance Policy 2019

**6. KEY****AUTHOR OF REPORT**

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## **REDDITCH BOROUGH COUNCIL**

### **PRIVATE SECTOR HOUSING ASSISTANCE POLICY 2019**

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## **1.Introduction**

The Regulatory Reform (Housing Assistance)(England and Wales) Order 2002 requires all Councils to adopt and publish a policy outlining how they intend to exercise powers set out within the legislation , to include use of government funding received through the Better Care Fund, to meet both national aims , outcome measures, metrics and local needs in addition to locally funded forms of assistance.

The policy is designed to contribute towards the Council's strategic aims and objectives by assisting with:

- a) The improvement of housing quality in all tenures
- b) Enabling people to stay in their home as they get older and provide disabled persons with maximum ability around their homes
- c) Renovating unfit houses and bringing empty properties back into use
- d) Improving energy efficiency and eliminating fuel poverty
- e) Improvement of social care, health and social wellbeing

## **2.Key Aims**

The key aims are to address the issue of vulnerable persons or persons on low incomes who either cannot afford to maintain their properties in good repair or who cannot fund essential adaptations required in order that they might fully utilise their home, benefit from safe and decent housing and retain their independence. This will include;

- Increasing the number of vulnerable persons who are able to live independently at home
- Reducing the number of persons and particularly vulnerable persons living in homes that have category 1 and serious category 2 hazards ( as set out within the Housing Act 2004 )
- Increasing the number of empty properties brought back into use , particularly where that accommodation can be used to reduce homelessness, or for use as temporary accommodation
- Reducing the number of households in fuel poverty

The Council will consider in all cases a person's ability to repay or contribute towards the assistance given whether under a mandatory requirement or as a criteria set within any

discretionary form of assistance. The council will provide in writing the conditions and any obligations to which any form of assistance provided is subject.

The Council will consider all applications for assistance on their merits however all cases will be assessed against the following criteria:

- All available options, including but not restricted to financial, have been fully explored
- Assistance through other means is not reasonably available or practicable
- The proposal fits the strategic aims of the council and/or national aims
- The proposal is economically viable considering the council resources available

The council will review this policy on a regular basis to changing policies at a national or local level or to reflect evidence concerning the conditions of housing within the Borough.

### **3.Types of Assistance Available**

The types of financial assistance offered, are set out below and will remain so until a further Housing Assistance Policy is published. All are discretionary, except Mandatory Disabled Facilities Grant and are subject to the council having sufficient resources.

The Policy grants discretion to extend or amend eligibility criteria, level of grant or assistance and scope of works where the situation is exceptional and, in the opinion of the Head of Community Services assistance would help the Council meet its strategic housing objectives and/or Better Care Fund metrics.

#### **3.1 Mandatory Disabled Facilities Grants :**

These are mandatory grants to support the provision of adaptations to promote independent living within the home, subject to the provisions of the Housing Grants, Construction and Regeneration Act 1996.

#### **3.2 Discretionary Disabilities Assistance:**

The following are discretionary forms of assistance enabled through the central government Better Care Fund allocation, subject to the primary requirements of Mandatory Disabled Facilities Grant being firstly met:

- **Discretionary Disabled Facilities Grant-** To enable top-up funding to a DFG scheme that exceeds the Mandatory Disabled Facilities Grant maximum where the additional costing is considered justifiable.
- **Minor Adaptations Top Up**– Top-up funding to support adaptations exceeding the maximum assistance available through the Minor Adaptations/Handyman Service to reduce necessity for full Disabled Facility Grant application.

- **Dementia Dwellings Grant**- to assist persons with dementia with specialised living aids to enable independent and safe living.
- **Hospital Discharge Scheme** – For fast-tracked and non-means tested works to the home to enable earlier hospital discharge where problems in the home are identified as a possible reason for delayed discharge.
- **Ceiling Tracking & Hoists**- Top-up funding to support the provision of Ceiling Tracking and Hoist equipment required to meet the needs of a disabled person, administered through the Integrated Equipment Service.

### **3.3 Discretionary Housing Assistance:**

The following are discretionary forms of assistance enabled through powers granted under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, funded by the council own resources and subject to the availability of such funding:

- **Home Repair Assistance Lifetime Loans**- to assist homeowners with essential repairs to address category 1 and serious category 2 hazards
- **House in Multiple Occupation Lifetime Loan** – to assist landlords to create additional units of HMO accommodation or improve amenity or thermal standards of existing substandard HMO accommodation
- **Redditch Energy Efficiency Scheme** – to assist homeowners to address inefficient heating systems and improve the thermal performance of their homes.

### **4. General provisions**

The provision of assistance other than Mandatory Disabled Facilities Grants is subject to the availability of funding. All applications will be considered based on the identified needs and circumstances of the applicant or household.

Housing Assistance may be offered in a variety of forms including, but not restricted to , financial assistance, advice, provision of materials, carrying out of works, and loans. Advice offered may include Housing Options advice to ensure the most appropriate option for the applicant or household is considered and may include advice on housing rights, benefits entitlement, repairs or improvements, energy efficiency, re-housing or signposting to other agencies or services.

The Council may enter into partnership or contractual arrangements with other organisations or agencies in order to deliver assistance in an effective and timely manner, such as a Home Improvement Agency or Energy Advice Service. The Home Improvement Agency is engaged to provide support to applicants throughout the process of seeking assistance and this may include identification of options, specifications, documentation, engagement of contractors, works supervision and monitoring through to completion.

Where assistance is provided the eligible costs will include necessary associated costs such as Building and Planning Fees, Architect and other professional fees and Home Improvement Agency/Energy Advice Service fees.

The provision of mandatory grants and discretionary financial assistance will be subject to internal and external auditing to ensure adequate procedures are in place and followed and that there is appropriate use of public funds.

### **5. Persons Eligible for Housing Assistance**

Only if assistance through other means is not reasonably available or practical will the council offer Housing Assistance.

Any person who makes an application for Housing Assistance must;

- (i) Be over 18 years of age at the date of the application
- (ii) Live in the dwelling as his/her only main residence ( except where the applicant is a landlord who intends to let the dwelling or where the Housing Assistance is in relation to an empty property) and
- (iii) Have an owners interest in the dwelling ( other than by virtue of being a Registered Social Landlord under Part 1 of the Housing Act 1996 or being eligible for such registration) or be a tenant or licensee of the dwelling, alone or jointly with others but not being a member of the landlords family, with a tenancy or licence permitting occupation of the dwelling for a minimum period of 12 months after approval of the Housing Assistance, and
- (iv) Have the power or duty to carry out the works and where appropriate have the owner's consent in writing to carrying out the works, and
- (v) Satisfy such test(s) of resources as the Council, or statute, may from time to time have in place
- (vi) Not be ineligible, by virtue of the Housing Grants, construction and Regeneration Act 1996, regulations made under the Act or any other enactment
- (vii) Homeowners have the primary responsibility for ensuring their homes are properly maintained but we will assist eligible, vulnerable homeowners to make sure they have the opportunity for achieving the correct property standards, including taking advantage of private finance to resolve issues where available.

### **6. Where Assistance will be restricted**

The following will not be eligible for assistance:

1. Where ownership of the property is disputed.
2. Where the owner(s) has a statutory duty to carry out the necessary works and it is reasonable in the circumstances for them to do so.

3. The Council will not consider an application for assistance in respect of premises built or converted less than 10 years prior to the date of the application, except where:
  - (i) The application relates to means of escape from fire and other fire precautions for Houses in Multiple Occupation.
  - (ii) The application is for a Disabled Facilities Grant.
4. No assistance will be given in respect of properties owned by Statutory Authorities or trusts. This includes properties owned by Registered Social Landlord, NHS Trusts and Police Authorities, except in the case of a Disabled Facilities Grant ( Mandatory or Discretionary), Dementia Dwellings Grant, Minor Adaptations Top-Up or Hospital Discharge Scheme..
5. Where the residence is not regarded as permanent.
6. No assistance will normally be given for work started before formal approval of an application, except that:
  - (i) The Council may in exceptional circumstances exempt an application from this condition for example where a defect may present a serious risk to health and safety.
  - (ii) The Council may, with consent of the applicant, treat the application as varied so exclude any works that have been started before approval.
7. Grant assistance will not normally be provided for works covered by insurance. Where, before a grant for assistance is approved it is found that an applicant can make an insurance claim, the insurance company will be requested to confirm in writing the level of their liability, if any. The level of housing assistance will be reduced by an amount equivalent to the insurance company's liability. Where housing assistance is approved , a condition will be imposed requiring the applicant to pursue any relevant claim against an insurance company or third party for;
  - a) Claims for personal injuries where the works are required under a Mandatory Disabled Facilities Grant.
  - b) Claims on the applicant's property insurance or on a third party where the application where the application is in respect of works for which financial assistance has been given and to repay the financial assistance provided out of the proceeds of such a claim.
8. The Council will assess whether the scope of the works are reasonable and eligible, in particular having regard to the age, condition and structural layout of the property.
9. The Council will determine whether prices provided by contractors meet value for money. In determining this, the Officer will give consideration to similar jobs priced within the last year. The Officer may liaise with the relevant body or contractor to check the specification and any estimates, as part of the procurement procedure.
10. In the event that the Officer believes the price for contracts are too high and identifies an appropriate price for this work (which is lower) they will advise the client that the total eligible assistance will be the lower amount. The client is under no obligation to

use the lower priced contractor but must be aware the Council will only make a grant or assistance payment up to the value of the lower price.

11. In the case of an application for Disabled Facilities Grant where the client chooses to pursue a different scheme of work's or an enhanced scheme of works the client will be advised the Council will only provide assistance to the value of the scheme of works the Officer has determined would otherwise satisfy the basic primary requirement(s) identified by the report of the Occupational Therapy Service, subject to the Officer being satisfied the clients preferred scheme will also satisfy the primary requirements.
12. The Council may refuse any application for assistance lacking the required information or documentation.
13. Where the client deviates from the scheme of work(s) submitted and subsequently approved by the Council without prior consultation with, or agreement of, the Officer the Council may rescind the approval or refuse to make any further payment of assistance. The Council may also seek to recover any interim assistance payments previously made against the approved scheme.
14. If the applicant is an owner of the dwelling in respect of which Housing Assistance has been approved and ceases to be the owner before the works are completed the applicant must repay to the Council on demand the total amount of Housing Assistance that has been paid.
15. Where a grant condition imposes a liability to repay the Housing Assistance, or a part thereof, the condition will be registered by the Council as a Local Land Charge.
16. Where Housing Assistance has been approved the works must be completed within 12 months of the approval date, except where an extension of time, not exceeding 6 months has been agreed by the Council. Where no extension is agreed the Council may rescind the approval or refuse to make any further payment of assistance. The Council may also seek to recover any interim assistance payments previously made against the approved scheme.
17. In the case of common parts of a dwelling the Council will only consider assistance for the reasonable sum or proportion of the applicant's liability. The applicant must prove a repairing liability for the common parts.
18. The Council may, where financial or operational demands dictate, defer payment of a Disabled Facilities Grant for a period not exceeding 12 months. Any deferment will be detailed in the approval notice.
19. The provision of Housing Assistance is allowed for caravans and houseboats used as a main residence, subject to meeting other eligibility requirements. Holiday residencies, caravans on holiday sites or sites with restricted occupancy, second homes (as defined by Council Revenues criteria) and sheds, outbuildings or appurtenances will not qualify for Housing Assistance.
20. The Council will include the costs of additional warranty years on specialised equipment to a maximum of two additional years beyond the standard warranty, however it

reserves the right to exclude the provision of additional warranty at any time subject to the availability of finances.

21. The Council recognises that this policy cannot cover every likely situation and there may be persons who genuinely are in need of some form of urgent support that are precluded from accessing Housing Assistance due to a specific aspect. In these situations the Council may consider offering assistance in exceptional circumstances, in particular where support would help the Council meet its strategic objectives, as determined by the Head of Service in consultation with the relevant Portfolio Holder.

### **7. Supervision of Works**

In the absence of any agency agreement with the Council or its appointed Home Improvement Agency, the responsibility for supervision of the works rests with the applicant or with any suitably qualified and indemnified building professional or agent acting on the applicant's behalf and not with the Council.

All work must be undertaken :

- a) In accordance with manufacturers recommendations and best practice.
- b) In accordance with and to the satisfaction of the Council .
- c) In accordance with building, planning and installation regulations where applicable and Health and Safety regulations.

Payment of grant/assistance will be made, in whole or by part payments, on receipt of contractors invoice following satisfactory completion of the eligible work as determined by the Council's Officer or its appointed Agent.

### **8. Payment of Assistance**

The Housing Assistance will only be paid if

- (i) The assisted works are completed within 12 months from the date of the approval unless the delay was caused by the Council or its appointed Agency.
- (ii) The assisted works are carried out in accordance with the specifications set out in the formal approval or as varied with the prior agreement of the Council.
- (iii) The assisted works are carried out to the satisfaction of the Council or its appointed Agency and the applicant.
- (iv) The Council are provided with an invoice, demand or receipt for payment in an acceptable format.

Invoices must be addressed to the applicant c/o the Council or its appointed agency and must contain sufficient detail for the Council to identify in full, the works carried out, the price charges and any variations previously agreed with the Council or its appointed Agency, and must not be provided by the applicant or a member of his/her family.



The payment of the Housing Assistance to the contractor may be made via the applicant, or, where requested within the original application, paid directly to the contractor engaged by the applicant.

The Housing Assistance may be paid in one lump-sum on satisfactory completion of the works or by staged payments as the work proceeds. Stage payments (Interim payments) will only be made where the Council is satisfied that the value of work completed exceeds the value claimed. A maximum of three stage payments and final payment will be considered,

The Council will not enter into any form of contract with a builder or contractor, and, in the absence of any Agency agreement with the applicant, it is a matter for the applicant to agree any contract with the builder or contractor. Whilst the Council's Standing Orders on procurement do not directly apply as no contract exists with the Council, the principles of the Standing Orders will be referred to for determining the administration of procedures regarding the obtaining of quotes, etc.

#### **9. Security and Repayment of Assistance**

Where a grant condition imposes a liability to repay the Housing Assistance, or a part thereof, the condition will be registered by the Council as a Local Land Charge.

The Council will recover grant/housing assistance monies in full if the relevant conditions of the assistance are not met. Where not already a requirement of the specific terms of the housing assistance granted, a local/legal land charge may be entered against the property for the purpose of debt recovery.

If an application is approved but it subsequently appears to the Council that the applicant (or one of two or more joint applicants) was not, at the time the application was approved, entitled to receive the assistance approved, then no payment, or further payments, of assistance will be made and the Council may seek to recover immediately any payments made together with interest accruing from the date of payment.

The Council may, at its discretion determine to require repayment of a lesser sum than the full amount of Housing Assistance.

#### **10. Enquiries and Applying for Housing Assistance**

Applicants are not obliged to use the services of the Council's appointed agent/home Improvement Agency.

All applications must be on a form provided by the council and must include the following documentation:-

- (i) Where the estimated cost of the works is between £0-£3000 two competitive quotations are required set out against the itemised schedule of works for which

housing assistance is sought and submitted to the council. Where the estimated cost of the works is between £3001-£25000 three competitive quotations set out against the itemised schedule of works. However, where the application is being coordinated through the Council's appointed Home Improvement agency then the procurement frameworks approved by the council will be used.

- (ii) Particulars of the work to be carried out including, where appropriate, plans, specifications and specialist reports. This should include the complete scheme in cases where the whole scheme exceeds that which is eligible for Housing Assistance.
- (iii) Details of any professional fees or charges relating to the work and for which assistance is being sought.
- (iv) Proof of ownership of all land and buildings pertaining to the application from a solicitor or mortgagee, or copies of the title deeds/land certificate, or a copy of the tenancy agreement or licence to occupy in the case of a tenanted property.
- (v) Proof of occupation and/or tenancy where applicable.
- (vi) Proof of a qualifying pass-porting benefit is being claimed.
- (vii) Where no pass-porting benefit is received, full financial documentation including but not limited to income received, benefits received, savings, pensions and where applicable rental income from tenants and boarders.
- (viii) Where applicable, permission of co-owners and landlords
- (ix) A VAT exemption form where the applicant or relevant person is registered disabled or capable of being registered.
- (x) A signed conditions form accepting the obligation to repay the housing assistance in the event of any breach of the relevant conditions concerning future occupation, letting or ownership.
- (xi) If required, permission under any statute including but not limited to, planning permission, Building Regulation approval, Party Wall Act, etc.

Applications relating to the disabled or infirm will require an assessment report from the Occupational Therapy Service or similar medical professional.

An application will only be considered complete or valid when the council has all the information necessary in order to make a decision on the application.

Persons wishing to pursue Housing Assistance or a Disabled Facilities Grant where a test of resources applies, will be required to complete a means test assessment to confirm whether they are eligible or need to make a contribution towards the cost of the works. This can be conducted prior to submitting an application where the council's appointed agent/Home Improvement Agency is acting for the potential applicant.

Where a person decides to continue with an application, then an inspection of the property will be made and where appropriate to proceed a schedule of works drawn up. The schedule will specify the works to be carried out as a requirement for financial assistance

and will be used by the applicant to obtain quotations from builders and/or specialist suppliers.

Where an applicant uses the council's appointed agent/Home Improvement Agency to undertake the application the relevant agency fee will be included in the eligible costs.

The council reserves the right not to assist the applicant in the same manner as its appointed agent/Home Improvement Agency would provide where the applicant chooses not to utilise the appointed agency and to submit an application directly to the council.

Once approval has been given the applicant has 12 months from the date of the approval in which to complete the works, unless otherwise stated.

### **11. Additional Conditions**

The Council reserves the right to impose additional conditions when making a grant/housing assistance approval. These may include but are not restricted to:

- (i) A contribution to the cost of the assisted works by the applicant.
- (ii) Housing accommodation being maintained in repair after completion of the assisted works.
- (iii) The right of the Council to recover specialised equipment when no longer needed.

### **12. Breach of Undertakings**

Where an owner occupier has given a signed undertaking to occupy a property as his/her principle residence after completion of the assisted works for a period of time, and if they cease to do so during that time, they will repay on demand to the Council the total amount of Housing Assistance paid out.

Where a landlord (or owner) has given a signed undertaking that the property will be available for letting for a period specified after completion of the assisted works, and if the landlord ceases to make the relevant property available for letting during the specified period then the landlord will repay on demand to the Council the total amount of Housing Assistance paid out.

Where the Council has the right to demand repayment but extenuating circumstances exist, the Council may determine to waive the right to repayment or to demand a sum less than the full amount of Housing Assistance paid out.

In the case of a Disabled Facilities Grant where a 10 year conditional repayment obligation exists and the recipient intends to dispose of the property by sale, assignment, transfer or otherwise within the 10 year period, the charge must be repaid, unless the Council, having considered:

- i) the extent to which the recipient of the assistance would suffer financial hardship were he/she to be required to repay all or some of the grant or charge;
- ii) whether the disposal of the property is to enable the recipient to take up employment, or to change the location of his/her employment;
- iii) whether the disposal is made for reasons connected with the physical or mental health or well-being of the recipient of the assistance or of the disabled occupant of the property; and
- iv) whether the disposal is made to enable the recipient of the assistance to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the assistance is intending to provide, or who is intending to provide care of which the recipient of the assistance is in need of by reason of disability or infirmity,

is satisfied that it is reasonable in the circumstances to waive or reduce the repayable sum.

### **13. Death of the Applicant**

If the applicant should die before the Housing Assistance is approved, the application will be treated as withdrawn.

If the applicant should die after approval of the Housing Assistance or whilst the approved works are in progress, the Council may, at its discretion agree to completion or making good of the works and pay the Housing Assistance in full, or an appropriate proportion of the approved sum relative to the works completed.

Where an applicant receiving Disabled Facilities Grant assistance dies following completion of the works but prior to the expiry of the ten year local land charge the Council will seek repayment of the sum on charge from the applicant's estate if a disposal by sale, transfer or other change in ownership or tenure takes place.

### **14. Decisions , Notifications and Redeterminations**

The Council will notify the applicant in writing when their application has been approved or refused. The decision will be notified as soon as reasonably practical and in any event no later than six months after receipt of a full and valid application.

If the application is approved, the notification will specify the eligible works, the value of the assistance and the builder/contractor who will execute the works. In the case of a Disabled Facilities Grant the Council may, where financial or operational demands dictate, defer payment of the assistance for a period not exceeding 12 months. Any deferment will be detailed within the grant approval notice.

If the application for Housing Assistance is refused, the Council will give the reasons for the refusal and confirm the procedure for appealing the decision.

Where Housing Assistance has been approved and the Council are satisfied that through circumstances beyond the control of the applicant which could not have reasonably been foreseen, the cost of the assisted works has either increased or decreased, the Council may, at their discretion re-determine the assistance given and notify the applicant accordingly by issue of a re-approval notice.

Additional works or deviations from the approved works carried out without prior approval of the Council will not be considered for any increased financial assistance and would remain the responsibility of the applicant to fund.

#### **15. Review of the Councils Decision**

Any person having made a valid application for Mandatory Disabled Facilities Grant or Discretionary Housing Assistance may request a review of the decision not to consider or to refuse an application.

A request for review of must be submitted to the Council with 21 days of the date of the decision letter. The request must be in writing and addressed to the Head of Community Services at Redditch Borough Council, Town Hall, Walter Stranz Square, Redditch B98 8AH. A review of the decision will be undertaken by the Head of Community Services in consultation with the relevant Portfolio Holder and the decision will be notified to the applicant in writing. If the person remains dissatisfied with the review decision they have the right to approach the Local Government Ombudsman.

Any departure from Policy will only be considered where the applicant can demonstrate both wholly exceptional circumstances to justify such a departure but also that the applicant does not have the means by which they could reasonably be expected to otherwise fund and undertake the work.

Complaints about service delivery rather than Policy must be made in writing to the Strategic Housing Manager at the aforementioned address who will investigate the complaint in accordance with the councils Corporate Complaints Procedure which is available on request.

#### **16. Mandatory Disabled Facilities Grants (DFG)**

These grants are mandatory under the Housing Grants, Construction and Regeneration Act 1996 and are subject to a statutory test of resources ( means test) required to establish whether the applicant is financially able to contribute towards the costs of the eligible scheme.

Disabled Facilities Grants are awarded to enable applicants to have access to and around their homes, or to use essential facilities within the home to enable them to live safely and independently. Mandatory Disabled Facilities Grants can only be given for the purposes set out in the Act.

Ongoing maintenance and repair of adaptations and equipment provided under the grant will become the responsibility of the applicant or landlord as relevant.

Whilst it is recognised that a Disabled Facilities Grant is a mandatory grant, it is the Council's intention where possible to investigate all housing options that might meet the needs of the applicant in the most cost effective and suitable way before awarding a Disabled Facilities Grant. This could include moving to a more suitable and/or adapted accommodation that may be available to the applicant.

The maximum amount of Mandatory Disabled Facilities Grant is currently £30,000 set by statute. Discretionary Disabled Facilities Grant for costs above £30,000 will not be made available except upon the agreement of the Council, in accordance with this policy and where justified to be the most satisfactory course of action in the circumstances or to have arisen through reasonable and unforeseeable additional works or costs.

The council will endeavour to determine all valid application within 2 weeks of receipt unless further information is required to enable that decision. Where further information or other factors necessitate further investigation of options the council will determine the application at the earliest opportunity within the statutory timescale of 6 months.

#### Eligible Applicants

- Any applicant registered or capable of being registered under the Chronically Sick & Disabled Persons Act 1970 and requires adaptations to be provided.
- Any disabled person, as described by Housing Grants, Construction and Regeneration Act 1996, s.100. Applicants can be property owners or tenants or some landlords may apply on behalf of tenants.

#### Qualifying Criteria

- A referral from the Community Occupational Therapist (COT) via Social Services confirming that the works are 'necessary and appropriate' is required. This referral will recommend works.
- Entitlement to a Disabled Facilities Grant is mandatory but before approval the Council has to be satisfied that the relevant works are both necessary and appropriate for the disabled person, and additionally that it is 'reasonable and practicable' to carry out the works.
- A permanent, or long-term in the case of fostering, and legal residence, including dwellings, mobile homes, caravans and houseboats. Second or holiday homes will not be considered for assistance.

#### Conditions

- Works must qualify as described in s23 of the Housing Grants, Construction and Regeneration Act 1996 (as amended).
- Works must be recommended by a Community Occupational Therapist and be necessary and appropriate to meet the needs of the disabled applicant.
- The works must be reasonable and practicable to carry out having regard to the age and condition of the dwelling or building.
- Applicant will be subject to a financial assessment of resources except where
  - i) the applicant (relevant person(s)) is in receipt of one or more of the following means tested benefits; -Housing Benefit, Income Support, Guaranteed Pension Credit, Income-based Employment Support Allowance (ESA), Income-based Job Seekers Allowance (JSA), Working/Child Tax Credit where income is less than set threshold, Universal Credit
  - ii) The application is in respect of a disabled child.
- Proof of title is required
- Landlord consent to the works is required where applicable.
- Conditions relating to the recovery of equipment in specified circumstances are applied.
- The Council will use its powers to place a local land charge against the property where the Mandatory Disabled Facilities Grant exceeds £5000. The charge may be up to a maximum of £10,000 and repayment of the sum on charge is required where the adapted property is sold, transferred or otherwise disposed of within a 10 year period from completion of the work.

#### Maximum Assistance

- £ 30,000 ( once only)

#### **17. Discretionary Disabled Facilities Grant**

Subject to availability of funding the council may consider Discretionary Disabled Facilities Grant. Where Discretionary Disabled Facilities Grant is considered appropriate the discretionary assistance will not exceed £10,000, will be repayable to the Council in full on the sale transfer or disposal of the property and will be registered as a Local Land Charge.

Where works requested are in excess of £30,000 or considered to be unreasonable given the age, construction and/or condition of the property, alternatives to discretionary DFG funding including the following will normally be considered;

- a) Referral to Social Services for their consideration of providing additional resources.
- b) Alternative schemes of work.
- c) Assistance to enable a move to alternative accommodation, with funding for adaptations to the new accommodation.

#### Maximum Assistance

- £ 10,000 ( once only)

### **18. Minor Adaptations /Handypersons Service Top-Up**

Subject to availability of funding the council will consider providing top-up funding to adaptations provided by the AgeUK Handyman Service, for homeowners and private tenants. Work exceeding the Handyman Service maximum of £1000 may be topped-up to a maximum cost of £2000.

This discretionary assistance prevents minor schemes of adaptation to proceed without the need for an application through the Disabled Facilities Grant process which may be disproportionate to the scale of funding required and unduly delay provision of the required adaptations. A Local Land Charge is not applicable and only one application per household is allowed in any 5-year period.

#### Maximum Assistance

- £ 1000 (only one application per 5 year period)

### **19. Dementia Dwellings Grant**

Subject to availability of funding the council will consider providing non means-tested assistance to provide aids and adaptations in the home designed to enable people with memory loss or a diagnosis of dementia to manage their surroundings, retain their independence and reduce feelings of confusion.

It is a free service which is run through AgeUK and provides a range of measures which can include such items as night lamps, touch lamps, dementia clocks, illuminated switches and key safes.

#### Eligible Applicants

- A referral from the Early Intervention Dementia Team Service (EDTS) or AgeUK Dementia Team.
- The grant offer will be a combination of standard and bespoke products based around an assessment of individual need.

#### Qualifying Criteria

To apply for this assistance you will need to:

- Have been diagnosed with dementia or suffering from recognised memory loss affecting day-to-day independence.



- Be referred by a Worcestershire GP, OT, EDTS, AgeUK or any Dementia Carers Association, to the Home Improvement Agency, regardless of tenure.
- Live at home.

Initial contact will be with AgeUK who will arrange for a visit by the Dementia Advice Service. The Dementia Advisor will survey the home and assess individual need. Products will be provided and those requiring installation will be installed via AgeUK Independent Living Service Handyperson.

#### Conditions

- Works must relate to the applicants dementia/memory loss needs.
- Assistance only available where it will aid the applicant to remain at home independently for a longer period.
- Only one application for assistance will be considered up to a maximum of £750 within any 2 year period. Exemption to this condition is at the discretion of the Head of Community Services subject to justifying circumstances.
- The works must be completed within 12 months of the date of approval.

#### Maximum Assistance

- £ 750.00

### **20. Hospital Discharge Scheme**

Subject to availability of funding this assistance is intended to aid timely discharge from hospital and help avoid re-admission.

#### Eligible Applicants

- Recognised disabled persons as described by Housing Grants, Construction and Regeneration Act 1996, (as amended) and
- in receipt of one or more of the following means tested benefits : Income Support, Guaranteed Pension Credit, Income-based Employment Support Allowance (ESA), Income-based Job Seekers Allowance (JSA), Working Tax Credit, Universal Credit, Housing/Council Tax Support ( not including single person or disabled person discount).

#### Qualifying Criteria

- The property is the applicant's permanent and legal residence.
- Urgent minor adaptations that qualify under the Housing Grants, Construction and Regeneration Act 1996, (as amended)

#### Conditions

- All works must relate to the applicants medical needs.
- Assistance will only be considered where a delay in provision of the necessary adaptations will cause and unreasonably delay release of the patient from primary care, or where an unreasonable delay in provision of the necessary works will cause a relevant person to be admitted to primary care.
- Assistance cannot exceed a maximum of £ 5000

#### Maximum Assistance

- £ 5000

#### **21.Ceiling Tracking and Hoists**

Subject to availability of funding this assistance is intended to meet the costs of providing fixed ceiling tracking and track –mounted hoists where these do not form part of a Mandatory Disabled Facilities Grant new-build scheme. Where costs are below £1000 this equipment is provided by Worcestershire County Council Adult Social Care. This assistance will apply where the equipment and installation cost exceeds £1000.

Ownership of equipment installed through this assistance is transferred to Worcestershire County Council Adult Social Care including future maintenance and servicing costs, and equipment can be removed and recycled when no longer required, including making good to ceilings and décor where equipment is removed .

This is discretionary assistance and funded will be via an annual sum transfer to Worcestershire County Council Adult Social Care / Integrated Community Equipment Service (ICES) based on projected demand.

#### **22. Home Repair Assistance Lifetime Loans (HRA LTL)**

This discretionary assistance is intended to ensure that vulnerable persons remain in their homes in safe, warm and heathy conditions. It is available to home owners that do not have sufficient financial resources to maintain their homes in a safe, health enabling condition free of serious defects or hazards. The assistance is repayable on sale, transfer or disposal of the property and does not accrue interest charges.

#### Eligible Applicants

- Owner occupiers or private tenants with a repairing responsibility, having savings of less than £16,000 and in receipt of one or more of the following means-tested benefits:- Income Support, Guaranteed Pension Credit, Income-based Employment Support Allowance (ESA), Income-based Job Seekers Allowance (JSA), Working Tax Credit, Universal Credit, Housing/Council Tax Support ( not including single person or disabled person discount).

Qualifying Criteria

- The property is the applicant's permanent and legal residence.
- The property is in need of essential repairs as determined by the Housing Act 2004 to address Category 1 or significant Category 2 hazards as determined under the Housing Health & Safety Rating System, in order to make the property safe, warm, weatherproof and healthy for the occupants. In exceptional circumstances this may include works in default as part of enforcement action.
- No assistance will be granted in respect of properties built or converted less than 10 years prior to the application date.

Conditions

- Only one application for assistance will be considered up to a maximum of £ 10,000 within any 5 year period. Where exceptional circumstances exist this condition may be relaxed at the discretion of the Head of Community Services.
- Assistance is repayable in full to the council on sale, transfer or other disposal of the property. A Local Land Charge will be placed on the property for this purpose.
- The applicant must have lived at the property for a minimum of 12 months immediately prior to the application date as his/her sole permanent residence.
- The approved works must be completed within 12 months of the date of approval.
- Where the works are in respect of common parts or group repair assistance will only be considered to a reasonable sum or proportion of costs reflecting the applicant's liability.

Maximum Assistance

- £ 10,000 ( within 5 year period)

**23. Houses in Multiple Occupation Lifetime Loan (HMO LTL)**

This discretionary assistance is intended to assist landlords to create additional units of HMO accommodation or improve amenity or thermal standards of existing substandard HMO accommodation. The assistance is repayable on sale, transfer or disposal of the property and does not accrue interest charges.

Eligible Applicants

- A Landlord of a property currently operated as a House in Multiple Occupation or intended for conversion to form a House in Multiple Occupation.

Qualifying Criteria

- The property is operating as a House in Multiple Occupation where works to achieve compliance with statutory standards have been identified. Eligible work items include but are not restricted to:
  - (a) Fire alarm and detection systems, fire doors, fire resistance and emergency lighting
  - (b) Improvements to communal kitchens, bathrooms or provision of additional sanitary or kitchen facilities.
  - (c) Provision or improvement of thermal and energy efficiency measures.
- The property is operating as a House in Multiple Occupation and is to be converted to provide additional units of accommodation.
- The property is not a House in Multiple Occupation and is being converted to form a new House in Multiple Occupation.

#### Conditions

- Assistance is repayable in full to the council on sale, transfer or other disposal of the property. A Local Land Charge will be placed on the property for this purpose.
- Assistance is repayable should the property cease to operate as a House in Multiple Occupation.
- The approved works must be completed within 12 months of the date of approval.
- Assistance will be limited to 50% of the total cost of eligible work defined by the council, subject to a maximum of £3000 per unit of accommodation created or improved.
- The property must be free from Category 1 hazards assessed using the Housing Health & Safety Rating System on completion of the eligible work.

#### Maximum Assistance

- £ 3000.00 per unit of accommodation.

### **24. Energy Efficiency Scheme**

This discretionary assistance is intended to assist homeowners that are in or at risk of fuel poverty, to improve or maintain the energy efficiency of their property and heating system where other funding streams are not available or inappropriate to the needs of the homeowner. Application, installation and follow-up services are managed by the councils appointed Energy Advice Agency.

Eligible elements of work can include, but are not restricted to, the following;

- i) First-time central heating systems (not solid fuel)
- ii) Replacement of inefficient or defective heating systems including boilers, radiators, control elements, etc
- iii) Loft and/or cavity wall insulation

#### Eligible Applicants

- Any homeowner with inadequate or inefficient heating or loft or cavity wall insulation, where works to improve or enable improvement of the heating system and/or insulation of the loft and cavity wall are recommended by the councils appointed Energy Advice Agency.
- Any homeowner with broken or faulty heating that can be economically repaired, as recommended by the councils appointed Energy Advice Agency.
- Any homeowner with a heating appliance that has not been serviced within the last 12 months, where servicing is recommended by the councils appointed Energy Advice Agency.

#### Qualifying Criteria

- The household must meet criteria prescribed by the Council taking account of current national or local guidance in respect of both fuel poverty criteria and financial qualification criteria. Criteria may be reviewed annually or as required in line with changes to national or local guidance.
- Eligible criteria includes the following means-tested benefits; Income Support, Guaranteed Pension Credit, Income-based Employment Support Allowance (ESA), Income-based Job Seekers Allowance (JSA), Working Tax Credit, Universal Credit, Housing/Council Tax Support ( not including single person or disabled person discount). In cases where there is proven fuel poverty and high vulnerability to cold and where exceptional circumstances exist specific criteria may be waived or varied at the discretion of the Head of Community Services.
- Financial eligibility does not take account of Personal Independence Payments or Disability Living Allowance.
- There must be no other funding available or appropriate to meet the needs of the household. Where alternative funding can be accessed but does not meet the full cost of eligible work Energy Efficiency Scheme funding may be granted to meet the funding shortfall.
- Should the household have savings, these should be used towards the cost of works subject to disregard of the first £6000 of savings. In such cases Energy Efficiency Scheme funding may be granted to meet the funding shortfall.
- To qualify for replacement, boilers must be F or G rated or broken beyond economic repair.

#### Conditions

- The applicant must have owned and occupied the property for at least 12 months prior to the application, except where occupation is by virtue of perpetuity without ownership, under testacy arrangements.
- A £250 contribution in the case of heating installation replacements or first-time central heating provision and a £50 contribution in the case of insulation works only is required. Where exceptional circumstances exist this condition may be waived at the discretion of the Head of Community Services.
- Carbon monoxide alarm to be included with all heating works where carbon monoxide poisoning is a recognised risk.
- The assistance to be paid directly to the contractor on behalf of the resident on receipt of proof of satisfactory completion of works via the councils appointed Energy Advice Agency.

#### Maximum Assistance

- £ 5000.00 per property for heating replacements or first-time central heating and associated work.
- £300.00 per property for economic repairs to existing heating systems.
- £75.00 once-only grant for a heating system service.

The Private Sector Housing Assistance Policy 2019 shall apply from May 1<sup>st</sup> 2019 until such time as it is amended or superceded.

**Executive**11<sup>th</sup> June 2019**Statements of Common Ground and the Plan Making Process**

Relevant Portfolio Holder	Councillor Matt Dormer
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Wards Affected	All Wards
Ward Councillor Consulted	Not Applicable
Non-Key Decision	Yes

**1. SUMMARY OF PROPOSALS**

- 1.1 The Duty to Cooperate (DtC), introduced by the Localism Act in 2001, placed a legal duty on those engaged in plan making to work constructively together. The 2018 version of the National Planning Policy Framework (NPPF) introduced the need for Statements of Common Ground (SoCG) to be prepared to help document how cross boundary issues are being progressed under the DtC. The 2019 version of the NPPF retains the need for SoCGs to be prepared.
- 1.2 This report outlines that officers are and will continue to be engaged in DtC discussions and suggests a proposed approach about how the SoCG that Redditch Borough Council (the Council) will need to prepare and/or enter into, will be managed and agreed.

**2. RECOMMENDATION**

1. **That Members note officer attendance is required at DtC/SoCG meetings where cross boundary issues and draft SoCG agreements are discussed and prepared.**
2. **That Council delegates to the Leader and Portfolio Holder for Planning, to sign off all relevant SoCG where cross boundary growth is not included.**
3. **That all SoCG which include agreements on cross boundary housing, employment or other development needs or any other key planning issues are reported to Council for consideration prior to signing.**

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**3. KEY ISSUES****Financial Implications**

- 3.1 There are no direct financial implications associated with this report.

**Legal Implications**

- 3.2 The duty to cooperate was introduced by the Localism Act 2011, and is set out in an updated section 33A of the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities and county councils in England and prescribed public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plans in the context of strategic cross boundary matters.

**Service / Operational Implications**

- 3.3 SoCG are required when plan making and will be a key consideration of the Inspector when holding the Examination in Public into the emerging local plan. It is both important that the Council is proactive in preparing its SoCG and also engaging in SoCG discussions with other authorities to allow the Councils local plan to progress smoothly and in good time.
- 3.4 The SoCG requirement was not a policy of government when the current Borough of Redditch Local Plan (BORLP) was being prepared and examined and therefore this is the first time that the Council has been expected to demonstrate cross boundary agreements in this way. Previously more simple DTC statements were prepared which explained how Councils were co-operating on plan making.
- 3.5 It is important for officers to engage in discussions around cross boundary development with officers of other local authorities. This is very important to be able to understand what challenges exist that need to be tackled in the plan making process. This report seeks to clarify the role of officers and Members in the process of reaching any cross boundary growth agreements.
- 3.6 The planning practice guidance outlines the broad scope that needs to be contained within a SoCG, this is intended to be a much more structured and focused approach to strategic planning than simple DtC statement. The scope is as follows:

*a. a short written description and map showing the location and administrative areas covered by the statement, and a brief justification for these area(s);*



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- b. the key strategic matters being addressed by the statement, for example meeting the housing need for the area, air quality etc.;*
- c. the plan-making authorities responsible for joint working detailed in the statement, and list of any additional signatories (including cross-referencing the matters to which each is a signatory);*
- d. governance arrangements for the cooperation process, including how the statement will be maintained and kept up to date;*
- e. if applicable, the housing requirements in any adopted and (if known) emerging strategic policies relevant to housing within the area covered by the statement;*
- f. distribution of needs in the area as agreed through the plan-making process, or the process for agreeing the distribution of need (including unmet need) across the area;*
- g. a record of where agreements have (or have not) been reached on key strategic matters, including the process for reaching agreements on these; and*
- h. any additional strategic matters to be addressed by the statement which have not already been addressed, including a brief description how the statement relates to any other statement of common ground covering all or part of the same area.*

- 3.8 Appendix 1 contains guidance provided by the Planning Advisory Service (PAS) on the preparation of SoCG. The role of PAS is to '*provide consultancy and peer support, learning events and online resources to help local authorities understand and respond to planning reform*'. PAS is directly funded by the Department for Communities and Local Government.
- 3.9 An element of this guidance advises on the importance of understanding the governance and sign off arrangements of SoCG. At this stage this is the only element of the SoCG process that this report is addressing.
- 3.10 In terms of Recommendation 1 above, it is important that officers have discussions with other authorities to understand and progress any cross boundary issues. It is envisaged that the outcome of those discussions will regularly be fed back through the Planning Advisory Panel (PAP) and with the Portfolio Holder for Planning. It is envisaged that as part of these discussions the Councils draft SoCG will emerge and also the draft SoCG from other authorities; again PAP will be the forum for discussion around any drafts.

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3.11 Once the statements have progressed to a state where an agreement needs to be reached this will then be covered by Recommendations 2 to 3 above

- Any SoCG which do not contain cross boundary growth and no other key planning issues can be signed off by either the Portfolio Holder for Planning or the Leader of the Council.
- Any SoCG which contain cross boundary growth will have to be presented to the Council for wider consideration.
- It could also be the case that other issues arise within a SoCG which are not specially providing cross boundary growth but where it is felt it should be highlighted to members in the formal decision making process. In that event it would be for the head of planning in conjunction with the portfolio holder and leader to present a report to the Council.

**Customer / Equalities and Diversity Implications**

3.12 There are no Customer / Equalities and Diversity Implications associated with this report.

**4. RISK MANAGEMENT**

4.1 The risks associated with not preparing SoCG documentation is not having a new Local Plan adopted and not having the Councils views incorporated into the plans of other councils.

**5. APPENDICES**

5.1 PAS Statement of Common Ground Advice and Template January 2019 v1.0

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**PAS**  
**Statement of Common Ground**  
**Advice and Template**

**January 2019**

**v1.0**

## PAS Statement of Common Ground Advice and Template

Under the 2018 National Planning Policy Framework (2018 NPPF) strategic policy making authorities, such as local planning authorities, should produce, maintain and keep up to date a Statement of Common Ground (SCG) to highlight agreement on cross boundary strategic issues with neighbouring authorities and other relevant bodies.

The Planning Advisory Service (PAS) has produced this advice note and template to help local authorities to produce an SCG; based on what planning practice guidance expects an SCG to contain and from our experience working with groups of local authorities. It should be read alongside the relevant [NPPF](#) paragraph (Para 27) and Planning Practice Guidance ([Chapter on Maintaining Effective Cooperation](#)).

### The Statement of Common Ground

A Statement of Common Ground (SCG) should be produced, published and kept up to date by the signatory authorities as an accessible and public record of where agreements have or have not been reached on cross boundary strategic issues. The purpose of the SCG is to document the cross-boundary matters being addressed and progress in cooperating to address them. It is the means by which authorities can demonstrate that their plans are based on effective and ongoing cooperation and that they have sought to produce strategies that as far as possible are based on agreements with other authorities.

The SCG should increase certainty and transparency, at an early stage in the plan-making process about where effective cooperation is and is not happening. It should highlight the cross boundary strategic planning matters in authorities' plans and outline the timetable for gaining agreement on different strategic matters, and providing commitment through relevant organisations giving signed agreement on the required issues.

The SCG is expected to be concise and expected to contain:

- A list of the planning authorities and any additional organisations that are signatories to the SCG.
- A list of individual signatories; names and roles of planning authority's political leaders and the relevant representatives of other strategic organisations.
- A list of the key strategic matters being covered,
- A short description and map showing the geography that the SCG covers and brief justification of the area.
- A description of the governance arrangements for cooperation and how the SCG will be kept up-to-date.
- A list of the housing requirements in any adopted and emerging plans, if applicable to the key strategic matters.
- An agreement of how housing need will be distributed across the area, including unmet need, or the process for agreeing the distribution across the area.

- A list of agreements that have or have not been reached on the key strategic matters and the activities undertaken to reach agreement. If no agreement has been reached, the proposed process and date for reaching agreement, or how this has affected the relevant strategic issues and the content of the plan.
- Any additional strategic matters that are deemed as required in the SCG, such as a brief description how the SCG relates to any other SCG covering all or part of the same area.

The SCG is a means of detailing key information, providing clear signposting or links to available evidence on authorities' websites.

It is expected that in the majority of case an authority will only produce one SCG but it is in their discretion to produce more if it is felt that it would be the clearest way of expressing agreements on different strategic issues with different partners.

Local Authorities should have published their SCG on their website at the latest by the time they publish their draft plan (Regulation 19 stage) and it should support the LPAs Duty to Cooperate requirements. It should be an aid for an Inspector when examining an authority's plan; highlighting the required agreements on cross boundary strategic issues and sit together with an authority's Duty to Cooperate statement to show how the agreements have influenced the plan.

When agreed, a SCG could be used as evidence of effective co-operation between authorities to secure grants for infrastructure and delivery funding.

We hope that this note and template will help local authorities to prepare their SCGs. It should be adapted to individual needs and used as a prompt to ensure that the relevant information is included.

## Statement of Common Ground

### Advice Note

The note is structured against the headings of the template.

1. **Parties involved:** LPAs and other strategic bodies engaged in the SCG.
  2. **Signatories:** which might be related to specific issues and highlight where agreements have not been reached.
  3. **Strategic geography:** in a map with description and justification.
  4. **Strategic matters:** including housing requirement and distribution, key infrastructure requirements, relationships to other strategic issues.
  5. **Governance arrangements:** how the SCG has been agreed or will be agreed and kept up-to-date.
  6. **Time table for agreement, review and update:** as known or proposed related to LPAs plan timetables.
- **Other issues:** Waste & minerals Plans, Relationship between SCGs & facilitators.

#### 1. Parties involved:

Local authorities and other strategic bodies that relate to the issues included in a document need to have been engaged in and agreed the SCG.

Strategic bodies other than the local authorities could be Local Enterprise Partnerships, Local Nature Partnerships, Marine Management Organisation, county councils, combined authorities, infrastructure providers, advisory bodies, plus others that have a role in the issues being planned for. The additional signatories will only need to agree with those parts of the SCG that are directly relevant to role and required cooperation.

#### 2. Signatories:

The SCG needs to be signed by an agreed individual in a leadership position from each of the local authorities and strategic bodies. For the local planning authorities this will be a Councillor such as a leader or portfolio holder of the Council. The signatories give the public commitment that agreement has been or will sought to be reached.

Depending on the situation it might be that the signatories will need to be presented in a way to highlight where an agreement has not been reached by all parties, or where some signatories, planning authorities or other strategic bodies, might only be signatories related to specific issues.

It is really worth thinking early on about how a SCG will be agreed and what sign off requirements individual authorities will require, whether this can be through delegated authority or whether the SCG has to be agreed by a Cabinet or Full Council.

#### 3. Strategic geography:

The SCG should include a map to show the geographical area covered by the document, showing the administrative boundaries, any key relationship with adjacent LPA areas and overlaying initiatives such as Growth Corridors. It should also include a brief description of the area and justification for the agreed area. The justification for the area will relate to the most appropriate functional geographical area to gather evidence and develop policies to address the strategic matters being planned for.

Authorities may well work in different groupings to address different strategic matters. They should be pragmatic in determining the areas which may be different for different issues.

#### **4. Strategic matters:**

Identifying the cross boundary strategic issues can prove to be quite complex, with the number and type of strategic cross-boundary issues potentially being extensive and very diverse. If the scope of the SCG is too broad the ability to produce a document that is clear and concise will be reduced. It is useful to set out agreed spatial priorities. This doesn't need to be lengthy but should demonstrate a collective shared view of long term priorities. In addition to setting out cross boundary issues, this could highlight initial unresolved issues and set out a clear strategy for when and how discussions to resolve them will take place.

If considered a relevant cross-boundary, strategic matter, a SCG is expected to set out the housing requirement in any adopted and emerging plan relevant to the area covered by the SCG and its distribution across the highlighted area. This should include information on individual authorities housing need based as a minimum on the Government's standardised Local Housing Need (LHN) figures and local plan targets (either agreed or emerging), the extent of any unmet need in the area, the ability for unmet need to be taken by other authorities in the area and any agreements or disagreements on how this is redistributed.

The SCG should also highlight key infrastructure requirements such as transport, community facilities, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, minerals and energy necessary to support housing, employment, retail, leisure and other commercial developments as well as cross boundary relationships to other strategic issues such as conservation and enhancement of the natural, built and historic environment and climate change.

The SCG should highlight evidence of activities undertaken to address cross boundary issues that are being covered. Such evidence could include:

- Producing or commissioning joint research and evidence to address cross-boundary matters.
- Jointly assessing the impacts of emerging policies.
- Preparing joint, or agreeing, strategic policies affecting more than one authority area to ensure development is coordinated,

Such evidence should be referenced and highlighted, where possible, as web links in the appendix of the SCG.

## **5. Governance arrangements**

The governance and management arrangements for a SCG are key to its implementation and effectiveness. The SCG needs to set out how it has been agreed or will be agreed and how it will be kept up-to-date. The arrangements must provide confidence that cooperation will be effective between the local authorities and other bodies. Some local authorities will already have close working relationship between the Councils and good communication between officers and Members, whereas others will need to facilitate and support this process.

It may be advisable to set up a specific management group and leadership group for the SCG. Most authorities will already have relevant officer and Member planning groups that meet which could appropriately take on this role.

The leadership group should be made up of relevant political leaders (Council Leaders or Portfolio Holders) that can make decisions or represent the document both to their Council and to the public. Early engagement of the leadership and governance group is strongly advisable.

The formation of a small group of officers who can co-ordinate the work on the SCG is useful. This is obviously a lot easier where these relationships already exist through active officer policy groups and other working groups. The groups are well placed to work collaboratively to create a robust SCG and demonstrate that they have met the Duty to Co-operate requirements. All parties involved need to be open and collaborative, sharing information and evidencing requirements where necessary, with all parties working towards the same collective goal.

To ensure the effective and timely production of a SCG, it is advisable to gain agreement by consensus for a single authority or individual to take the responsibility for requesting and collating data from all the authorities involved and to take responsibility for drafting and updating the document.

Each authority will need to appoint a main point of contact, who will take responsibility for that authority's inputs and review drafts. They will need to keep Leaders, Chief Executives, etc. aware of what they are hoping to achieve – and advise them of any significant emerging issues.

## **6. Time table for agreement, review and update**

A timetable/programme for the development of the SCG should be included. This makes it clear that the SCG is a live document which is expected to be reviewed and updated on an ongoing basis.

An initial SCG should ideally be published as soon as the geographic area, the governance arrangements and key strategic issues have been agreed. Authorities can publish a SCG highlighting where issues still need to be agreed, including how and when they are expected to be agreed and the document updated.



The timetable/programme should include triggers for reviews of the SCG as well as known milestones. It needs to be updated at key stages in the plan making process relating to each individual authority's plan, when new evidence becomes available or decisions are made..

A table format may be helpful to express individual plan progress clearly and make updating easier (See section 6 Appendix 1). As new information on housing need and distribution becomes available it needs to be timetabled and added.

This is an appropriate place to also highlight and address the potential risks to progress and contingencies.

Local Authorities should ideally publish their SCG on their websites as soon as the area, governance arrangements and key strategic matters have been agreed and at the latest by the time they publish their draft plan to support the LPAs in meeting their Duty to Cooperate requirements. It should be an aid for an Inspector when examining an authority's plan; highlighting the required agreements on cross boundary strategic issues and sit together with an authority's Duty to Cooperate statement to show how the agreements have influenced the plan.

- **Other things:**

**Minerals & Waste Plans** – Relevant Local Authorities will be required to produce SCG for minerals and waste plans. Districts are additional signatories on SCG for county council's minerals and waste plans, along with aggregate working parties on minerals plans.

**Relationships between SCGs** – The links between overlapping and neighbouring SCG needs to be clearly explained, for example where wider strategic issues are effected, , such as major infrastructure or large environmental designations, or where Housing Market Areas split authorities. This could be explained through a map/diagrammatic form with relevant cross referencing to ensure consistency and co-ordination.

**Arbiter/Facilitator role** – Most SCG should be produced by local authorities without the need of an independent facilitator or arbiter to aid them. However, some complex arrangements may need this role. Authorities may use elected Mayors, combined authorities, county councils or consultants to act as an arbiter or facilitator to assist in the preparation of a SCG if required.

**Appendix 1 Statement of Common Ground** (suggested template)

1. **Parties involved:** LPAs and other strategic bodies engaged in the SCG.
2. **Signatories:** which might be related to specific issues and highlight where agreements have not been reached.
3. **Strategic geography:** in a map with description and justification.
4. **Strategic matters:** including housing requirement and distribution, key infrastructure requirements, relationships to other strategic issues.
5. **Governance arrangements:** how the SCG has been agreed or will be agreed and kept up-to- date.
6. **Time table for agreement, review and update:** as known or proposed related to LPAs plan timetables.

<p><b>1. List of Parties involved:</b>  <i>list of LPAs and other bodies which have engaged in the SCG (details of each organisation can to be listed in an appendix)</i></p>							
<p><b>2. Signatories:</b>  <i>Organisation, name, position, signature – cross-reference to specific issues</i></p>							
<p><b>3. Strategic Geography</b>  <i>including a map, short description and justification for the strategic planning area that covers the SCG</i></p>							
<p><b>4. Strategic Matters</b>  <i>Define the issues, (see NPPF Para 20 for strategic matters) including housing requirement and distribution, including any issues that remain unresolved and how the authority plans to manage these. Outline what the implications are of these unresolved matters.</i>  <i>Evidence of activities undertaken to address an issue should be highlighted such as:</i></p> <ul style="list-style-type: none"> <li>• <i>Producing or commissioning joint research and evidence to address cross-boundary matters.</i></li> <li>• <i>Assessing impacts of emerging policies.</i></li> <li>• <i>Preparing joint, or agreeing, strategic policies affecting more than one authority area to ensure development is coordinated,</i></li> </ul> <p><i>(Details of references and web links to key evidence can be listed in an appendix)</i></p> <p><i>Example table of housing requirement and distribution</i></p> <table border="1"> <thead> <tr> <th>LPA</th> <th>OAN</th> <th>MHCLG LHN</th> <th>Local Plan target</th> <th>Plan status</th> <th>Year</th> <th>Plan period</th> </tr> </thead> </table>	LPA	OAN	MHCLG LHN	Local Plan target	Plan status	Year	Plan period
LPA	OAN	MHCLG LHN	Local Plan target	Plan status	Year	Plan period	

<b>LPA 1</b>	200	250	250	Reg.18 Consultation	2018	2016-2040
<b>LPA 2</b>	250	200	450	Adopted	2016	2012-2030
<b>LPA 3</b>	1,500	1,400	1,800	Reg.19 Consultation	2018	2014-2035
<b>etc</b>						
<b>etc</b>						
<b>Totals</b>	<b>4,500</b>	<b>4,400</b>	<b>5,000</b>			

### 5. Governance Arrangements

*How decisions on the SCG will be managed and agreed*

### 6. Timetable for review and ongoing cooperation

*The timetable for gaining agreement and for the SCG to be reviewed, (ie Plan review, update and submission timetables), how strategic issues will be managed on an ongoing basis, the mechanisms being used to do this, how it will be monitored*

*Example of Plan Review, Update & Submission Dates*

LPA	Present Plan Adoption	Proposed Plan Review Date	Target Reg.18 Date	Target Reg.19 Date	Target Submission Date
<b>LPA 1</b>	Dec 2018	Jan 2019	Mar 2019	Sept 2019	Jan 2020
<b>LPA 2</b>	June 2016	Dec 2020	June 2020	Dec 2021	Mar 2021
<b>LPA 3</b>	Dec 2014	Jan 2019	Mar 2019	Sept 2019	Jan 2020
<b>LPA 4</b>	Jan 2003	Jan 2019	April 2019	Oct 2019	Feb 2020
<b>LPA 5</b>	Nov 2018	Not known	Not known	Not known	Not known
<b>etc</b>					

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**EXECUTIVE  
COMMITTEE**11<sup>th</sup> June 2019**HIGH QUALITY DESIGN SUPPLEMENTARY PLANNING DOCUMENT**

Relevant Portfolio Holder	Cllr Matt Dormer
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A

**1. SUMMARY OF PROPOSALS**

- 1.1 The Borough of Redditch Local Plan No.4 2011-2030 (BORLP4) was adopted on 30<sup>th</sup> January 2017 and this High Quality Design Supplementary Planning Document (SPD) provides more detailed guidance on a number of policies contained in BORLP4.
- 1.2 A draft version of the SPD was consulted on in early 2018 and has since been subject to a number of revisions as a result of consultation responses.

**2. RECOMMENDATIONS**

**The Executive Committee is asked to NOTE**

**1) the ‘Consultation Comments and Officer Responses’ table made in response to consultation on the draft High Quality Design SPD, and the actions proposed by strategic planning officers to make subsequent revisions to the SPD;**

**2) the revised version of the High Quality Design SPD; and**

**the Executive Committee is asked to RECOMMEND that**

**3) the High Quality Design SPD be adopted at a meeting of Full Council.**

**3. KEY ISSUES****Financial Implications**

- 3.1 Work carried out on the preparation of the SPD, including public consultation and responding to issues arising, has been carried out in the context of existing departmental budget and additional finances are not required.

**Legal Implications**

- 3.2 The SPD has been produced in accordance with the relevant legislation, in particular the Town and Country Planning (Local Planning) (England)

**REDDITCH BOROUGH COUNCIL****EXECUTIVE  
COMMITTEE**11<sup>th</sup> June 2019

Regulations 2012. Once adopted, the SPD will be a material consideration in the determination of planning applications.

- 3.3 The recommendations outlined earlier in this report seek approval by Executive that the High Quality Design SPD be presented to a meeting of Full Council with a recommendation to formally adopt the document.

**Service / Operational Implications**

- 3.4 The High Quality Design SPD will be a material consideration in planning decisions within the borough and will provide further guidance for determining planning applications. On adoption of this SPD two existing documents, the Encouraging Good Design SPG (2001) and the Designing for Community Safety SPD (2006), will be superseded.
- 3.5 Strategic planning officers have worked closely with colleagues in development management and the borough's conservation officers to ensure the SPD is fit for purpose in the determination of planning applications. Consultation meetings, and subsequent revisions to the SPD, have also taken place to ensure the consultation responses have where possible been fully incorporated into the document.

**Customer / Equalities and Diversity Implications**

- 3.6 The public consultation provided the opportunity for those living and working in the borough, and/or for those with an interest in planning and design in the borough to comment on the content of the SPD.
- 3.7 All statutory consultees, including Parish Councils, were consulted as part of the engagement process, as will a range of other interested parties. A range of internal Council colleagues were also consulted during the formal consultation period.

**4. RISK MANAGEMENT**

- 4.1 Without adopting this High Quality Design SPD, the existing Encouraging Good Design SPG and Designing for Community Safety SPD will continue to be used. These documents were adopted in 2001 and 2006 and are therefore considered to be extremely dated. Furthermore the guidance contained in these documents, whilst in some cases still relevant, also relates to the superseded Borough of Redditch Local Plan No.3 rather than the current BORLP4 adopted in 2017.
- 4.2 The new High Quality Design SPD will ensure that up-to-date guidance is available based on the existing BORLP4 policies. This will aid the achievement of high quality design in planning proposals, will help decision-making for planning applications, and should reduce the number of applications needed to be determined by appeal.

**EXECUTIVE  
COMMITTEE**11<sup>th</sup> June 2019

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**5. APPENDICES**

Appendix A - Redditch Borough High Quality Design SPD (publication version)  
Appendix B - 'Consultation Summary and Officer Response' table

**6. BACKGROUND PAPERS**

Borough of Redditch Local Plan No.4 2011-2030

**7. KEY**

BORLP4 – Borough of Redditch Local Plan No.4  
SPG – Supplementary Planning Guidance  
SPD – Supplementary Planning Document

**AUTHOR OF REPORT**

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Tel: 01527 587010

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**Executive Committee**

Date: 11th June 2019

**UPPER NORGROVE HOUSE**

Relevant Portfolio Holder	Councillor Matthew Dormer, Leader of the Council and Portfolio Holder for Planning, Economic Development, Commercialism and Partnerships
Portfolio Holder Consulted	Yes
Relevant Head of Service	Head of Legal, Equalities and Democratic Services
Ward(s) Affected	West ward
Ward Councillor(s) Consulted	Yes
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

- 1.1 To update Members on proposals to work up a scheme for the development of the Council's site at Upper Norgrove House, to seek approval for the proposed development of the site in partnership with adjacent land owners who have expressed interest in developing their sites with the Council, and to seek delegated authority to enter into partnership agreements with them to implement the proposal as approved.

**2. RECOMMENDATIONS**

The Committee is asked to **RESOLVE** that:

- 2.1 **the Council-owned site at Upper Norgrove House be included in a scheme for the provision of housing, in co-operation with adjoining land owners who wish to secure planning permission to develop their land in collaboration with the Council;**
- 2.2 **authority be delegated to the Head of Legal Equalities & Democratic Services and the Chief Executive following consultation with the Leader to negotiate and enter into collaboration agreements with those adjacent owners (and third parties identified as necessary), to deliver the proposal if approved;**
- 2.3 **the Head of Legal, Equalities and Democratic Services be delegated authority to agree the appointment of an external legal advisor as a member of the development group, and an independent legal advisor and other necessary professional support to advise the Council in relation to the implementation of the decision and the legal arrangements required to deliver it.**

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To RECOMMEND to Council that

- 2.4 the associated cost of £25k is funded from General Fund Balances (£17k) and HRA reserves (£8k).

3. **KEY ISSUES**

- 3.1 The site of the former Upper Norgrove House in Webheath is owned by the Council with .82 acres held within the Housing Revenue Account (HRA) and the remaining 2.2 acres held within the General Fund (GF) Appendix 1. The site has been declared as surplus and was cleared when the house was demolished some years ago.
- 3.2 The site has been the subject of reports to Members, the most recent being on 23 July 2008 and 3 December 2008, when various options for the future of the site were considered.
- 3.3 In addition to developing options for future development, Members have previously directed officers to enter into negotiations with third parties to consider joint proposals for disposal / development.
- 3.4 The most significant change since then is that the land is now within the Webheath Strategic Site, allocated for housing in the Redditch Borough Council Local Plan adopted on 30 January 2017 and in place to 2030 to deliver 400 - 600 houses within the Plan period to 2030. Some housing development has already taken place.
- 3.5 In its role as a land owner within this strategic site, the Council has been approached by and has had some preliminary discussions with adjacent owners to explore the possibility of working cooperatively to maximise the potential for the development area. A plan of the area to include the Council's site and adjacent owners is attached at **Appendix 2**.
- 3.6 If the Council is to be a member of a development group, a Legal Advisor would need to be appointed by the Group and a legal agreement will be required between the parties in the Group. A separate Legal Advisor will also be required to advise the Council in respect of its participation in the Group and the collaboration agreement and any legal issues affecting the Council as a result of its participation in a development partnership. Member agreement is sought in respect of these two appointments.
- 3.7 Following the implementation of the Council Housing Growth Programme, officers consider that all options should be explored recognising that these could range from the Council securing a capital receipt for the site or that it may be more beneficial in the context of the development opportunities for the Council to explore options that will increase the Council's housing stock.

**Executive Committee**

Date: 11th June 2019

- 3.8 It is fair to say that the detail of this scheme, given the numbers of interested parties, will need to development throughout the formulation of the collaboration agreement and it is for this reason that delegated authority is being sought to enable each stage of the process to proceed without delay.
- 3.9 Members are advised that the negotiations in respect of the collaboration agreement will proceed in the context the Councils requirement to secure best value and in the context of the Councils wider Housing Growth Programme.

**Financial Implications**

- 3.8 There will be costs associated with the continued negotiation of the land deal and the provision of external legal advice obtained in connection with the Council's participation in a development partnership as described above. It is not possible to identify the exact cost at this stage in the negotiation but it is likely to be circa £25k. It is proposed that this cost is funded from General Fund balances and HRA reserves, shared in proportion to the land ownership.
- 3.9 The Council will ultimately receive either housing provision or a capital receipt in respect of this site. Again this is not identifiable at this stage in negotiations suffice to say that it will need to afford the requirements for the Council to achieve 'best value'.

**Legal Implications**

- 3.10 The Council is required to achieve "best value" in any of its property related transactions. It is considered that working in a development partnership offers the best opportunity for the Council and its potential partners to maximise the opportunity to deliver housing in the Webheath Strategic development site.
- 3.11 A full Report on Title for the Council-owned site has been undertaken by Legal Services. It indicates that the land is registered to the Council, and that the register of title is clear of any restrictions or covenants or other incumbrances affecting the Property.

**Service / Operational Implications**

- 3.12 None specifically arising from this report.

**Customer / Equalities and Diversity Implications**

- 3.13 There are none arising from this report.

**4. RISK MANAGEMENT**

**Executive Committee**

Date: 11th June 2019

- 4.1 The proposals outlined in this report are designed to ensure that there is minimal risk to the Council in participating in a development group for this site.
- 4.2 It is considered prudent to appoint an external Legal Advisor to advise the Council, to ensure that its interests are protected as a participant in the development project and for this reason member agreement to this appointment is sought.

**5. APPENDICES**

Appendix 1 – Plan of land ownership of Upper Norgrove House

Appendix 2 - Plan of land ownership, including the Council's site at Upper Norgrove

**6. BACKGROUND PAPERS**

None

**AUTHOR OF REPORT**

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Appendix 1

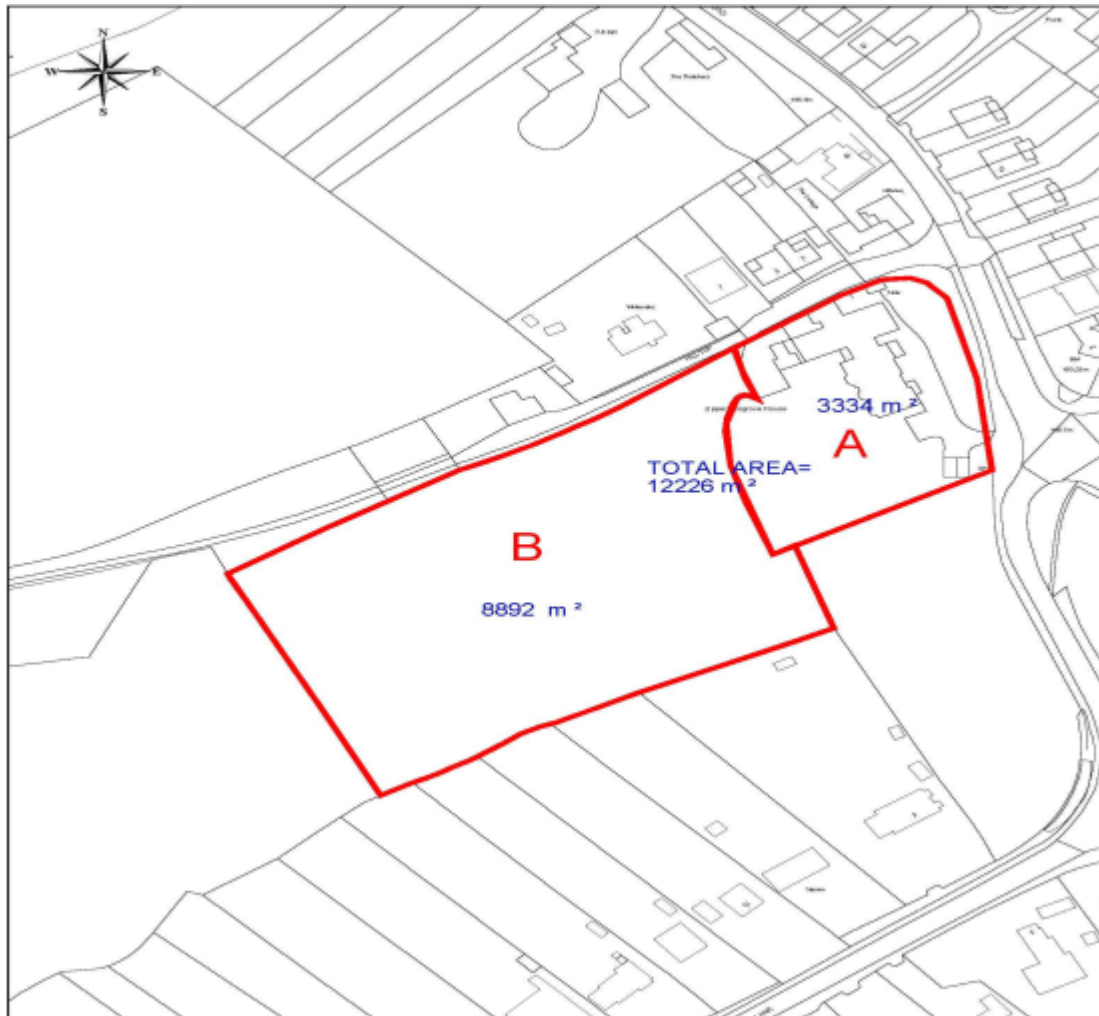
Key

A – Housing Revenue Account

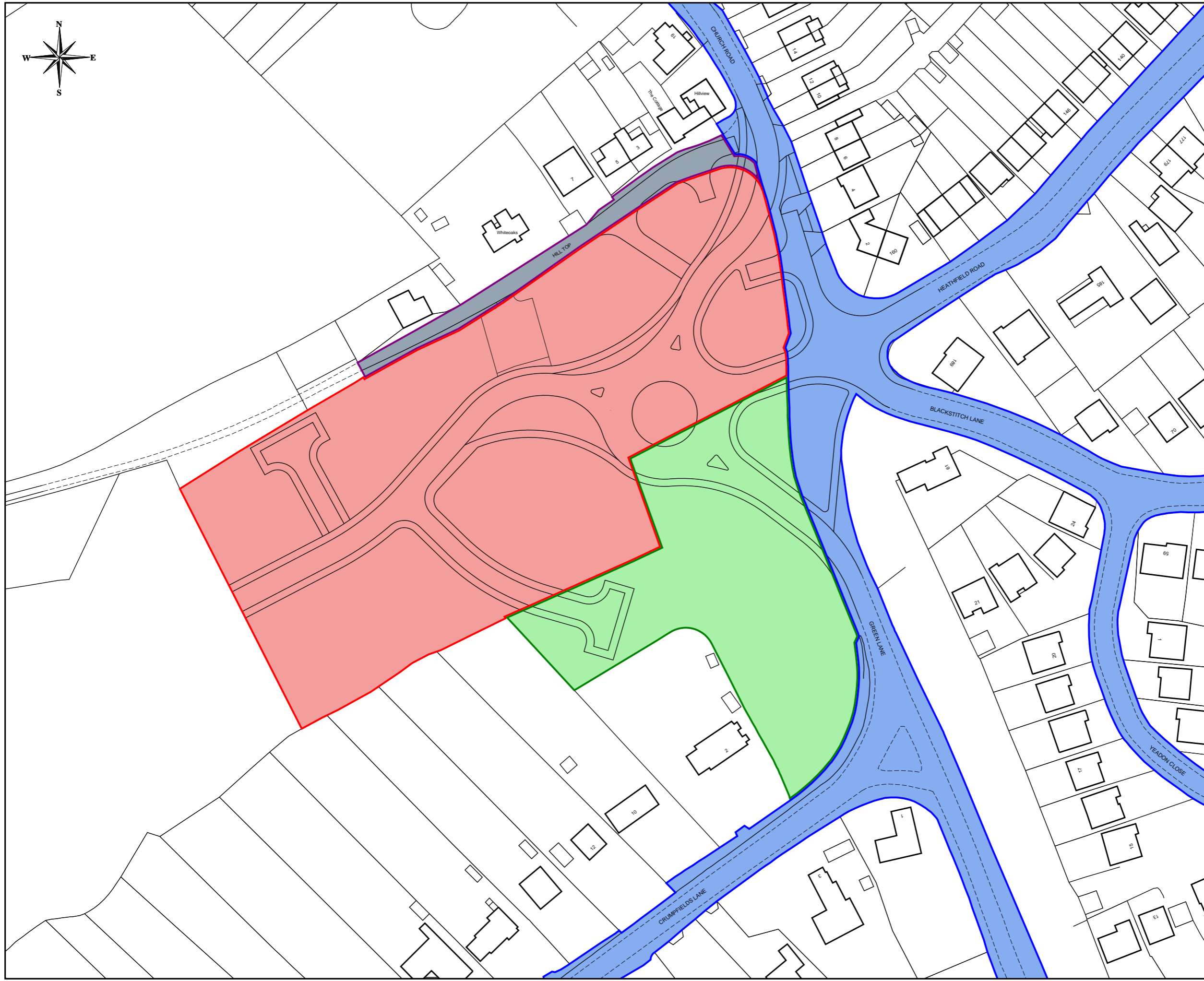
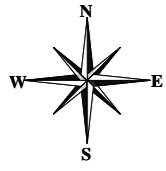
B – General Fund

**Executive Committee**

Date: 11th June 2019



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**Key**

**Land Ownership**

- Redditch Borough Council (1.2 ha)
- Adopted highway
- No. 2 Crumpfields Lane (0.48 ha)
- Hill Top properties (0.07 ha)

**CONFIDENTIAL**

Date	Rev	Details

Project:

**Proposed Residential Development  
Upper Norgrove, Webheath  
Redditch**

Drawing:

**Proposed New Roundabout Option  
Land Ownership Details**

Drawn: PTL	Scale: 1/1000 @ A3
Surveyed: OS	Date: Aug 2018

Drawing No: **P2049/133/2**

**Engineering and Design Services**

Town Hall  
Walter Stranz Square  
Redditch  
Worcs B98 8AH



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District Council**  
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REDDITCH BOROUGH COUNCIL**EXECUTIVE  
COMMITTEE**

11 June 2019

**CORPORATE PERFORMANCE REPORT**

Relevant Portfolio Holder	Councillor Thain, Portfolio Holder for Corporate Management Councillor Brunner, Portfolio Holder for Customer Access and Financial Services
Portfolio Holder Consulted	No
Relevant Head of Service	Jayne Pickering, Executive Director Deb Poole, Head of Business Transformation
Ward(s) Affected	All wards
Ward Councillor(s) Consulted	N/A
Key Decision / Non-Key Decision	No

**1. SUMMARY OF PROPOSALS**

To review performance information relating to the strategic purpose 'Help me to be financially independent'.

**2. RECOMMENDATIONS**

The Executive Committee is asked to note the contents of the report and associated appendix (Appendix 1).

**3. KEY ISSUES****Financial Implications**

- 3.1 Effective performance management will enable the Council to use limited resources in a more targeted manner, maximising the value of Council services and allowing the Council to be even more responsive to our customers' needs.

**Legal Implications**

- 3.2 There are no legal implications arising from this report.

**Service / Operational Implications**

- 3.3 Using performance data enables the Council to understand if it is working towards the strategic purposes and delivering the priority actions set out in the Council Plan.

**Customer / Equalities and Diversity Implications**

- 3.4 The strategic purposes are from a customers' perspective, so relevant and robust performance data will enable the Council to understand if it is delivering what matters to customers, as identified through the Council Plan.

**EXECUTIVE  
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3.5 There are no equality and diversity implications arising directly from this report; however, the importance of understanding how the Council perform for all residents is important.

**4. RISK MANAGEMENT**

4.1 By using data to ensure the Council meets the strategic purposes and delivers on the priority actions in the Council Plan, it will support the management of risks identified around the delivery of those strategic purposes. The strategy will also contribute to the management of risks around robust decision making and the accuracy/effectiveness of performance data.

**5. APPENDICES**

Appendix 1 - Corporate Performance Report: 'Help me to be financially independent – June 2019

**AUTHOR OF REPORT**

Name: Rebecca Green, Policy Manager  
email: r.green@bromsgroveandredditch.gov.uk  
Tel.: 01527 881616

**REDDITCH BOROUGH COUNCIL****CORPORATE PERFORMANCE REPORT: 'HELP ME TO BE FINANCIALLY INDEPENDENT'–  
MAY 2019****1. INTRODUCTION**

- 1.1 This report highlights the key areas for the strategic purpose 'Help me to be financially independent'.
- 1.2 The other report this month, 'Help me to run a successful business', contains the sickness measures.

**2. CONTEXT****2.1 Support residents to reduce levels of individual debt**

Between November 2018 and April 2019, the Financial Inclusion Team (FIT) dealt with 195 cases. Of these, 125 were women and 62 Men (where recorded), spanning an age range from 19 to 80. The vast majority of households were either single or a single parent, with nearly half living Council tenants.

Debt was the highest reason recorded as to why cases were referred into the team. Where stated, the cause of debt included migration to Universal Credit, benefit sanctions, mental health issues and spending of non-essential items.

67 cases had had their rent arrears reduced as a result of support, 42 cases were referred for debt advice, 33 cases were awarded Council Tax Hardship and 9 cases received support from the Essential Living Fund. In 82 cases, customer confidence levels at the start and after FIT intervention were captured out of 10; 69 cases saw an improvement of 3 or more points.

The community survey was run throughout September 2018 and was available to members of the Redditch Community Panel and Redditch residents alike. One section of the survey, 'Living Independently and Social Contact', included a question around personal finance. "To what extent do you agree or disagree with these statements about living independently and social contact?"

I am able to manage my household finances	I agree/agree strongly	86.7%
	Neither agree nor disagree	7.4%
	Disagree/disagree strongly	4.1%

Whilst the majority of people agree they can manage their household finances, the number of people who responded that they disagreed is still significant.

**2.2 Develop education and skills to sustain financial independence**

The Financial Independence Team (FIT) had 28 cases referred to them due to budgeting problems and 42 cases were referred for debt advice.

Until July 2018 the Council had a contract with Signs of Hope to support residents with their finances and enable them to move towards financial independence. The contract was terminated by Signs of Hope due to unforeseen circumstances.

Between 2017 and July 2018 Signs of Hope received 50 referrals from Redditch Borough Council. 41 cases reported having a disability. 25 cases were unemployed and 16 cases were employed (where data available).

The FIT team has supported as many residents as possible with personal budgeting support and have referred more complex cases to the Citizens Advice. It is worth noting that from April 2019 the funding from the DWP in relation to Personal Budgeting Advice is to be withdrawn from the Council and transferred to the CAB. The FIT team will however continue to provide the service to our most vulnerable residents as it has proven valuable to our communities.

### 2.3 Support communities during changes to welfare and benefits

A recent review of the Benefits service identified that the service was not dealing with benefit claims in a timely manner and, working with the DWP, a number of actions have been implemented which have improved performance and support to claimants.

This work produced the following short term actions:

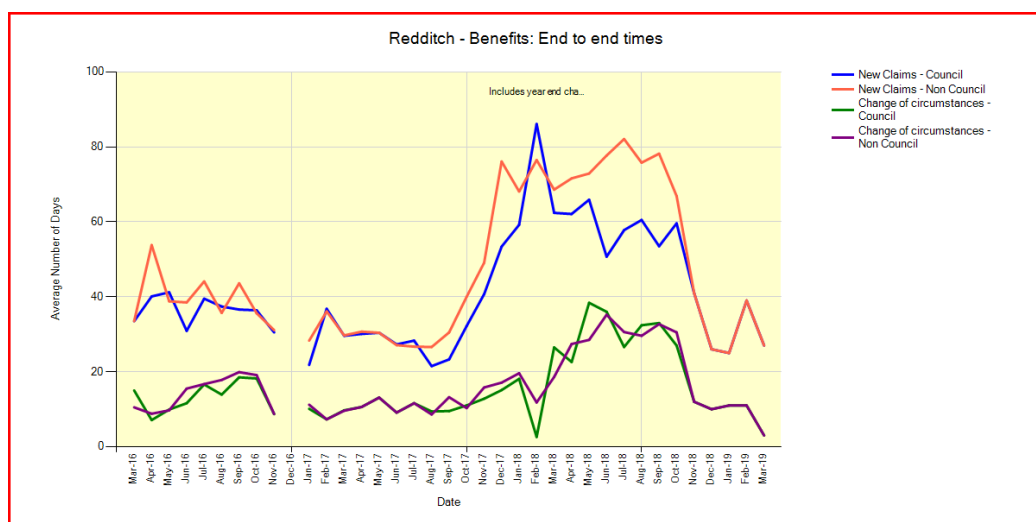
- Additional support sourced to ensure that outstanding workloads are brought under control
- Ensure that adequate resources remain in place to control forecasted workloads
- Identify training needs for new and inexperienced staff
- Introduce performance management framework to ensure processing standards are maintained.
- Identify how system and existing technology can support assessment of welfare support

In addition it was apparent that there was a lack of management support to the teams and therefore an interim structure has been implemented to include:

- Providing specialist 4th Tier management for the Welfare Support team.
- Internal recruitment to team leader, systems support and senior quality officer roles
- Implementing clear performance management frameworks for each 5th tier manager's areas of responsibility.

These actions are in the process of being implemented, with the interim management structure in place.

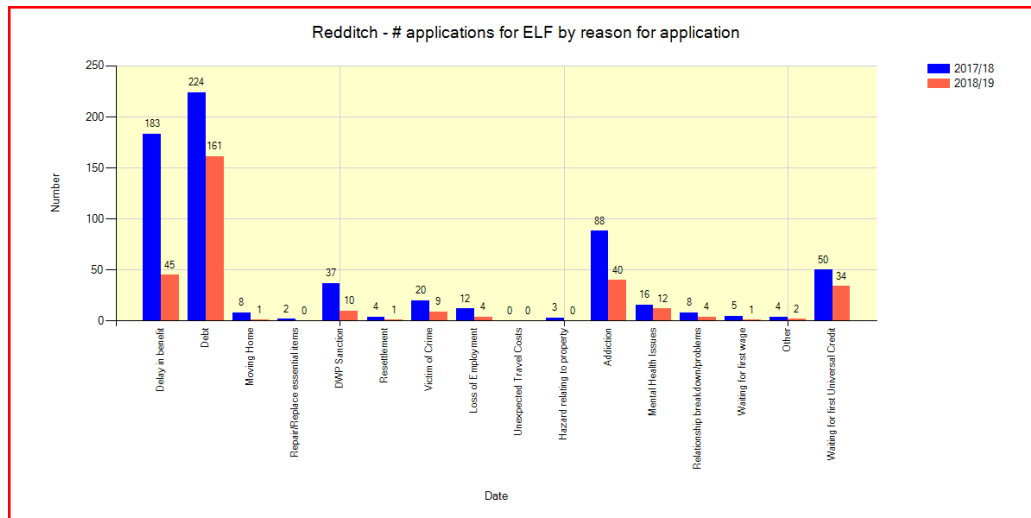
#### **Benefits: End to end times**



As can be seen in the above chart the processing times peaked in January 2018-October 2018. This was due to a number of factors including resources available and the way that the data was compiled. Officers have worked to improve performance and have cleansed the data and as can be seen above the last 2 months have seen a significant decrease in the processing times.

We do however expect to see a reduction in new claims due to the roll out of Universal Credit, although we do not anticipate this decrease will be as pronounced in the volume of changes in circumstances.

### # applications for ELF by reason for application



Whilst the number of applications for ELF has stayed around the same officers continue to support individuals to understand the reason that the claimant is in urgent financial need with the aim to give additional advice or signposting when required.

The top 3 reasons in 2018/19 for making a claim for ELF are 1) debt, 2) delay in benefit and, 3) addiction. Although the top 3 reasons remain the same, those claiming ELF due to a delay in benefits has fallen significantly to align with the improvements we have made in speed of processing times.

#### 2.4 Support reduction in fuel poverty

Fuel poverty is defined as the inability to keep a home adequately heated. In England, fuel poverty is measured by the Low Income, High Cost definition (LIHC). This measure states that a household is in fuel poverty when energy costs to heat to adequate levels are above the national average and, if they were to heat to this level, the residual income would leave the household below the poverty line.

Redditch Borough Council has been working to address the issue of fuel poverty for a number of years as well as linking in to the county work through Warmer Worcestershire. The Warmer Worcestershire Network which works together to produce and enable fulfilment of the Worcestershire fuel poverty plan, which is led by Worcestershire County Council. Energy advice and support has been provided for over 15 years through partners Act on Energy who have run several energy efficiency schemes ranging from insulation through to boiler replacements. In 2015, a 3 year Energy Efficiency Fund and Scheme to address fuel poverty was launched. In addition, work has taken place alongside District and County partner to deliver a successful external wall insulation programme.

Fuel poverty data for Redditch show that the proportion of households described as 'fuel poor' is 10.6% (2016); this has been rising slowly over the past three years. There are a number of factors which impact on fuel poverty and work will continue with partners to keep this to a minimum.

Community Survey 2018:

The Climate Change and Energy Support Service aims to help you use less energy e.g. reducing energy bills, support with insulation and boilers. Do you know how to access this service?	Yes, I know how to access this service	20.5%
	No, I am aware of the service but I don't know how to access it	19.3%
	No, I have never heard of this service	60.2%

This data shows that a large number of residents are unaware of the support available to them. Further work around raising awareness is planned.

2.5 Future Focus

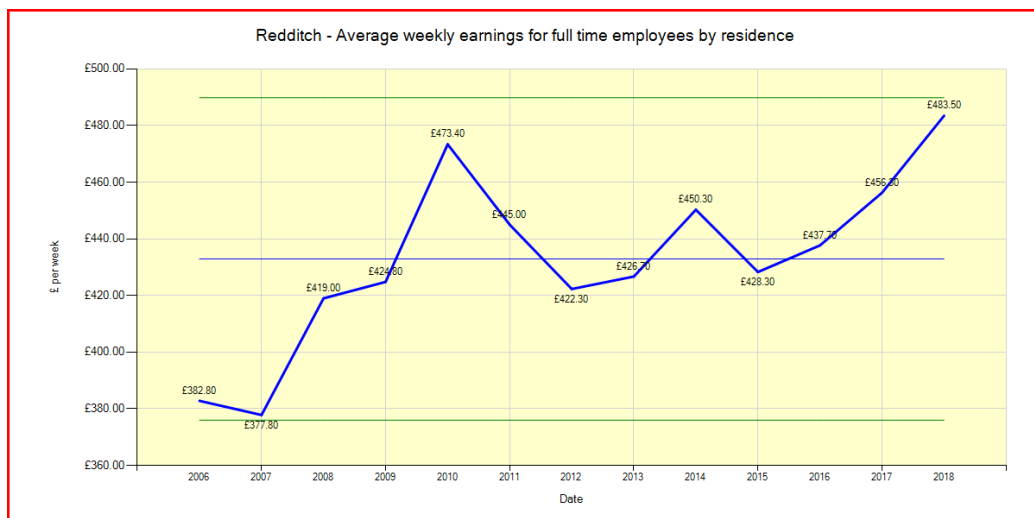
There are a number of actions required to ensure we are delivering against our purpose of helping people be financially independent. These include:

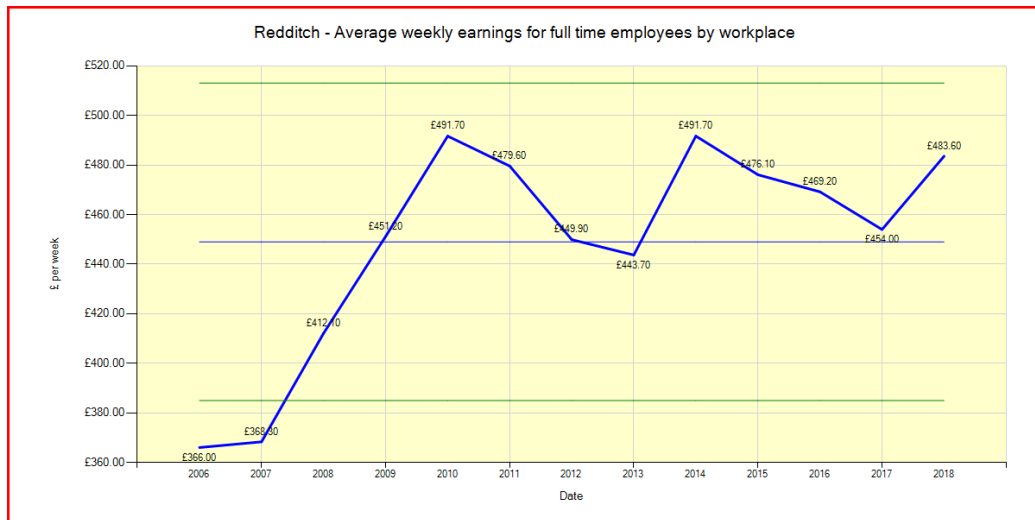
- Maintaining performance in processing times
- Continuing to support vulnerable residents in terms of advice and urgent financial support
- Continuation of the debt advice support to schools (using the electronic module)
- Reviewing the service to customer to streamline and improve customer journey
- Provide ongoing digital support to residents and improve on line access

2.6 Context data

The Office of National Statistics for 2018 show the lower quartile house price for Redditch is £152,500 and the annual residence-based lower quartile earnings as £19,165, giving an affordability ratio of 7.96:1 for purchasing in the open market. This shows that those on lower incomes have little chance of accessing home ownership, as generally a ratio of 4:1 is considered to be affordable.

The unemployment claimant count for March 2019 was 2.9%. However, the claimant count for 18-24 year olds is the highest in the County at 5.1%; this is a rise of 1.4% on the previous year. The wards with the highest unemployment claimants are Batchley & Brockhill (3.9%), Greenlands (3.8%) and Church Hill (3.7%).

**Average weekly earnings for full time employees by residence**

**Average weekly earnings for full time employees by workplace**

Looking at earnings, there is very little difference in the income of those who live in Redditch versus those who work in Redditch. This could suggest that a large number of residents do not travel far for employment.

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**EXECUTIVE  
COMMITTEE**

11 June 2019

**CORPORATE PERFORMANCE REPORT**

Relevant Portfolio Holder	Councillor Dormer, Leader of the Council and Portfolio Holder for Planning, Economic Development, Commercialism and Partnerships Councillor Thain, Portfolio Holder for Corporate Management
Portfolio Holder Consulted	No
Relevant Head of Service	Kevin Dicks, Chief Executive Deb Poole, Head of Business Transformation
Ward(s) Affected	All wards
Ward Councillor(s) Consulted	N/A
Key Decision / Non-Key Decision	No

**1. SUMMARY OF PROPOSALS**

To review performance information relating to the strategic purpose 'Help me to run a successful business'.

**2. RECOMMENDATIONS**

The Executive Committee is asked to note the contents of the report and associated appendix (Appendix 1).

**3. KEY ISSUES****Financial Implications**

- 3.1 Effective performance management will enable the Council to use limited resources in a more targeted manner, maximising the value of Council services and allowing the Council to be even more responsive to our customers' needs.

**Legal Implications**

- 3.2 There are no legal implications arising from this report.

**Service / Operational Implications**

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**EXECUTIVE  
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**Customer / Equalities and Diversity Implications**

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**4. RISK MANAGEMENT**

- 4.1 By using data to ensure the Council meets the strategic purposes and delivers on the priority actions in the Council Plan, it will support the management of risks identified around the delivery of those strategic purposes. The strategy will also contribute to the management of risks around robust decision making and the accuracy/effectiveness of performance data.

**5. APPENDICES**

Appendix 1 - Corporate Performance Report: 'Help me to run a successful business' – June 2019

**AUTHOR OF REPORT**

Name: Rebecca Green, Policy Manager  
email: [r.green@bromsgroveandredditch.gov.uk](mailto:r.green@bromsgroveandredditch.gov.uk)  
Tel.: 01527 881616

**REDDITCH BOROUGH COUNCIL****CORPORATE PERFORMANCE REPORT: 'HELP ME TO RUN A SUCCESSFUL BUSINESS' – MAY 2019****1. INTRODUCTION**

- 1.1 This bi-monthly report highlights the key areas for the strategic purpose 'Help me to run a successful business'.
- 1.2 The key sickness absence measures are contained in this report.

**2. CONTEXT**

NWedR are in the process of preparing an Economic Growth Strategy for North Worcestershire, which will include engagement with key stakeholders over the next two-three months. The strategy is expected to be presented to the council for approval in September 2019.

**2.1 Enhancing the retail, leisure and residential offer**

A new Redditch Regeneration Plan was developed in 2018.

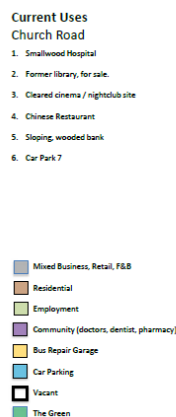
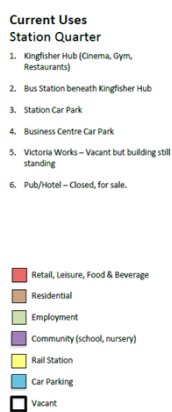
In recognition of the need to secure new investment, and regeneration, local public and private sector partners have created a Quarters plan for the town centre's future development, building on its residual strengths and on the collective will to deliver positive change.

**'Four Quarters'**

The focus for activity is centred on four regeneration quarters:

1. Station and Residential
2. Education and Enterprise
3. Retail and Leisure – Kingfisher Centre and surrounds
4. Public Sector & Cultural Quarter

At the heart of these quarters is the old town, anchored by the church and its surrounds. Linking the quarters together will be the new place making strategy which will consider connectivity, design and integration of these quarters.

**New Residential & Railway Quarter**

The above sites Station area and Church Rd make up the new residential quarter and provide the most significant opportunity to provide new residential accommodation into the town centre. The council has appointed consultants to develop masterplan options supported by a high level viability appraisal with a final preferred option to be approved by May 2019.

Bringing in circa 600 new residential units, commercial office space/convenience retailing and café pavilion seeks to address a number of challenges to increase footfall, natural surveillance and increased dwell time. Enhanced pedestrian links provide improved connectivity with the Kingfisher Shopping Centre and Unicorn Hill. This quarter would require significant investment for land acquisition and assembly and changes to physical infrastructure

### **Education and Enterprise Quarter**

The release of the existing police station and related onsite parking is a site that could be redeveloped to create incubator units to support new businesses and improve links between businesses and HOW College. Initial dialogue with Worcestershire LEP has indicated the potential for this site being used for Betaden North – a dynamic launch pad for tech entrepreneurs. The existing Betaden located in the south of Worcestershire has access to a 5G test bed and this could be replicated in this enterprise quarter.

### **Retail and Leisure Quarter**

Focus on Improving the Town Centre retail and leisure offer and dwell time. The Council is supporting the existing retailers and the wider business community in the creation of a business improvement district (BID), which could raise funds for consolidating and promoting the town centre. The process of developing a BID presents opportunities to promote the town centre retail offer and to communicate with the wider stakeholder community our plans and the integrated investment strategy.

### **Public Sector & Culture Quarter**

The consideration of a shared hub for public services was a component of earlier town centre studies – One Public Estate Review. The Council and its public sector partners recognise the opportunity to enhance their position by consolidating public services, including those currently delivered outside the centre, within a new community services ‘hub’. Consultants have been appointed to look at the feasibility of the hub and proposed location to inform an outline business case. The services that could be collocated in the proposed Hub include library, health, town hall and job centre agencies.

The library facility, in addition to other users who have shown an interest in the hub, equate to 50,000sqf of additional floor space as well as 46,000sqf of council services. Demolition of the library and relocation in the community hub would provide the opportunity for a potential new plaza and events space supported by Kingfisher Shopping Centre units and new frontage addressing the comments received in public consultation.

A Project Board, chaired by the Council’s Chief Executive, will be set-up to oversee the delivery of this vision and will include representatives of key stakeholders.

The delivery of the council’s ambitious vision will be led by the North Worcestershire Economic Development and Regeneration (NWedR) team, a shared service between the Bromsgrove, Redditch and Wyre Forest Councils NWedR is a multidisciplinary team with a wealth of specialist experience and knowledge in and proven track record of developing and delivering multimillion pound regeneration, economic development and business support projects across North Worcestershire.

The team has the capacity to lead the development of a full bid to the next stage, although external support will be needed in areas like building design, cost appraisal, development appraisal.

An expression of interest was submitted to government as part of their Future High Streets Fund programme; a response is expected during the summer 2019. The Expression of Interest captures is based on the Four Quarters Vision outlined above and focuses on implementing key structural changes that will strengthen Redditch's town centre viability, vibrancy, attractiveness and competitiveness

### **Matchborough and Winyates District Centres Regeneration**

The former New Town District Centres in Redditch Borough were identified in the adopted Borough of Redditch Local Plan No.4 as being in need of regeneration. The Council has already regenerated Church Hill District Centre and is now focussing on the District Centres in Matchborough and Winyates. Both District Centres offer the potential to regenerate dated layouts and design, whilst maximising opportunities to positively enhance local services and facilities. Regeneration of the District Centres would benefit any potential new investors and occupiers as well as every day users, whilst enhancing the built and natural environments and changing perceptions of these locations as valued community hubs.

The current issue is to understand the feasibility and deliverability of potential regeneration options, which meet the needs of District Centre users and the Council alike. A comprehensive approach to regeneration incorporating under-used land in the vicinity of the District Centres could create a substantial number of new homes as well as new commercial provision, enhanced local amenities and community benefits. Once the Council understands the feasibility of potential regeneration options, public consultation will be undertaken to help develop a preferred regeneration scheme.

#### **2.2 Nurture existing businesses and encourage a future generation of entrepreneurs**

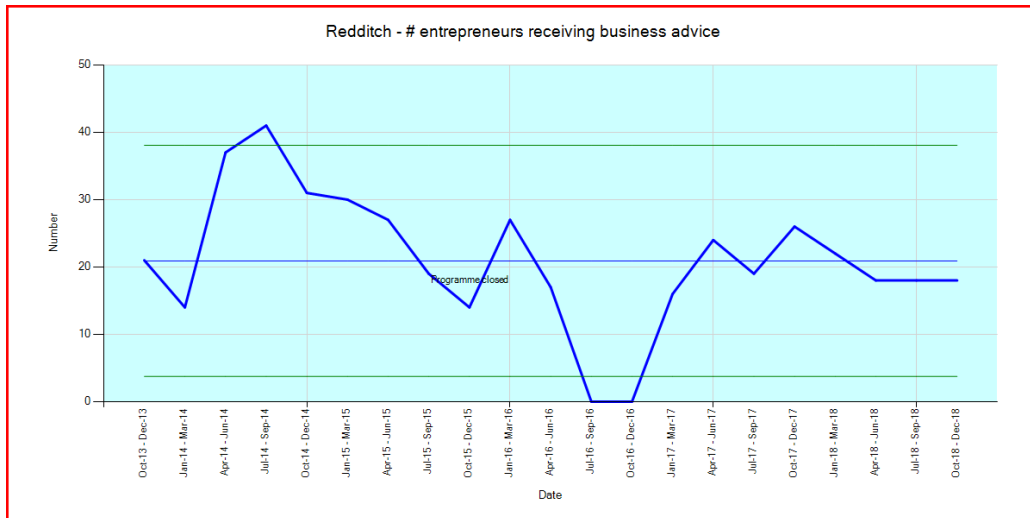
In order to nurture existing businesses in the district, the NWEDR has promoted a range of grant funding opportunities to small businesses as well as multiple workshops for business support. The Enterprising Worcestershire Grant has served to help young businesses fund equipment; machinery, website construction, consultancy work and software to aid early stage development. A range of workshops has also taught small businesses how to thrive, focussing on topics such as a Start-Up Masterclass, social media, franchising, strategic marketing, legal essentials and property law to name only a few.

More established businesses have also been encouraged to show their entrepreneurial nous, with the Worcestershire Proof of Concept grant offering up to £30,000 in matched funding for companies looking to develop new products or processes.

The programmes of support focus on helping the entrepreneur to acquire the skills required to run a successful, sustainable business. Topics covered include core competencies such as business planning, marketing, and financial & legal requirements. In addition topic specific workshops are available giving a more in depth study and these will often be provided in response to demand from would-be entrepreneurs. The programmes are delivered by Blue Orchid who was procured by Worcestershire County Council and Solihull MBC and who deliver multiple such programmes across the country. Participants in the programmes frequently have little experience running a business, are unlikely to know other entrepreneurs and usually do not have access to finance. As such they are higher risk and are less likely to survive or to grow beyond self-employment or micro-businesses.

The sample size for this period is too small to be statistically relevant. However, survival rates of those businesses that have accessed support over several years are, on average, better than the general population. This would indicate that the schemes are having a positive impact on the businesses.

# Entrepreneurs receiving business advice

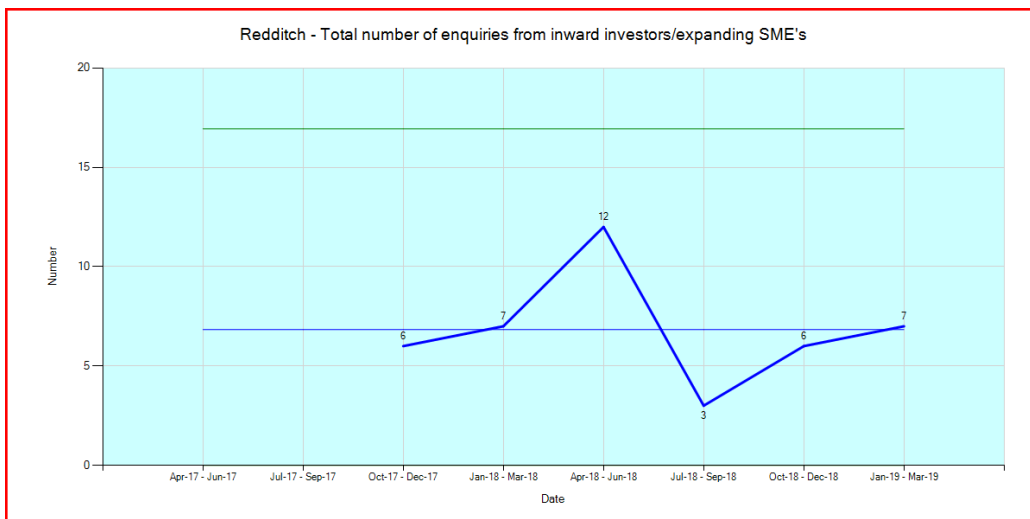


Oct 18 - Dec 18 – An analysis of participants in the start-up programmes indicate 61% are sole traders. Participants are planning to start businesses predominantly in the community, social and personal services sector. This is followed by the digital, creative and information services sector and then the business services sector.

Supporting business start-ups is a numbers game and the aim is to get as many participants as possible. This is due to the low conversion rate. Typically 50% of enquirers will book on to the scheme. Of these, around 50% will attend the workshop. Less than 10% of participants go on to start a business and survival rates are about 60%. Therefore, to create 1 successful business you need to generate a lot of enquiries.

The scheme is promoted via many organisations – the national business helpline; the 2 growth hubs that serve Redditch; the County Council; NWedR; the support provider (Blue Orchid); and Solihull MBC. Each organisation has a range of channels including websites, social media, attendance at events; and marketing collateral.

Total number of enquiries from inward investors/expanding SME's



During the last quarter of 2018/19, enquiries were received from businesses in the retail, wholesale, manufacturing and business services sector.

The number of enquiries reflects the fact that other organisations lead on these areas, i.e. the LEPs for Inward Investment and the Growth Hubs for general business support. All government funded programmes must be promoted via a growth hub and so resources are put in to encourage business to contact them. Individual programmes are promoted by their managing organisations too. Therefore the local authority is not necessarily who businesses choose to contact when seeking assistance. Fortunately, we operate a “no wrong front door” policy and services are well integrated. Partnerships between the various providers are strong and businesses who seek help should be well served. This is evident by the number of businesses who re-engage after receiving support. The challenge is to reach the businesses that don't, for whatever reason, engage with public sector support.

### 2.3 Positively promote Redditch as a place to live, work, invest and visit and encourage new inward investment

NWedR is working with the West Midlands Growth Company to build on the Midlands UK success at MIPIM 2019, where the delegation had meetings concerning £11bn worth of projects. The Midlands UK delegation had meetings concerning £11 billion worth of projects and investment opportunities with 24,000 stakeholders from over 100 nations. Here the region was promoted alongside global cities such as London, Dubai and Paris, with the Midlands UK Pavilion providing a dedicated area to showcase future projects.

Discussions have started to undertake a PR and marketing campaign for the Town Centre, focusing on the perception of Redditch. This is currently on hold until the decision regarding the BID has been made, as this would be a key piece of work for that new group were it to be established.

### 2.4 Work with partners to improve the aspirations of our younger population and develop skills to meet the future demands of employers

Following research by Sir John Holman into career guidance for young people, eight ‘Gatsby Benchmarks’ were recommended in order to better prepare the nation’s future workforce for employment. In Redditch the NWEDR alongside the GBSLEP and has partnered with schools and businesses to create the Opening Doors for business programme. The scheme is now operational across multiple schools, allowing young people to interact with employers through short term visits to their company’s premises, experiencing the workplace and higher education.

In addition, the NWEDR has been a sponsor of the Young Enterprise Finals, with NWEDR’s Jane Doyle acting as a judge. The annual Skills show at Chateau Impney also gave school leavers and sixth formers in Redditch and the surrounding area the opportunity to engage with the world of work. Through interactive stands students could gain knowledge on career pathways and employability, with the NWEDR team volunteering at the event which was organised by Worcestershire County Council. With total of over 5,000 pupils from 43 schools and colleges the event proved a great way to inspire the next cohort of workers for the employment needs of the future.

## 3. KEY SICKNESS ABSENCE MEASURES

### 3.1 Sickness Data

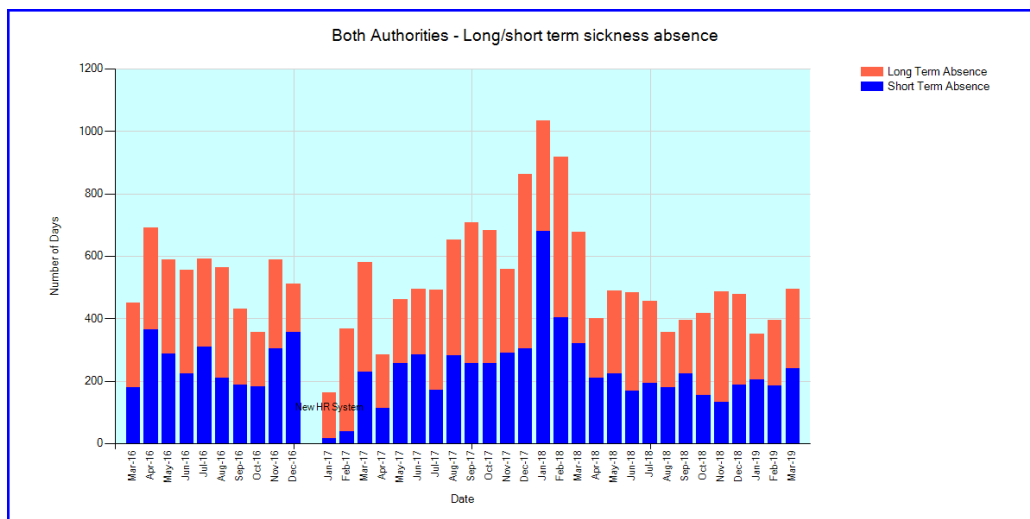
Sickness outturn for 2018/19 was considerably lower than previous years at 6.75 days per FTE. There has been an investment in further one to one training on the HR21 system with Managers. The system has also been developed to include the recording of return to work data, based upon research that proves holding return to work interviews significantly reduces sickness absence.

During 2018 HR launched a suite of HR Management Information; this was launched via the Managers Forum, where instruction on how to use the information was discussed. The data is delivered on a monthly basis to the 4<sup>th</sup> tier managers and includes sickness and return to work interviews amongst other HR data; this may have assisted Heads of Service and 4<sup>th</sup> tier managers in seeing the ‘bigger picture’ of sickness across the area, rather than just the sickness for their direct reports. HR have started trialling ‘Managers toolkit training’ which involves training for managers on workplace issues/ policies etc. This has included training on sickness absence and setting targets, this was well received and will continue to be developed and rolled out over 2019/20.

Further work has continued with the development of the sickness absence policy, this has included further policy working groups engaging management, employees, HR and trade unions, collectively this work has helped further inform the sickness policy and brought to the forefront the issue of sickness. Sickness absence closely correlates with the use of agency staff in some areas such as frontline services. The agency spend last year has probably attributed to more scrutiny and better management of sickness in front line services.

The council has reduced sickness throughout 2018/19, but will continue to work to further reduce sickness in the future. This will include the implementation of the sickness absence policy, the implementation of a new enterprise system covering HR and Payroll and further Managers toolkit training.

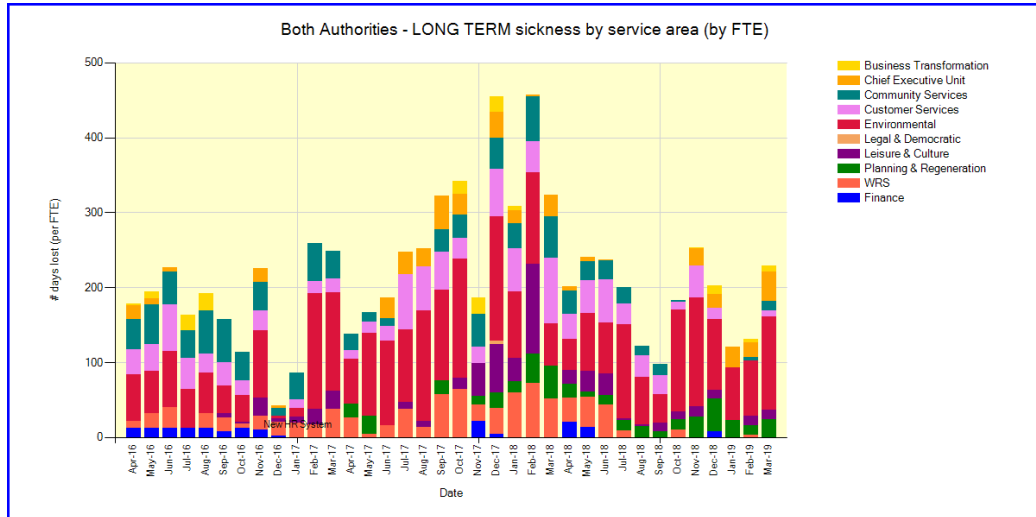
**Long/Short Term Sickness Absence**  
**Contact: Nicola Wright, Assistant HR & OD Advisor**



Although there have been minor peaks, in the main, sickness absence has remained fairly static since April 2018. The HR team continue to monitor and assist managers in tackling both types of sickness, as well as using the data to make informed interventions where required, such as review of sickness absence policy, occupational health services and the employee assistance programme.

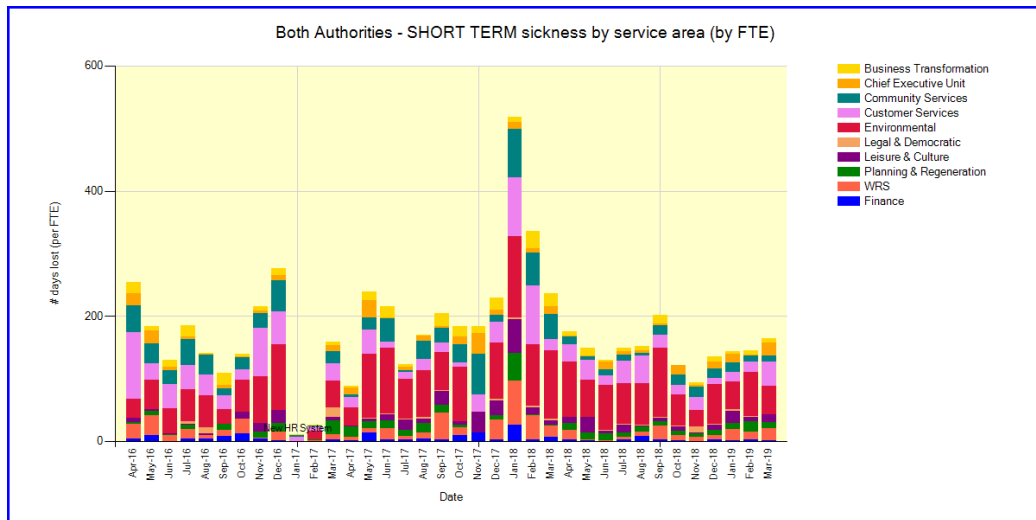


**Long Term Sickness Absence by service area (by FTE)**  
**Contact: Nicola Wright, Assistant HR & OD Advisor**



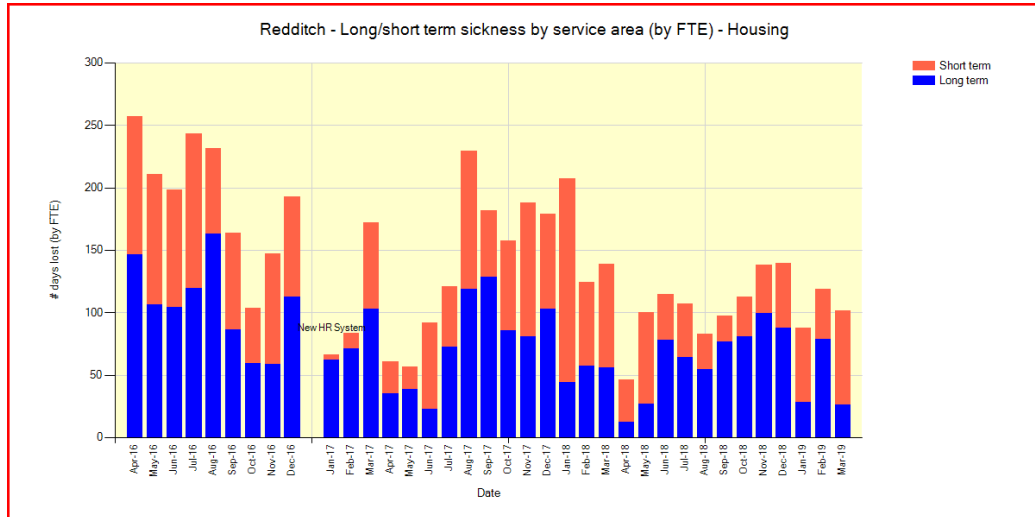
Long term absence has seen a steady increase during the first quarter of 2019; increases have been experienced in Environmental Services, Customer Services, Community Services and Chief Executive Unit.

**Short Term Sickness Absence by service area (by FTE)**  
**Contact: Nicola Wright, Assistant HR & OD Advisor**



Short term absence has steadily increased since November 2018; Customer Services saw the highest increase of all service areas during March 2019.

**Short Term Sickness Absence by service area (by FTE)- Housing**  
**Contact: Nicola Wright, Assistant HR & OD Advisor**



Overall during 2018 sickness absence has been lowered compared to 2017 and 2016. The amount of short term sickness in 2018 has not significantly changed; if you compare March 2017 to March 2018 and March 2019, the level of short term sickness is comparable. However, the long term sickness for each of these months has decreased. Sickness absence is now being closely managed and monitored across the whole of the housing services.



# Overview and Scrutiny Committee

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## MINUTES

### Present:

Councillor Joe Baker (Chair), Councillor Debbie Chance (Vice-Chair) and Councillors Salman Akbar, Joanne Beecham, Michael Chalk, Andrew Fry, Pattie Hill, Anthony Lovell and Jennifer Wheeler

### Other Attendees

Mr Bob Baker, Ms Christine Bridges and Mr Simon Dunn (Diamond Buses)

### Officers:

Sue Hanley and Paul Spooner

### Democratic Services Officers:

J Bayley and F Mughal

### 97. APOLOGIES AND NAMED SUBSTITUTES

An apology for absence was received on behalf of Councillor Gemma Monaco. It was confirmed that Councillor Salman Akbar was attending as her substitute.

### 98. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest nor of any party whip.

### 99. MINUTES OF THE MEETING HELD ON 20 FEBRUARY 2019

The minutes of the Overview and Scrutiny Committee meeting held on 20<sup>th</sup> February, 2019 were submitted for Members' consideration.

### RESOLVED that

**the minutes of the Overview and Scrutiny Committee meeting**

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Chair

# Overview and Scrutiny Committee

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held on 20<sup>th</sup> February, 2019 be approved as a correct record and signed by the Chair.

## 100. BUS SERVICES - INTERVIEW WITH REPRESENTATIVES OF DIAMOND BUS SERVICES

Representatives from Diamond Bus Services were present at the meeting to provide Members with an update in respect of bus services in the Borough of Redditch. The representatives provided answers to the list of Members' questions which had been provided in advance of the meeting.

In the ensuing debate, the following questions were raised:

What changes, if any, had been made to bus services in Redditch in the last five years?

The majority of the changes had been made due to changes to the contract with Worcestershire County Council, including fare increases and route alterations.

How were the changes to bus services communicated to Redditch residents?

Diamond Bus Services offered a wide range of information to bus user. Any changes to services were communicated on the company's website, on social media, on buses and also via Worcestershire County Council's website.

To what extent were the buses in service energy efficient?

The energy rate of vehicles was dependant on the routes and the type of vehicle used. It was further stated that there were no Euro 6 model buses in operation in Redditch. Vehicles that met Euro 6 emission were the cleanest in terms of emissions. However, should these be required in future Worcestershire County Council contracts the matter would be investigated further.

What were the strengths of the bus services in Redditch?

The management and staff were based in the local area, there was good network coverage and the bus service in Redditch was subject to some of the lowest fares in the country. Members stated that one of the concerns that the public had raised was that the fares were rising. In this context it was recognised that it would be

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beneficial to the bus company to inform residents that the fares for Redditch bus services were some of the lowest in the country.

### What were the challenges facing bus services in Redditch?

The challenges included some passengers' behaviour and funding cuts.

### How can public sector organisations help to address these challenges?

The Council could work in partnership with Diamond Buses to help alleviate some of the issues with bus users. The Council could also help with the promotion of job vacancies for bus drivers which could be filled by local residents.

Members further raised a number of points in detail:

- Diamond Bus Services did not offer return tickets, however, offered a day ticket, which could be used on multiple routes throughout the day and was value for money.
- It was recognised that it was important to establish sustainable bus services in Redditch.
- In response to the query regarding breakdowns that occurred on bus services, it was explained that this could be due to the modern vehicles used, which were fitted with sensors and could be due to electrical faults.
- With regards to training, it was stated that all drivers were qualified and received the required training. New drivers were mentored and no drivers were left alone to operate a service until they knew the bus routes. Drivers also undertook induction training which included health and safety and relevant legal requirements.

## **101. PRE-DECISION SCRUTINY - MATCHBOROUGH AND WINYATES DISTRICT CENTRE - OUTCOMES OF SOFT MARKET TESTING**

Members considered a report providing an update in respect of the Matchborough and Winyates District Centres' redevelopment.

Members were reminded that a report was presented to Executive Committee in January, 2019 and it was agreed that officers would undertake a soft market testing exercise with developers on the Homes England Delivery Partner Panel 3 (DPP3) in order to consider the best options for improvements in the District Centres.

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The Town Centre Advisor provided Members with a summary of the key findings which outlined the soft market testing exercise and looked at various development schemes that would be viable, sustainable and beneficial for the local residents.

Members were informed that four developers took part in the exercise, and they had indicated that would be interested in working with the Council.

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

- Members expressed concerns regarding the re-development, as they had been mindful of mistakes which had been made in previous projects; in particular, the Church Hill redevelopment. The Town Centre Advisor reassured the Committee that lessons had be learnt and a different approach was being taken.
- The Committee raised concerns with regard to the lack of public consultation undertaken to date and noted that residents were aware of and in some cases anxious about the proposed scheme. The Town Centre Advisor explained that the Council had drafted a Communications Plan and this would be utilised should the Executive Committee agree the proposals detailed in the report.
- Members were informed that a meeting had taken place with some Ward Members, businesses and residents. Members asked for clarity of the arrangements for these meetings and the notes arising from them. The Committee further expressed their concerns that not all ward Members were informed of this meeting.
- It was specified that this was a soft market testing exercise and it was recognised that early engagement with the public was prudent and this would be undertaken once the developer was appointed.
- It was important that the district centres had continuity. Members were informed that it was envisaged that no existing houses or businesses would be demolished until the new development was completed.
- The Council would appoint a developer that they had full confidence in.
- A number of the developers had expressed the view that should they be successful in a future procurement exercise they would expect to have continuing involvement in the area once the development was completed. No options had been

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considered at this stage. A full report of the proposed scheme would be presented to the Executive Committee in June, 2019.

- It was important that the Council considered the financial implications when considering the options.
- Members agreed that the next report to the Executive Committee in respect of this matter, due to be considered in June 2019, should be subject to pre-scrutiny.

## **RECOMMENDED that**

- a) the positive outcome of the soft market testing is noted and officers are instructed to continue to analyse the results;**
- b) as a preparatory to procuring a preferred developer, to instruct officers to continue to work to develop the Council's parameters for a potential scheme (economic, social and environmental) and the frame of reference for joint working with a developer and delivery of a scheme; and**
- c) Officers report back with specific proposals for the formal procurement of a suitable development partner to work with the Council, stakeholders and the local community to develop and agree a comprehensive regeneration scheme for Matchborough and Winyates.**

## **RESOLVED that**

**the Overview and Scrutiny Committee pre-scrutinise the report in respect of the proposals for the formal procurement of the development on 6<sup>th</sup> June, 2019 prior to Executive consideration on 11th June, 2019.**

## **102. PUBLIC SPEAKING REPORT**

The Senior Democratic Services Officer (Redditch), presented a report which invited Members to determine arrangements for public speaking at meetings of the Overview and Scrutiny Committee. The committee was reminded that at a meeting of Council on 25<sup>th</sup> February, 2019, Members had agreed to introduce public speaking at certain Committee meetings where formal public speaking arrangements were not already in place, including meetings of the Overview and Scrutiny Committee. It was noted that public speaking arrangements were already in place for some

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Committees, including Council, the Executive Committee and Planning Committee. However, at other public meetings public speaking rights were not formalised and could only be exercised at the discretion of the Chair.

The background to this change was that a complaint had been received from a member of the public who had called for formal public speaking to be introduced at all public Committee meetings. The complaint had been considered by the Constitutional Review Working Party, who had decided to recommend to Council that formal public speaking should be introduced for those Committees where it was not currently in place.

Members expressed the view that they wished to adopt the same approach as both Licensing and Planning Committees, whereby members of the public were allowed a time limit of three minutes for individual speakers and a maximum overall time limit of 15 minutes for all public speaking. Members also agreed that a cut-off point for registration of noon on the day of the meeting was efficient.

The Committee was informed that an item in respect of public speaking at Overview and Scrutiny Committee meetings would be included on the agenda at the start of the meeting.

## **RESOLVED that**

**the following arrangements for public speaking at Overview and Scrutiny Committee meetings be adopted:**

- a) that members of the public wishing to register to speak at Overview and Scrutiny Committee shall notify Democratic Services officers of their intention to do so and the subject on which they intend to speak by no later than 12 noon on the day of the meeting;**
- b) that the time limit for individual speakers speaking at Overview and Scrutiny Committee meetings shall be three minutes; and**
- c) that the maximum time limit devoted to public speaking at meetings of the Overview and Scrutiny Committee shall be 15 minutes.**



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## 103. OVERVIEW AND SCRUTINY COMMITTEE RECOMMENDATION TRACKER

The Senior Democratic Services Officer (Redditch) highlighted a number of recommendations made through the Overview and Scrutiny process that had already been acted on. The Committee was informed that the outstanding actions would be followed up and an update would be provided to the Committee in due course.

Members were reminded that the Overview and Scrutiny Committee made a recommendation that all Members should receive a briefing on the new finance system. The briefing session was held on 19<sup>th</sup> March, 2019, however, only six Members attended the session. Members agreed that in future consideration should be given to the timing of any such briefings as it was appreciated that Members might not always be available during the election period.

With regard to the Redi Centre Lease Arrangements, Members were advised that action on the recommendations remained ongoing. However, Members sought clarity on the progress of this as it had been thought that the actions required had been completed.

### **RESOLVED that**

**the recommendation tracker be noted.**

## 104. DRAFT OVERVIEW AND SCRUTINY ANNUAL REPORT 2018/19

The Chair presented the Overview and Scrutiny Committee's Annual Report 2018/2019, which detailed the work undertaken by the Overview and Scrutiny Committee during the municipal year 2018 – 2019.

The Chair stated that this had been a successful year for the Committee, although the Committee had not launched any Task Group reviews, Members had pre-scrutinised a range of items that were important to the community and had made a number of recommendations to the Executive Committee many of which had been approved. The Chair expressed his thanks to the Members of the Overview and Scrutiny Committee for their valued contribution. He further expressed his gratitude to the Democratic Services Officers for all their help and hard work.

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Members were advised that the Annual report would be presented to Council at its meeting on 15<sup>th</sup> April, 2019 for Members' consideration.

**RESOLVED that**

**the Overview and Scrutiny Committee Annual Report 2018/19 be noted.**

**105. TASK GROUP REVIEWS - DRAFT SCOPING DOCUMENTS**

Members gave consideration to a scrutiny proposal form which proposed a Short, Sharp Review in respect of suicide prevention. Members were asked to consider whether this would be a suitable topic for further scrutiny.

The suggestion of a Short, Sharp Review to look at suicide prevention in Redditch had been put forward by Councillor Debbie Chance. She explained that this was an important topic to be investigated in light of public health statistics from 2015 to 2017, which indicated that Redditch had a higher suicide rate than the national average.

Members acknowledged that this was an important topic as this had an impact on many people; therefore, the proposed review was welcomed.

The potential for the Committee to first receive a presentation in respect of this matter was briefly discussed. However, Members were advised that as the Council did not have internal expertise in this field, it might be more practical for relevant external partner organisations to be invited to attend meetings of a Short Sharp Review group; in order to share their expertise.

It was envisaged that the review might take longer to complete than anticipated. Members agreed that the review would take place in the new municipal year.

The Senior Democratic Services Officer (Redditch) advised Members that the Chair for scrutiny reviews were usually appointed by the Overview and Scrutiny Committee at the same meeting that Members agreed to launch a review. However, as the proposal had been agreed close to the date of the local elections and Members were not intending to launch the review until the 2019/20 municipal year started Officers suggested that on this occasion the Chair should be appointed in the new municipal year.

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**RESOLVED that**

- a) **the proposed Short, Sharp Review in respect of suicide prevention be launched; and**
- b) **the Chair of the Suicide Prevention Short ,Sharp Review be appointed in the new municipal year.**

**106. EXECUTIVE COMMITTEE MINUTES AND SCRUTINY OF THE EXECUTIVE COMMITTEE'S WORK PROGRAMME - SELECTING ITEMS FOR SCRUTINY**

The Overview and Scrutiny Committee considered the minutes of the Executive Committee meeting held on 25<sup>th</sup> February, 2019 and the Executive Committee's Work Programme for the period 1<sup>st</sup> April to 31<sup>st</sup> July 2019.

Members were informed that the Executive Committee had noted the Overview and Scrutiny Committee's comments and concerns raised in relation to the Medium Term Financial Plan 2019/20 to 2022/2023, including the Pay Policy Statement and Council Tax Setting.

During consideration of the latest edition of the Executive Committee's Work Programme Members noted the number of items that had previously been identified for pre-scrutiny. In addition Members agreed to pre-scrutinise the Town Centre Regeneration (Community Hub and Railway Quarter) at a meeting of the Committee in June, 2019.

**RESOLVED that**

- 1) **the minutes of the Executive Committee meeting held on 25th February 2019 be noted;**
- 2) **the Executive Committee's Work Programme from 1<sup>st</sup> April to 31<sup>st</sup> July 2019, be noted; and**
- 3) **the following item be included in the Overview and Scrutiny Work Programme for pre-scrutiny as agreed:**
  - a) **Town Centre Regeneration (Community Hub and Railway Quarter).**

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## 107. OVERVIEW AND SCRUTINY WORK PROGRAMME

The Senior Democratic Services Officer (Redditch) presented the Overview and Scrutiny Committee's Work Programme. Members were advised that the new Government guidance for Overview and Scrutiny had not yet been published. The document would be presented for Members' consideration once it was in the public domain.

### RESOLVED that

- a) **the item in respect of the Town Centre Regeneration (Community Hub and Railway Quarter) be added to the Overview and Scrutiny Committee's Work Programme; and**
- b) **the Overview and Scrutiny Committee's Work Programme be noted.**

## 108. TASK GROUPS, SHORT SHARP REVIEWS AND WORKING GROUPS - UPDATE REPORTS

### Budget Scrutiny Working Group – Chair, Councillor Andrew Fry

Councillor Fry informed Members that at the latest meeting of the Budget Scrutiny Working Group, held on 8<sup>th</sup> March, 2019, Members received an update in relation to the new Housing IT system and the new finance system. The group had proposed that Members of both Redditch Borough Council and Bromsgrove District Council should be involved in any programme board managing the introduction of the new finance system.

### Performance Scrutiny Working Group

Councillor Fry informed Members that the Performance Scrutiny Working Group had met on 18<sup>th</sup> February, 2019. Members were reminded that earlier in the year the group had agreed that each Member should take a lead on monitoring the performance of measures for a particular strategic purpose.

The group had agreed that it should set at least six meetings during 2019/2020. The dates of these meetings would be agreed in the new municipal year and once the membership of the group had been determined for 2019/20.

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To ensure there was adequate turnout at meetings, the group had proposed at its latest meeting that a quorum should be introduced of three Members.

It was suggested that any Members who were newly appointed to the group in 2019 should be required to attend the dashboard training session on 3<sup>rd</sup> June, 2019.

**RESOLVED that**

**a quorum of three Members should be in place for meetings of the Performance Scrutiny Working Group.**

**109. EXTERNAL SCRUTINY BODIES - UPDATE REPORTS**

Councillor Chalk provided a written update in respect of the West Midlands Combined Authority Overview and Scrutiny Committee. The Committee was informed that the meeting was again inquorate.

Councillor Chalk informed Members that he had submitted his apologies at the last meeting of the Worcestershire Health Overview and Scrutiny Committee held on 5<sup>th</sup> March, 2019. However, the items that were covered on the agenda for this meeting were in relation to the NHS Long Term Plan and Health Overview and Scrutiny Round-Up.

The Meeting commenced at 6.30 pm  
and closed at 9.30 pm

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