



# Executive Committee

Tue 9 Jan  
2024  
6.30 pm

Council Chamber,  
Redditch Town Hall,  
Walter Stranz Square  
Redditch  
B98 8AH

**REDDITCH** BOROUGH COUNCIL

*making  
a  
difference*

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

**If you have any queries on this Agenda please contact  
Jess Bayley-Hill or Jo Gresham**

**Town Hall, Walter Stranz Square, Redditch, B98 8AH  
Tel: (01527) 64252 (Ext. 3072 / 3031)  
e.mail: [jess.bayley-hill@bromsgroveandredditch.gov.uk](mailto:jess.bayley-hill@bromsgroveandredditch.gov.uk) /  
[joanne.gresham@bromsgroveandredditch.gov.uk](mailto:joanne.gresham@bromsgroveandredditch.gov.uk)**

## **GUIDANCE ON FACE-TO-FACE MEETINGS**

---

**Please note that this is a public meeting.**

**If you have any questions regarding the agenda or attached papers, please do not hesitate to contact the officer named above.**

### **GUIDANCE FOR ELECTED MEMBERS ATTENDING MEETINGS IN PERSON**

Meeting attendees are encouraged not to attend the meeting if they have common cold symptoms or any of the following common symptoms of Covid-19 on the day of the meeting; a high temperature, a new and continuous cough or a loss of smell and / or taste.

### **PUBLIC ATTENDANCE AT MEETINGS**

Members of the public are encouraged not to attend the meeting if they have common cold symptoms or any of the following common symptoms of Covid-19 on the day of the meeting; a high temperature, a new and continuous cough or a loss of smell and / or taste.

### **Notes:**

**Although this is a public meeting, there are circumstances when Council might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded.**



# Executive

Tuesday, 9th January, 2024

6.30 pm

Committee Room 2 Town Hall

## Agenda

### Membership:

Cllrs:	Matthew Dormer (Chair)	Luke Court
	Gemma Monaco (Vice-Chair)	Lucy Harrison
	Joe Baker	Bill Hartnett
	Joanne Beecham	Craig Warhurst
	Brandon Clayton	

### 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 7 - 22)

### 5. Redditch Play Audit and Investment Strategy (Pages 23 - 30)

Due to the length of the report, only the covering report has been included in the main agenda for this meeting of the Executive Committee. The full report, including appendices, will be published in a supplementary pack for the meeting.

This report is due to be considered at a meeting of the Overview and Scrutiny Committee scheduled to take place on 4<sup>th</sup> January 2024. Any recommendations arising from this meeting will be published in a separate supplementary pack prior to the meeting.

### 6. Planning Enforcement Policy (Pages 31 - 48)

### 7. Council Tax Base and Business Rates Yield 2024/25 (Pages 49 - 52)

This item is due to be pre-scrutinised at a meeting of the Budget Scrutiny Working Group scheduled to take place on 2<sup>nd</sup> January 2024. Any recommendations in respect of this report, subject to the endorsement of the Overview and Scrutiny Committee, will be reported to the Executive Committee in a supplementary pack for this meeting.

# Executive

Tuesday, 9th January, 2024

## **8. Council Tax - Discretionary Council Tax Reduction Policy - Council Section 13A(C) Policy (Pages 53 - 64)**

This item is due to be pre-scrutinised at a meeting of the Budget Scrutiny Working Group scheduled to take place on 2<sup>nd</sup> January 2024. Any recommendations in respect of this report, subject to the endorsement of the Overview and Scrutiny Committee, will be reported to the Executive Committee in a supplementary pack for this meeting.

## **9. Council Tax - Empty Homes Discounts and Premiums (Pages 65 - 74)**

This item is due to be pre-scrutinised at a meeting of the Budget Scrutiny Working Group scheduled to take place on 2<sup>nd</sup> January 2024. Any recommendations in respect of this report, subject to the endorsement of the Overview and Scrutiny Committee, will be reported to the Executive Committee in a supplementary pack for this meeting.

## **10. Final Council Tax Support Scheme 2024/25 (Pages 75 - 82)**

This item is due to be pre-scrutinised at a meeting of the Budget Scrutiny Working Group scheduled to take place on 2<sup>nd</sup> January 2024. Any recommendations in respect of this report, subject to the endorsement of the Overview and Scrutiny Committee, will be reported to the Executive Committee in a supplementary pack for this meeting.

## **11. HRA Rent Setting 2024/25 (Pages 83 - 86)**

This item is due to be pre-scrutinised at a meeting of the Budget Scrutiny Working Group scheduled to take place on 2<sup>nd</sup> January 2024. Any recommendations in respect of this report, subject to the endorsement of the Overview and Scrutiny Committee, will be reported to the Executive Committee in a supplementary pack for this meeting.

## **12. Recommendation from the Licensing Committee (Pages 87 - 92)**

## **13. Medium Term Financial Plan 2024-25 to 2026-27 Tranche 1 (following consultation) (Pages 93 - 112)**

This item is due to be pre-scrutinised at a meeting of the Budget Scrutiny Working Group scheduled to take place on 2<sup>nd</sup> January 2024. Any recommendations in respect of this report, subject to the endorsement of the Overview and Scrutiny Committee, will be reported to the Executive Committee in a supplementary pack for this meeting.

Due to the length of this report and to the fact that much of the content of this report was previously considered at the meeting of the Executive Committee held on 31<sup>st</sup> October 2023, only the covering report has been included in the main agenda for this meeting of the Executive Committee. The full report, including both the covering report and the appendices, will be published in a supplementary pack for the meeting.

## **14. Overview and Scrutiny Committee** (Pages 113 - 124)

The minutes of the meeting of the Overview and Scrutiny Committee meeting held on 30<sup>th</sup> November 2023 have been attached. The Executive Committee is asked to note that there are no outstanding recommendations arising from this meeting requiring consideration.

## **15. 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.

## **16. To consider any urgent business, details of which have been notified to the Head of Legal, Democratic and Property Services prior to the commencement of the meeting and which the Chair, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting**

## **17. 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 1 – any individual;
- Para 2 – the identity of any individual;
- Para 3 – financial or business affairs;
- Para 4 – labour relations matters;
- Para 5 – legal professional privilege;
- Para 6 – a notice, order or direction;
- Para 7 – the prevention, investigation or prosecution of crime;  
and may need to be considered as ‘exempt’.

# Executive

Tuesday, 9th January, 2024

**18. Land at Upper Norgrove** (Pages 125 - 148)

**19. Planning and Environmental Enforcement Business Case** (Pages 149 - 182)

**20. Appointment of Design Team and Project Managers - Towns Fund Schemes**  
(Pages 183 - 198)



# Executive Committee

Tuesday, 5th December,  
2023

## MINUTES

### Present:

Councillor Matthew Dormer (Chair), Councillor Gemma Monaco (Vice-Chair) and Councillors Joe Baker, Joanne Beecham, Brandon Clayton, Luke Court, Lucy Harrison, Bill Hartnett and Craig Warhurst

### Also Present:

Councillors Salman Akbar, Imran Altaf, Juliet Barker Smith, Juma Begum, James Fardoe, Andrew Fry, Sharon Harvey, Joanna Kane, Sid Khan, Anthony Lovell, Emma Marshall, Kerrie Miles, Jane Spilsbury, Monica Stringfellow and Ian Woodall

### Officers:

Peter Carpenter, Nicola Cummings, Amanda Delahunty, Claire Felton, Sue Hanley, Bev Houghton, Michelle Howell, Ishrat Karimi-Fini, Becky Talbot and Judith Willis

### Democratic Services Officers:

Jess Bayley-Hill and Jo Gresham

## 50. APOLOGIES

There were no apologies for absence.

## 51. DECLARATIONS OF INTEREST

During consideration of Minute Item No 55 – Homelessness Prevention Grant and Domestic Abuse Grant - Councillor Bill Hartnett declared an other disclosable interest in respect of the proposed funding for GreenSquare Accord, for supported accommodation for ex-offenders. This declaration was made in Councillor Hartnett's capacity as a Councillor appointed by the authority, as an outside body appointment, to Redditch Co-operative Homes, which was part of GreenSquare Accord. As he commented that Redditch Co-operative Homes was not directly involved with the work of GreenSquare Accord in respect of

Chair

delivering this supported accommodation for ex-offenders, Councillor Hartnett remained in the room during the debate in respect of this matter and took part in the vote thereon.

**52. LEADER'S ANNOUNCEMENTS**

The Leader advised that at the latest meeting of the Overview and Scrutiny Committee, held on 30<sup>th</sup> November 2023, Members had considered recommendations from the Budget Scrutiny Working Group in respect of the Finance and Performance Quarter 2 Monitoring Report. The Committee had agreed two recommendations on this subject which had been published in a supplementary pack for the Executive Committee meeting. The Leader urged Executive Committee Members to consider these recommendations when debating that item.

The Committee was asked to note that there was a main agenda and two supplementary agenda packs for the meeting. The first supplementary agenda pack contained the full report, including covering report and appendices, for the Public Space Protection Order and Finance and Performance Quarter 2 Monitoring reports. The Leader had taken the decision to only publish the covering reports in the main agenda due to the significant lengths of both reports and the benefits of trying to reduce the amount of paper printed for meetings in line with the authority's commitments in the Carbon Reduction Strategy. The full reports had been published in the first supplementary pack for the meeting on the same day as the main agenda, five clear working days in advance of the meeting. Paper copies of this pack had been provided to each of the political party group rooms and the full reports had been available to access electronically throughout this time.

**53. MINUTES**

**RESOLVED that**

**the minutes of the Executive Committee meeting held on Tuesday 31<sup>st</sup> October 2023 be approved as a true and correct record and signed by the Chair.**



**54. ANIMAL, BIRD AND FISH WELFARE ON COUNCIL LAND POLICY**

The Parks and Events Services Manager presented the Animal, Bird and Fish Welfare on Council Land Policy for Members' consideration and in doing so reminded Members that this policy had been brought forward following agreement of a Motion on Notice on this subject at the Council meeting held in September 2023.

The main purpose of the policy was to ensure that animals, fish and birds did not suffer abuse on Council land. As part of this process, it would not be possible to offer animals, fish or birds as prizes at events held on Council land.

Following the presentation of the report, Members discussed the content of the policy and welcomed the fact that an exception would be made to enable the use of animals for educational purposes, such as by charitable organisations. Members also noted that giving animals, birds and fish as prizes at events held in Redditch had fortunately not been an issue on Council land in recent years, but the policy would help to reinforce the fact that such practice would not be welcomed.

**RESOLVED that**

**the Animal, Bird and Fish Welfare on Council Land Policy, be approved.**

**55. HOMELESSNESS PREVENTION GRANT AND DOMESTIC ABUSE GRANT**

The Housing Strategy and Enabling Manager presented a report on the subject of the Homelessness Prevention Grant and the Domestic Abuse Grant.

The Committee was advised that the grant funding was ring-fenced to support homelessness reduction and victims of domestic abuse. The Council was proposing to use the funding to support local Voluntary and Community Sector (VCS) organisations which together provided the range of services needed to help people at risk of homelessness and domestic abuse. The Council was in the process of reviewing how best to provide a rough sleeping service

# Executive Committee

Tuesday, 5th December, 2023

---

in the Borough. Some funding was left over in the Council's funding allocations from Government and this could be used to address rough sleeping, using a proposed delegation to the Head of Community and Housing Services.

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

- The potential for the funding to be used to help reduce use of bed and breakfast properties as temporary accommodation.
- The ongoing work being undertaken to try to reduce rough sleeping in the Borough.
- The provision of support, through this funding, to vulnerable groups in society including people experiencing or at risk of domestic abuse as well as young people struggling to access affordable housing.
- The valuable provision of accommodation to ex-offenders by GreenSquare Accord.
- The increased financial support that the Council had provided to the Citizens Advice Bureau, which had experienced significant demand during the cost of living crisis.
- A recent homelessness workshop that had been held by Officers and the outcomes of this session.
- The arrangements in place to monitor use of the grant funding allocated by the Council to VCS organisations and how this was reported. Officers clarified that, following an audit of the process, monitoring arrangements had been strengthened and VCS groups were required to complete a spreadsheet demonstrating compliance on a quarterly basis in order to receive funding.
- The level of grant funding that had been allocated to Redditch and whether this was sufficient to tackle problems with homelessness and domestic abuse.
- The funding that had remained unused in the previous funding round.
- The additional funding the previous year and the top up to the Homelessness Prevention Grant which had been unexpectedly received during the year, alongside income generated from the Crash Pad and another temporary accommodation unit, had provided sufficient underspent grant to fund the initiatives that had been identified in this latest round of funding. Grant applications from partners had

# Executive Committee

Tuesday, 5th December, 2023

increased between 25 – 30 per cent since the previous year due to increases in salary costs and other associated costs.

- The grant funding that had been allocated to New Starts to help provide households with furniture and the fact that other local VCS bodies, such as the Tardebigge Relief in Need and Sickness Charities, were continuing to receive requests for help providing furniture to Council tenants.
- The action that was taken to promote the VCS groups' services that received grant funding from the Council. The Committee was advised that VCS organisations were responsible for promoting their own services.

## RESOLVED that

- 1) **the following initiatives be approved to receive allocation of funding 2024/25.**

Initiatives	£ (up to £417,067)
Redditch Nightstop - Outreach Worker to support 21 to 35 year olds and prevent homelessness or work towards planned moves into suitable and sustainable accommodation.	26,566
Redditch Nightstop Core Funding	13,000
Redditch Nightstop Safe Accommodation and Support	15,000
Rough Sleeper Outreach Service	45,599
GreenSquare Accord – 18 units of supported accommodation for Ex Offenders or those likely to offend	16,852
Newstarts - Furniture Project to provide furniture for homeless households.	10,000
Homelessness Prevention - Spend to Save budget for use by Housing Options Officers	17,060
Temporary Accommodation Management – as 3.1 above	66,380

# Executive Committee

Tuesday, 5th December, 2023

St Basils Smallwood Almshouses - Progression Coach to offer additional support that can operate outside of normal office hours to fit around a young persons education, training and employment.	24,476
St Basils Young Persons Pathway Worker	24,572
St Basils Crash Pad emergency accommodation	43,472
Citizens Advice Debt Advice and Affordability Assessments	51,119
County Partnership Manager	9,500
Single and Childless Couples Homeless Prevention Service	33,460
Batchley Support Group	20,000
<b>Total</b>	<b>£417,056</b>
<b>Underspend</b>	<b>£ 11</b>

- 2) **delegated authority be granted to the Head of Community and Housing Services, following consultation with the Portfolio Holder for Housing and Procurement and the Portfolio Holder for Community Services and Regulatory Services, to use any unallocated Grant during the year or make further adjustments as necessary to ensure full utilisation of the Grants for 2024/25 in support of existing or new schemes.**

(During consideration of this item, Councillor Bill Hartnett declared an other disclosable interest in respect of the proposed funding for GreenSquare Accord, for supported accommodation for ex-offenders. This declaration was made in Councillor Hartnett's capacity as a Councillor appointed by the authority, as an outside body appointment, to Redditch Co-operative Homes, which was part of GreenSquare Accord. As he commented that Redditch Co-operative Homes was not directly involved with the work of GreenSquare Accord in respect of delivering this supported accommodation for ex-offenders, Councillor Hartnett remained in the room during the debate in respect of this matter and took part in the vote thereon.)

**56. PROPOSAL FOR A PUBLIC SPACE PROTECTION ORDER (PSPO) IN REDDITCH TOWN CENTRE**

The Community Safety Manager presented a report which detailed a proposal to introduce a Public Space Protection Order (PSPO) in Redditch Town Centre.

The Committee was advised that the report detailed the proposed wording of the order, the geographic location in which the PSPO would apply and the data that had informed the proposal. Partner organisations, including West Mercia Police, had been consulted and an equality impact assessment had been undertaken. The proposed PSPO had the support of the West Mercia Police and Crime Commissioner (PCC) and would help to tackle anti-social behaviour (ASB) in the town centre.

Once the report had been presented, Members discussed the following points in detail:

- The additional powers that would be provided to the police once the PSPO was in place.
- The signage that would be displayed in order to encourage people to report ASB observed in the town centre. Members commented that the signage would also help to deter potential perpetrators.
- The length of time that had been spent by officers working on this PSPO. It was noted that this period of time had coincided with the Covid-19 pandemic which had caused delays, such as in relation to gathering data. Members were advised that there did need to be evidence available in order to implement a PSPO.
- The positive impact that the PSPO would potentially have on the extent to which people felt safe when they were in the town centre as well as supporting local businesses.
- The comments that had been provided by the public who had been consulted in the survey, which indicated that many people did not report ASB when they witnessed this and the suggestion was made that action needed to be taken to encourage residents to report incidents.

**RESOLVED that**

**a Public Space Protection Order to restrict Antisocial Behaviour related to Alcohol and Misuse of Psychoactive Substances be implemented.**

**57. THE JOINT AUDITOR'S ANNUAL REPORT 2021/22 TO 2022/23**

The Portfolio Holder for Finance and Enabling presented the Joint Auditor's Annual Report 2021/22 to 2022/23 for Members' consideration.

The Committee was advised that the external auditor, Grant Thornton, was required to confirm that the local authority had made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. This took the form of a value for money report and this was being presented for Members' consideration.

The report detailed the progress that had been achieved since the Council was issued with a Section 24 Notice in 2022. That Section 24 Notice had contained six key recommendations, five of which had been addressed and this was acknowledged by the external auditors. The remaining key recommendation that had not yet been resolved related to the Council's outstanding accounts. There was one new key recommendation linked to organisational capability and capacity. The Council was taking mitigating action, mainly through the rollout of the Workforce Strategy.

The Portfolio Holder for Finance and Enabling commented that the Section 24 Notice remained open whilst action was still being taken on the authority's accounts. Whilst the external auditors had recognised that a lot of progress had been made by the Council, it was acknowledged that there was a lot more work to do, particularly with regard to the closure of the accounts. It was anticipated that this work would be resolved by the end of the year.

The Committee subsequently discussed the content of the report in detail and in doing so commented on the following matters:

- The hard work of the Financial Services team to remedy the issues that had caused the delays to the closure of the Council's accounts.
- The difficulties that had been experienced with the Council's ERP finance system and the lessons that had been learned from this.

# Executive Committee

Tuesday, 5th December, 2023

---

- The criticisms in respect of financial governance detailed within the report and the progress that had been achieved in terms of financial and performance monitoring since this time.
- The financial difficulties experienced by many Councils around the country and the extent to which the Government was providing local authorities with sufficient funding.
- The £6 million shortfall recorded in a table in the report and the extent to which this accurately represented the Council's current financial sustainability. Officers explained that this point had been challenged with the external auditors, who had explained that the figures were based on the overall position in the previous Medium Term Financial Plan (MTFP). However, Members were asked to note that by the date of the meeting, the Council was forecasting a gap of £100,000.
- The suggestion in the report that the Council's Whistleblowing Policy needed to be updated and the date when this last occurred. The Committee was advised that the Whistleblowing Policy had last been updated in 2018 and an update would be reported in 2024.
- The reference made in the report to the potential appointment of independent persons to the Council's Audit, Governance and Standards Committee and the reasons why no progress had been achieved in terms of appointing independent persons in Redditch. Members were informed that attempts had been made to recruit independent members of the Committee in recent years, but these had not been successful and it was suggested that a lack of remuneration on offer for the position might act as a deterrent. The Constitution Review Working Party would potentially need to review this matter and the option of providing remuneration, further.
- The difficulties that the Council had experienced with organisational capacity and the relatively high turnover of staff. The Committee was advised that nationally, staff turnover had increased from 2 per cent, prior to the Covid-19 pandemic, to 16 per cent by 2023. Staff prepared to work in London for a small number of days a week could receive significantly higher wages than employees based outside the capital and this impacted on recruitment in other parts of the country.

# Executive Committee

Tuesday, 5th December, 2023

---

- The external auditor's assessment of the performance data provided in the quarterly finance and performance monitoring reports and the issues that had been identified with this data. Members were informed that, whilst it was acknowledged that Members were receiving performance data in these reports, questions had been raised about whether the appropriate performance data was being provided for Members' consideration.
- The reference in the report to feedback forms on the subject of savings proposals and what this feedback had focused on. Officers clarified that the Council had a two-tranche approach to setting the MTFP and a feedback form was provided in relation to the savings included in tranche 1 in 2022, although no feedback had been received. In 2023, the tranche 1 report had not contained any proposals for cuts, although it was possible there would be proposals in the tranche 2 report, depending on the Government's financial settlement for the Council, and any such proposals would be subject to consultation.
- The likely Government settlement for local government. Members were advised that a 3 per cent increase was anticipated but this would be in a context of increasing financial pressures for Councils.
- The local authorities that had issued Section 114 Notices in recent months and the targeted Government interventions that were likely to occur at those Councils.
- The extent to which the Council would be required to pay additional fees as a consequence of the Section 24 Notice. Officers clarified that there were no fees that had been announced, although it was possible that the external auditors would request additional payment for any extra work required to audit the accounts. Officers could challenge this figure should there be concerns about the level proposed.

The number of Section 24 Notices that had been issued to the Council was discussed by Members at some length, in particular whether this was an extension of the Council's second Section 24 Notice or a third Section 24 Notice. Reference was made to the comments that had been made by the external auditors at a recent meeting of the Audit, Governance and Standards Committee on this subject. The Portfolio Holder for Finance and Enabling explained



that the external auditors had been approached for comment on this subject after that meeting. The external auditors had provided the following comment, which was read out to Members at the meeting, on this subject:

*“This S24 updates the previous recommendation that was issued 13 months ago, given we reported that recommendation was not fully complete but that some areas had progressed while others hadn’t. In that sense it replaces what was said 13 months ago in the recommendation with the latest position.”*

The Portfolio Holder for Finance and Enabling commented that the external auditors had reported that there was no legal mechanism to update a Section 24 Notice so the auditors had been required to issue one. However, the auditors stated that this needed to be viewed within the context of the previous one and they had noted the progress made.

**RECOMMENDED that**

**the Section 24 Statutory Recommendation be accepted and that Council review the recommendation and endorse the actions included in the management responses which form the rectification process required as per legislation.**

**58. OVERVIEW AND SCRUTINY COMMITTEE**

The Leader confirmed that there were no outstanding recommendations from the Overview and Scrutiny Committee for consideration on this occasion.

**RESOLVED that**

**the minutes of the meeting of the Overview and Scrutiny Committee held on 26<sup>th</sup> October 2023 be noted.**

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

There were no referrals from the Overview and Scrutiny Committee or Executive Advisory Panels on this occasion.

**60. FINANCE AND PERFORMANCE QUARTER 2 REPORT 2023/24**

# Executive Committee

Tuesday, 5th December, 2023

---

The Portfolio Holder for Finance and Enabling presented the Finance and Performance Quarter 2 Report 2023/24 for the Committee's consideration.

The Committee was advised that the Council had an £11.1 million budget for 2023/24 which had been approved by Council in February 2023. By the date of the meeting, the Council was forecasting a revenue overspend for 2023/24 in the region of £596,000. The overspend position was mainly due to the pay award of £1,925 to all staff, backdated to 1<sup>st</sup> April 2023 as well as to the impact of homelessness and temporary accommodation costs. However, this would be partly mitigated by the receipt of homelessness prevention grant funding, use of unused funding from the utilities reserve and an increase in income for some service areas.

The Council has a capital programme of £12.6 million which was approved in the budget in February 2023. Of this, £10.6 million was externally funded whilst £2.0 million was Council funded. At quarter two, the actual spend against the original 2023/24 capital budget was £1.267 million.

By the date of the meeting, it was anticipated that there would be underspends in the Housing Revenue Account (HRA). Budget underspends were projected against repairs and maintenance and supervision and management due to vacancies in some parts of the service. This resulted in an overall projected surplus on services totalling £73,000, which would be contributed to HRA reserves. In addition to this, there was a £174,000 projected underspend against the £11.725 million HRA capital programme.

Members subsequently discussed the content of the report in detail and in so doing commented on the following points:

- The Town's Fund allocation for Redditch and whether this would be sufficient to cover the financial costs involved in work on the innovation centre, demolition of the current library site in the town and the refurbishment of the Town Hall.
- The decision making process that had been followed for the use of the Town's Fund. Members were advised that figures in reports had initially been based on estimates and all of these issues had been reported to both the Executive Committee and Overview and Scrutiny Committee.

# Executive Committee

Tuesday, 5th December, 2023

---

- The proposed bids for fundings in respect of the innovation centre and project managers, due to be considered by the Executive Committee in January 2024.
- The poor energy efficiency rating that had been reported for Winyates Craft Centre and the action that would be taken to address this.
- The potential issues, in terms of the energy efficiency ratings of other community centres in the Borough and the plans in place to address this.
- The timescales for completion of the review of the energy efficiency ratings of all of the Council's assets. Officers explained that further clarity on this point should be available by spring 2024.
- The extent to which the Council was likely to receive additional funding from the West Midlands Combined Authority (WMCA) for projects in the town centre.
- The Council's eligibility to receive funding as a partner in the former Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) and the extent to which access to this funding was at risk following the issuing of a Section 114 Notice to Birmingham City Council. Officers clarified that all of the partner organisations from the former GBSLEP had agreed that the LEP's remaining funds should be divided equally and each organisation, including Redditch Borough Council, was due to receive £2.5 million.
- The risks to the Council's finances that would arise should the projects delivered using Town's Fund support not be delivered to deadline. Officers confirmed that this was a risk, although extensions were likely to be offered.
- The six-month extensions that had already been offered by the Government to Councils in receipt of New High Street funding, where needed, which was originally due to be delivered by 31<sup>st</sup> March 2024.
- The deadline for the delivery of projects using Levelling Up funding, which was 31<sup>st</sup> March 2025. Officers confirmed that Bromsgrove District Council had requested an extension to the deadline for their project.
- The initial conversations that officers had already held with the Government about the potential for an extension for Redditch on the Town's Fund, should this be required. The Government had responded by highlighting that this was two and a half years away and therefore a decision could not be taken on an extension in respect of this matter at this stage.

# Executive Committee

Tuesday, 5th December, 2023

---

- The progress that had been achieved with sales of Council land, as previously agreed by Members, and the extent to which these sales were likely to attract the capital receipts that had been anticipated. Officers explained that an agreement was close to being reached on Far Moor Lane and a report in respect of a separate land sale would be presented for Members' consideration in January 2024.
- The desktop investigation into Reinforced Autoclaved Aerated Concrete (RAAC) and the outcomes of this investigation. Officers explained that this review had found no Council assets that had used RAAC, although if any examples were identified, these would be reported.

During consideration of this item, reference was made to the Budget Scrutiny Working Group's pre-scrutiny of the Finance and Performance Quarter 2 Monitoring Report 2023/24. The group had made a number of recommendations on this subject, which had been endorsed by the Overview and Scrutiny Committee at their meeting held on 30<sup>th</sup> November 2023. The Executive Committee welcomed the work of the Budget Scrutiny Working Group and it was confirmed that the group's recommendations would be approved.

## **RESOLVED that**

- 1) the current overspend position in relation to Revenue and Capital Budgets for the period April to September 2023 and the full year overspend position of £39,000 after applying £557,000 from the Utilities Reserve as approved at Quarter 1 be noted;**
- 2) the present status of the Asset Strategy be noted;**
- 3) one additional contract be added to the procurements over £200k due to be delivered during 2023/4 from the Quarter 1 list;**
- 4) the Quarter 2 Performance data for the Period April to September 2023 be noted;**
- 5) an officer report be requested that provides a model of the financial implications of an unusually high demand for**

# Executive Committee

Tuesday, 5th December, 2023

---

emergency housing and temporary accommodation support;

- 6) with reference to the Strategic and Operational Performance measures in the Report (subsection Work and Financial Independence), the Essex / Preston models that link skills and developments to social value within Procurement be examined further; and

**RECOMMENDED that**

- 7) Changes to the Capital Programme in relation to ICT are actioned, bringing forward Cyber Security linked Tape Drive replacements from 2024/5 into 2023/4.

The Meeting commenced at 6.30 pm  
and closed at 7.42 pm

This page is intentionally left blank

**REDDITCH BOROUGH COUNCIL****Executive Committee  
2024**9<sup>th</sup> January**Report title : Redditch Borough Play Audit and Investment Strategy**

Relevant Portfolio Holder	Councillor Joanne Beecham
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Report Author	Job Title: Ishrat Karimi Fini Contact email: ishrat.karimifini@bromsgroveandredditch.gov.uk Contact Tel: 01527 881204
Wards Affected	All
Ward Councillor(s) consulted	
Relevant Strategic Purpose(s)	Communities which are safe, well maintained and green Living Independent, Active and Healthy Lives The Green Thread
Key Decision / Non-Key Decision.	Non-Key Decision
If you have any questions about this report, please contact the report author in advance of the meeting.	
This report contains exempt information as defined in Paragraph(s) of Part I of Schedule 12A to the Local Government Act 1972, as amended	

**1. RECOMMENDATIONS****The Executive Committee RESOLVE that:-**

- 1) The approach to improve the accessibility of equipped children's play as presented in the Redditch Play Assessment (Appendix1) is adopted**
- 2) That the approach to capital investment as presented in, The Redditch Play Audit and Investment Strategy (Appendix 2) is accepted and that officers are requested to prepare bids for capital funding, as applicable, to be considered in due course and in the context of other funding bids**

**2. BACKGROUND**

- 2.1 Responding to the recommendations in the Leisure and Culture Strategy for Redditch, a detailed Play Audit and Investment Strategy now been completed. This is presented as Appendix 1, The recommendations from Appendix 1 have been costed as part of the development of a Play audit and Investment Strategy and this is presented as Appendix 2.

**REDDITCH BOROUGH COUNCIL****Executive Committee  
2024**9<sup>th</sup> January

- 
- 2.4 An accessibility assessment of existing play found that currently 91.6% of households in the Borough have access to some form of equipped children's play within a walking time of up to 10 minutes.
- 2.5 Whilst this headline figure is positive, significant gaps in accessibility were noted in some wards, particularly Crabbs Cross, Astwood Bank & Feckenham, Headless Cross & Oakenshaw, Abbey and Matchborough Wards.
- 2.6 Play areas and associated provision needs to comply with British Standards (including Playground Equipment & Surfacing – BS EN 1176 & 1177). Play areas within the borough are inspected regularly by the inhouse team providing up to date information about compliance and condition. This is supplemented by an annual external inspection of all play spaces by an accredited play inspector.
- 2.7 There are currently 42 play areas across the Borough. Of these nine have an expected lifespan of up to three years, a further five of up to 5 years, and 22 up to 10 years (assuming regular maintenance is carried out). A further six play areas are in poor condition and are nearing the end of their lifespan. The evidence provided has considered walking distance of 10-15 where other play spaces would be accessible once the 6 play areas have been removed.
- 2.8 The play audit has considered how future play provision could improve the overall accessibility of play provision, providing equality of access to play spaces across all wards whilst responding to the need to maintain quality and comply with national standards. Consideration has been given to rationalising play provision, with the removal of play spaces that are poorly located, offer low play value, are difficult and costly to maintain, or are subject to repeated vandalism and anti-social behaviour.
- 2.9 The play audit and investment strategy set out an approach that will increase the accessibility of play provision so that 96.1% (up from 91.6%) of households in the borough have access to a play space within a walking time of up to 10 minutes. The 3.9% of households that lie outside this standard would typically have access to a play space within 15 minutes walking time (the exception being a small number of households in the more rural parts of Astwood Bank and Feckenham).
- 2.10 The play audit and investment strategy propose achieving this by:
- Creation of 2 new Neighbourhood level play spaces (in Crabbs Cross and Abbey Wards)



**REDDITCH BOROUGH COUNCIL****Executive Committee  
2024**9<sup>th</sup> January

- Upgrading 3 play spaces from Local to Neighbourhood level provision
- Upgrading a further 7 Neighbourhood play spaces and 9 Local play spaces.
- decommissioning of 6 existing place spaces that are 'end of life' (reducing the pressure on revenue budgets)
- Investing in a further 17 play spaces, that are currently in good condition but will need upgrading within the next 10 years.

2.11 The play audit and Investment strategy includes a prioritised list of enhancements based on a set of principles that prioritise addressing deficiencies in access in the first instance, followed by investment to address deteriorating condition and quality.

2.12 The Investment proposals have been costed using recent cost data from play area improvements and ongoing repairs and maintenance in the Borough.

2.13 The table below summarises the estimated costs over a ten-year period.

	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029/30 - 2033/34	Total
No. of play spaces	1	5	4	8	3	6	17	44
Cost	£137,995	£398,463	£173,649	£118,690	£118,514	£136,560	£670,000	£1,753,871
Inflation @ 5%	£0	£19,923	£17,799	£18,709	£25,540	£37,729	£319,895	£301,600
Total	£137,995	£418,386	£191,447	£137,399	£144,054	£174,290	£989,895	£2,055,471

**3. OPERATIONAL ISSUES**

3.1 There is inequality in the access to play provision across the borough and this has now been assessed in detail through analysis using computer-based mapping (GIS).

3.2 Play areas and associated provision needs to comply with National Standards in order to satisfy risk management procedures and to comply with the requirements of the Council's insurers.

3.3 Outdoor equipped play provision typically has a lifespan of 10 to 20 years. Within the next 5 years, 20 play spaces require partial or full replacement to achieve national standards.

**Executive Committee**  
20249<sup>th</sup> January

---

- 3.4 There is significant pressure on existing revenue budgets for ongoing inspections and repairs and maintenance. The recent play audit has identified the opportunity to rationalise play provision, reducing the overall play stock from 42 play spaces to 38 (removing 6 play spaces and creating 2 new sites) whilst addressing gaps in accessibility.

**REDDITCH BOROUGH COUNCIL****Executive Committee  
2024**9<sup>th</sup> January**4. FINANCIAL IMPLICATIONS**

- 4.1 The Play Investment Strategy sets out costs for the proposed approaches over a ten-year period. This will be subject to review and to budget bids for council consideration.

The proposed capital programme, if no other funding were available and assuming a life of 20 years, would see additional revenue costs of Circa £10k in year one, rising at £20k a year until year 5 when costs would increase at £10k a year. In year 10 this would result in an ongoing £145k a year cost to finance the work. These costs are rounded as programmes and interest rates will change over time. A 5% interest rate is used for initial modelling. **It should be noted that £100k of the 20223/4 play area requirement has already been accounted for in the Tranche 1 24/5 MTFP Report.**

Year	1 £000	2 £000	3 £000	4 £000	5 £000	6 £000	7 £000	8 £000	9 £000	10 £000
Interest @5%	10	20	30	40	50	55	60	65	70	75
MRP		10	20	33	40	50	55	60	65	70
<b>Total</b>	<b>10</b>	<b>30</b>	<b>50</b>	<b>73</b>	<b>90</b>	<b>105</b>	<b>115</b>	<b>125</b>	<b>135</b>	<b>145</b>
Play areas Upgraded	2	3	4	9	3	6	4	5	4	4
Ongoing Upgrades	2	5	9	18	21	27	31	36	40	44
Note - Existing Maintenance Budget 65500 - at £1.5k per play area a year covers 44 play areas										

These sites will require maintenance, and this is estimated to be £1.5k per site. This will be met within the existing £65k maintenance budget.

**5. LEGAL IMPLICATIONS**

- 5.1 Play provision is required to achieve national safety standards for the Council to meet its risk management and insurance liabilities.

**6. OTHER - IMPLICATIONS****Relevant Strategic Purpose**

- 6.1 The Council has recently adopted the Leisure and Culture Strategy for Redditch. This strategy recognises the value of equipped children's

**Executive Committee  
2024**9<sup>th</sup> January

---

play in providing spaces where children can play, be active and spend time outdoors. Play provision is also an important part of safe, well maintained and green neighbourhoods.

- 6.2 The Parks and Open Spaces Strategy, forming part of the Leisure and Culture Strategy recommended that the authority carry out an audit of the value, quality and accessibility of equipped children's play across the borough.

**Climate Change Implications**

- 6.2 The play audit and Investment strategy seeks to address deficiencies in play provision across the borough. Allowing all households to have access to good quality play spaces within walking times of up to 10 minutes (15 minutes where this cannot be achieved). This supports the development of neighbourhoods where local facilities can be accessed on foot or through active travel.

**Equalities and Diversity Implications**

- 6.3 The play audit and Investment strategy proposes addressing deficiencies in the accessibility of play provision across the borough, providing children and young people, and their families, with access to play provision within walking distance of home.
- 6.4 Investment and upgrading of play spaces will allow inclusive design principles to be followed.

**REDDITCH BOROUGH COUNCIL****Executive Committee  
2024**9<sup>th</sup> January**7. RISK MANAGEMENT**

- 7.1 Ongoing investment is required to keep play spaces in a condition that meets national standards and reduces the frequency and scale of insurance claims.
- 7.2 Not investing in play spaces will mean that some play areas will be decommissioned once they reach the end of their working life or become uneconomic to repair. If this is not managed in a strategic manner this will adversely affect the equality of access to play provision across the borough.

**8. APPENDICES and BACKGROUND PAPERS**

Appendix 1 - Redditch Play Assessment (June 2023)

Appendix 2 - Redditch Play Investment Strategy (November 2023)

**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder	Councillor Joanne Beecham	27.11.2023
Lead Director / Head of Service	Ruth Bamford	27.11.23
Financial Services	Peter Carpenter.	27.11.23
Legal Services	Nicola Cummings Claire Felton	27.11.23.
Policy Team (if equalities implications apply)	Commitment to working with Equalities moving forward including Equality Impact Assessments	27.11.23

**REDDITCH BOROUGH COUNCIL**

**Executive Committee**  
**2024**

9<sup>th</sup> January

---

Climate Change Team (if climate change implications apply)	Matthew Eccles	27.11.23
--	----------------	----------

**Executive  
2024**9<sup>th</sup> January 2024**Redditch Borough Council Planning Enforcement Policy**

Relevant Portfolio Holder	Councillor M. Dormer
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Report Author	Job Title: Principal Officer Contact email:toni.ainscough@worcsregservices.gov.uk Contact Tel: 01562 738035
Wards Affected	No specific ward relevance
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	All strategic purposes apply
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. RECOMMENDATIONS****The Executive RECOMMEND to Council that:-**

- 1.1 The Council endorses the report (as attached at Appendix A).

**2. BACKGROUND**

- 2.1 The attached report in Appendix 1 is a revision of the existing Planning Enforcement Policy dated 24<sup>th</sup> April 2006. The current policy is available on request.

The revised and updated policy for consideration is attached in Appendix 1. It is recommended that the attached Planning Enforcement Policy replaces the existing policy in line with current practice.

**3. OPERATIONAL ISSUES**

- 3.1 There are no operational issues of note.

**4. FINANCIAL IMPLICATIONS**

- 4.1 None

**Executive  
2024**9<sup>th</sup> January 2024

---

**5. LEGAL IMPLICATIONS**

- 5.1 The Council carries out enforcement activity under statutory powers. There are no direct legal implications arising from this Report

Whilst the Council has a range of powers to enforce against unauthorised development, the Government, through paragraph 59 of the National Planning Policy Framework (NPPF), states that enforcement action is discretionary and LPA's should act proportionately in responding to suspected breaches of planning control. The NPPF (as augmented by the NPPG) also recommends that Local Planning Authorities publish a Local Enforcement Plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so. The Council has therefore updated its Enforcement Plan in accordance with national guidance, best enforcement practice and to provide greater clarity and transparency on expectations, process and limitations in relation to the Council's role.

**6. OTHER - IMPLICATIONS****Relevant Strategic Purpose**

- 6.1 The response to the Planning Enforcement Policy in itself does not have any direct implications on Redditch Borough Council's strategic purposes. In reviewing this policy, consideration has been given to the Council's strategic purposes and it is considered that the revised policy supports these key purposes.

**Climate Change Implications**

- 6.2 It is not considered that there are any specific climate change implications for Redditch from the proposals in the Planning Enforcement Policy SSLP. Although it is recognised that the planning process must continue to address the wider climate change concerns.

**Equalities and Diversity Implications**

- 6.3 The response has no Equality or Diversity implications, due regard has been given in the preparation of this policy.

**7. RISK MANAGEMENT**

- 7.1 The current planning enforcement policy does not reflect the current or aspired operational activities of its planning enforcement service.



**Executive  
2024**9<sup>th</sup> January 2024

---

Therefore by not endorsing the attached reviewed policy, the Council is at risk of operating a service which is not in alignment with current policy.

- 7.2 The proposed enforcement policy sets out our approach to enforcement which is subject to budgets afforded such. Expectation of action and expediency will require managing with the above in mind.

**8. APPENDICES and BACKGROUND PAPERS**

Appendix 1 – Redditch Borough Council Planning Enforcement Policy

**Executive  
2024**9<sup>th</sup> January 2024**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder	Councillor M. Dormer	
Lead Director / Head of Service	Ruth Bamford	
Financial Services		
Legal Services	Amar Hussain	28/11/23
Policy Team (if equalities implications apply)	N/A	
Climate Change Team (if climate change implications apply)	N/A	

**Redditch Borough Council Planning Enforcement Policy**

**Contents**

<b>Introduction</b>	<b>P.3</b>
<b>Purpose of planning enforcement</b>	<b>P.3</b>
<b>Legislation and policy</b>	<b>P.3</b>
<b>What is a breach of planning control?</b>	<b>P.4</b>
<b>The principles of good enforcement</b>	<b>P.5</b>
<b>Enforcement Action is discretionary</b>	<b>P.6</b>
<b>Expediency</b>	<b>P.6</b>
<b>What is Harm?</b>	<b>P.7</b>
<b>Formal action</b>	<b>P.7</b>
<b>Power or entry onto land or buildings</b>	<b>P.8</b>
<b>What happens when we take formal enforcement action?</b>	<b>P.8</b>
<b>How to report an alleged breach of planning control?</b>	<b>P.9</b>
<b>What can you expect if you report an alleged breach of planning control?</b>	<b>P.9</b>
<b>Anonymous complaints</b>	<b>P.9</b>
<b>What happens if an allegation is made against you?</b>	<b>P.10</b>
<b>How will we prioritise your allegation of alleged breach of planning control?</b>	<b>P.11</b>
<b>Priority categories</b>	<b>P.11</b>
<b>Matters that do not constitute breaches of planning control</b>	<b>P.11</b>
<b>Immunity from enforcement action</b>	<b>P.12</b>
<b>Complaints about the service</b>	<b>P.12</b>
<b>Important</b>	<b>P.13</b>
<b>Enforcement Procedures Flow Chart</b>	<b>P.14</b>

**Introduction**

This Enforcement Plan ('The Plan') relates to Redditch Borough Council Council's planning enforcement service and describes the purposes of the service and how it will be delivered.

Although planning enforcement is discretionary and not a mandatory function of Local Planning Authorities, it is recognised that the integrity of the Development Management process depends on the Council's commitment to take effective action against unauthorised development.

The Plan explains the Council's policy and procedure for dealing with reports of alleged breaches of planning control. It identifies local priorities to assist with case management. The Plan sets out the approach to planning enforcement and provides greater clarity for all parties engaged in the development process.

**Purpose of planning enforcement**

The purpose of planning enforcement is to ensure that development and/or change of use of land and buildings, is undertaken in accordance with regulations and planning permissions and, where it is undertaken without permission, to ensure that harmful development is dealt with effectively.

A breach of planning control has to occur for enforcement action to be considered. An assumption cannot be made on intent. Similarly disputes concerning boundaries, covenants, deeds or civil issues are not relevant.

**Legislation and policy**

The Town and Country Planning Act 1990 (as amended) provides the statutory basis for most planning enforcement matters. The statutory powers for Listed Building enforcement are provided principally by The Planning (Listed Buildings and Conservation Areas) Act 1990.

The Borough of Redditch Local Plan No.4 (referred to as BoRLP) was adopted by Redditch Borough Council on 30<sup>th</sup> January 2017. The plans set the vision and strategy for the sustainable growth of the area up to 2030. It is the Council's key statutory strategic planning document, guiding decisions on all development activity and is therefore fundamental in guiding decisions relating to breaches of planning control.

The BoRLP conforms to the National Planning Policy Framework ('the Framework') which was first introduced in March 2012 and subsequently. The Framework states that: "Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate" (NPPF).

In addition to the Framework the Planning Practice Guidance document titled "Ensuring effective enforcement" provides national guidance in responding to suspected breaches of planning control. In preparing this plan the Council has followed the National Planning Policy Framework and the Planning Practice Guidance.

## Principles

### What is a breach of planning control?

Planning enforcement aims to enforce against planning breaches, which is described in the Town and Country Planning Act 1990 (“the 1990 Act”) as;

- “carrying out development without the required planning permission; or failing to comply with any condition or limitation subject to which planning permission has been granted’(s.171A).

Section 55 of the 1990 Act defines development as;

- “the carrying out of building, mining, engineering or other operations in, on, or over land, or the making of any material change of use of any building or other land.”

A breach of planning control could involve such matters as the unauthorised erection of a building or an extension to a building, a material change of use of land or a building, or the display of unauthorised advertisements.

In certain circumstances, planning permission is not required, this is referred to as Permitted Development Rights, examples include, some extensions or structures, walls, and fences. Further information can be found in the Ministry of Housing, Communities and Local Government document published in September 2019 ‘Permitted development rights for householders.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/830643/190910\\_Tech\\_Guide\\_for\\_publishing.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/830643/190910_Tech_Guide_for_publishing.pdf)

Other breaches of planning control may consist of the following:

- Unauthorised works to Listed Buildings - most works to Listed Buildings require consent and it is a criminal offence to carry out works without such consent. Prosecution proceedings can be instigated under Section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Alternatively, the Act also gives local planning authorities the power to serve Listed Building Enforcement Notices to which there is a right of appeal.
- Unauthorised works to trees subject to a Tree Preservation Order (TPO) or Conservation Area - It is an offence to carry out unauthorised work to trees protected by a Tree Preservation Order. Where works are proposed to trees in a Conservation Area, the Local Planning Authority should be notified, and permission obtained in advance. In both instances the Council has the power to prosecute offenders and require the planting of replacement trees.
- Unauthorised demolition of a building which is located within a Conservation Area - It is a criminal offence to demolish a building, which is located in a Conservation Area, without consent.
- Breaches of Planning Conditions - A breach of condition notice can be served where there is a failure to comply with any condition imposed on the grant of planning permission. There is no right of appeal against a breach of condition notice.
- Untidy land where it affects the amenity of the area - where land or premises have become an eyesore, the Local Planning Authority has the power to serve a notice under section 215 of the Town and Country Planning Act, requiring steps to be taken to remedy the condition of land. There is a right of appeal to the Magistrates Court.

- Deliberate concealment of unauthorised building works or changes of use - where a person deliberately conceals unauthorised development, the deception may not come to light until after the time limits for taking enforcement action (Section 171B of the Town and Country Planning Act 1990) have expired. A Planning Enforcement Order enables the council to take action in relation to an apparent breach of planning control notwithstanding that the time limits may have expired.
- Not building in accordance with the approved plans that form part of a planning permission - In some cases this can result in the whole development being deemed as unauthorised.
- Unauthorised engineering operations, such as raising of ground levels or earth bunds - these matters may involve engagement with the Environment Agency.

### The principles of good enforcement

The integrity of the planning system depends on the Council's readiness to take enforcement action when it is appropriate to do so. Planning laws and policies are designed to control the development and use of land and buildings in the public interest; they are not meant to protect the private interests of one person against the activities of another.

The Council is committed to providing an effective planning enforcement service. In order to undertake effective investigations, it is essential that there is cooperation between Council departments and other agencies, such as the Police, Environment Agency, HMRC and the Health and Safety Executive. The Council will continue to develop these relationships in order to make best use of our available resources.

The Council will not condone breaches of planning control and will exercise its discretion to take enforcement action if it is considered expedient to do so. The Council will investigate all reports about alleged breaches of planning control, except those reported anonymously\*, to determine whether a breach has as a matter of fact occurred, and if it has, will then determine the most appropriate course of action, mindful to the basic principles of enforcement:

- **Proportionality** - enforcement action will be proportionate to the risks and seriousness of any breach, including any actual or potential harm caused by the breach.
- **Helpfulness** - where it should be possible for breaches of control to be relatively quickly remedied, officers will give owners/developers a chance to quickly rectify matters. It needs to be recognised that this process will take some time due to, matters of negotiation, realistic compliance periods to rectify building works for example. All correspondence will identify the officer dealing with the matter and give contact details. Officers will not tolerate abusive language or aggressive behaviour.
- **Targeting of enforcement action** - focusing enforcement action on the most serious risks and recognise that it is not possible to prioritise all issues of non-compliance or to take action against breaches causing no significant harm.
- **Consistency of enforcement approach** - consistency does not mean uniformity, however a similar approach will be taken in similar circumstances with the appropriate exercise of individual discretion and professional judgement.
- **Transparency of how enforcement operates and what can be expected** - where non-compliance has been identified, officers will explain what must be done to remedy the breach, clearly explain the reasoning behind their decision, give reasonable timescales for compliance and

provide clear instructions of what will happen if they do not comply. It must be realised that details of the investigation cannot be shared with any party until the case has concluded.

- **Accountability for our actions** - members of the public and businesses will know what to expect when an officer visits and how to raise any allegations they may have, and the council will report back on performance.

### Enforcement action is discretionary

Once a breach of planning control has been identified, the extent of the breach must be assessed to establish what, if any, action should be taken to remedy the breach and whether it is considered expedient to do so. It is at the Council's discretion to use enforcement powers.

The Town and Country Planning Act 1990 Section 171B establishes three different time limits for enforcement, after which the change is considered immune from enforcement:

- Four years for operational development [Section 171B(1)];
- Four years for change of use to a single dwellinghouse [Section 171B(2)];
- Ten years for any other breach such as a material change of use.

These time limits as set in legislation guide our approach to managing and prioritising our work.

If it is likely that the unauthorised development would have been approved if planning permission had been initially applied for, formal enforcement action will not be undertaken. Taking enforcement action must be in the public interest and consequently, it will not be taken simply because a breach has occurred.

### Expediency

In cases where it has been established that a breach of planning control has occurred at the initial stage, a Planning Officer will undertake an assessment of expediency to determine which next course of action should be taken. In accordance with section 172 of the 1990 Act 'expediency' is assessed with reference to national and local planning policies and to any other material considerations (e.g., amenity, design).

'Expediency' has no statutory definition but it has been interpreted in the High Court as:

'Expedience as a test suggests the balancing of the advantages and disadvantages of a course of action'.

The Practical Planning Guidance (PPG) issued by Government in 2019 provides examples where planning enforcement action may not be expedient at paragraph 011:

- *"there is a trivial or technical breach of control which causes no material harm or adverse impact on the amenity of the site or the surrounding area;*
- *development is acceptable on its planning merits and formal enforcement action would solely be to regularise the development;*
- *in their assessment, the local planning authority consider that an application is the appropriate way forward to regularise the situation, for example, where planning conditions may need to be imposed."*



An expediency test will usually involve the Planning Officer assessing the following:

- Whether the breach is in accordance with the policies of the Local Plan.
- Whether action would be proportionate with the breach to which it relates.

And in relation to 'harm':

- Whether permission would likely to have been granted, had a planning application been submitted before the development occurred
- The breach against any other material planning considerations
- Whether the breach unacceptably affects public amenity.
- Whether the breach unacceptably affects any existing land, use or buildings which merit protection in the public interest.
- Whether any action would be in the public interest.

### What is harm?

Harm in this context relates only to planning harm. Harm that results from a breach in planning control could concern residential amenity or highway safety issues. Examples of harm could include noise nuisance, loss of daylight or privacy, or danger from increased traffic flows.

The following are NOT examples of harm:

- Loss of value to a neighbouring property.
- Competition to another business
- Loss of an individual's view or trespass onto someone else's land.

It may be possible to address issues such as these by way of civil action, although this is a matter for the individual to pursue and is not an area where the Council would be involved.

This means that the Council may not take formal enforcement action in all cases where a breach of planning control has been identified. It is part of the normal duties/responsibilities of the enforcement role for officers to ensure decisions not to pursue formal enforcement action can be properly justified having regard to the this Enforcement Plan and the relevant Local Plan. There is no right to appeal the Council decision not to take enforcement action. However, if someone is dissatisfied with the decision making process, they can proceed to follow the Council's Complaints Procedure.

## Using the Enforcement Policy and our enforcement powers

### Formal action

The Council has a range of formal powers under the Town and Country Planning Act 1990 that it can use to remedy breaches of planning control. The more common forms of enforcement action are:

- The service of a Planning Contravention Notice (PCN) - Section 171(c) enables the service of a notice requiring persons to provide information in relation to land or activities on land where a breach of planning control is suspected. This is usually carried out very early in an investigation where further information is required. Failure to respond or provision of inaccurate information is a criminal offence.

- The service of a Request for Information (RFI) - Section 330 enables a notice to be served requesting details to be provided of any owners, occupiers or any other persons with an interest in the land. This is usually served prior to a formal enforcement action being taken.
- The service of an Enforcement Notice - Section 172 enables the service of a notice which requires specific steps to be undertaken to remedy the breach of planning control.
- The service of a Breach of Condition Notice (BCN) - Section 187(a) enables the service of a notice to secure compliance with conditions imposed on a planning permission.
- The service of a Section 215 Notice - Section 215 of the Town and Country Planning Act 1990 (the Act) provides a local planning authority (LPA) with the power, in certain circumstances, to take steps requiring land to be cleaned up when its condition adversely affects the amenity of the area. LPAs also have powers under Section 219 to undertake the clean-up works themselves and to recover the costs from the landowner.
- The service of a Stop Notice (SN) or a Temporary Stop Notice (TSN) - Section 183 and Section 171(e), enables the service of a notice requiring the cessation of unauthorised activities. A Stop Notice may only be served in conjunction with an Enforcement Notice referred to above. SN and TSN action are reserved for much more serious breaches that are causing serious harm to amenity.
- In addition to the above further action is available by way of the service of Injunctions, the taking of direct action to remedy a breach or to instigate prosecution proceedings for non-compliance where it is deemed necessary to do so. As above, this action would only be taken in very severe cases.

The Council will look to recover costs from an offender where evidence suggests offenders have profited from the illegal works, as a deterrent and to remedy the breach. The council may place a charge on the land to aid future recovery or seek confiscation under the Proceeds of Crime Act 2002.

#### Power or entry onto land and buildings

Section 196(a) of the Act 1990, the Planning (Listed Buildings and Conservation Area) Act 1990 and Part 8 of the Anti-Social Behaviour Order Act 2003 gives Enforcement Officers the power to enter land and/or premises at all reasonable hours in order to undertake his/her official duties. Wilful obstruction of a person exercising a right of entry is an offence. The above does not allow the admission to any building used as a dwelling house to be demanded as a right by virtue of the legislations unless twenty-four hours prior notice of the intended entry has been given to the occupier of the building. Failure to comply with the Council's request can lead to a request to the Courts for a warrant to enter.

#### What happens when we take formal enforcement action?

A formal Enforcement Notice will be served on the owner of the property along with any other party with a legal interest in the land or building in question. The Enforcement Notice will specify what action is required to remedy the breach and will give a period for compliance. The recipient of the Enforcement Notice has a minimum of 28 days to appeal against the notice to the Planning Inspectorate. Where an appeal is lodged, the council can take no further action until the appeal has been decided. It is not unusual for the appeal process to take several months.

The council will defend any appeal but if it is allowed (i.e. if the appellant wins), the council can take no further action. If it is dismissed however, the Enforcement Notice will take effect, although the Inspector can amend its requirements, including the period for compliance, for example.

It is a criminal offence not to comply with an Enforcement Notice once the compliance period has passed. If the notice is not complied with the Council will consider prosecution. However, such action does require evidence to prove the offence is being committed by a named individual or company 'beyond reasonable doubt'. Collecting this evidence can sometimes be a lengthy and time-consuming exercise and in some cases pre-trial delays may be unavoidable.

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

### How to report an alleged breach of planning control

In order that your enquiry can be dealt with as soon as possible it is important that you provide us with as much information as you can.

You can submit your enquiry via: Breach reporting Online form -

<https://www.redditchbc.gov.uk/planning-and-building-control/planning-enforcement/breach-reporting-online-form.aspx>

Advertisements may be removed, without notice, under powers granted by the Highways Act 1980. Unauthorised advertisements placed on the public highway or on Redditch Borough Council owned land are dealt with by the Environmental Services Support Unit. This team has instant powers of removal. This relates predominantly to advertisements attached to street furniture and highway features. It also includes A-boards on the public highway that are deemed to be causing a distraction or nuisance. Public highway is with reference to all public highway areas, including footways, verges, accesses and public areas that are on highway land.

[You can report an unauthorised advertisement here – bsu@bromsgroveandredditch.gov.uk](mailto:bsu@bromsgroveandredditch.gov.uk)

For enquiries relating to trees, please visit; [Tree Works contact details - redditchbc.gov.uk](https://www.redditchbc.gov.uk/tree-works)

### What can you expect if you report an alleged breach of planning control?

#### Acknowledgement

You will receive an acknowledgement following the registration of your allegation of breach of planning control. This provides you with the name and contact details of the Officer who will be assigned to your enquiry. We will always keep your personal details confidential, unless required to disclose as part of court proceedings.

#### Site Inspection

In most cases the officer will visit the site following the dispatch of the acknowledgement, to obtain detailed factual information about the alleged breach and take photographs. Where a more serious breach has been alleged, such as works to Listed Buildings/buildings within a Conservation Area, the site will usually be visited as soon as possible.

#### How long is the process likely to take?

Dealing with enforcement cases can be a lengthy and complex process. The different types of enforcement cases vary considerably as does the time taken for their resolution. It is for this reason that it is not possible to give a standard time for dealing with enforcement cases in full. The assigned Officer will endeavour to provide you with updates when key events take place in a case, such as the serving of an Enforcement Notice or when an investigation is completed. In cases where there may

be a technical breach of planning control, but the harm caused is not sufficient to warrant formal action, the council will notify you of the reason for not taking formal action and close the case.

### Anonymous complaints

Anonymous allegations of breaches of planning control will not usually be investigated. All informants are required to provide their full name, a postal address, telephone number and where possible an email address. They are also required to provide the full address of the address where the allegation of a breach of planning control is occurring. Fundamentally this approach aims to ensure that public resources are not spent unnecessarily investigating hoax or malicious allegations. This information is also essential as the Council may need to contact the informant prior to any site inspection being carried out to seek further information or clarification regarding the details of the alleged breach and to obtain feedback from the informant as the case progresses. All details provided by an informant will remain totally confidential, unless the information is required for use as evidence in court. If this does happen, the Council will make all reasonable efforts to check with the informant before disclosing any information.

### What happens if an allegation is made against you?

If an allegation of breach of planning control is received that affects you, and we have your contact details, contact will be made to advise you of such. Typically, a site visit follows, and the purpose of this visit is to establish the facts of the case and whether there is any basis to the allegations made. The officer will, where necessary take measurements and photographs of the development or activity taking place. This site inspection may be undertaken without any prior notification.

If there is a breach of planning control you will be advised of the details of the breach and what steps need to be taken to either rectify the breach or regularise the situation. You may be served with a Planning Contravention Notice (PCN) which will ask further questions pertaining to the alleged unauthorised development. There is a legal requirement to respond to a PCN. You will be given a reasonable period of time (subject to the nature of the breach) to resolve any breach(es) of planning control. If compliance is not secured through negotiations or the submission of a retrospective planning application, formal action may be instigated.

If a formal notice is served and not complied with, the case may be pursued through to the Magistrates Court or higher court where necessary. Where prosecutions are pursued, in the more severe cases, the Council will consider the use of Confiscation Orders under the Proceeds of Crime Act 2002 to recoup the financial benefit gained from the breach of planning control.

### Negotiations take place to find a solution

In accordance with Government guidance the priority is to try and resolve any breaches of planning control through negotiation. Only when such negotiations fail to secure a solution should formal action be considered. The Council will however try to avoid negotiations becoming protracted where there is a need to make the development acceptable or where there is a requirement for a particular use to cease.

### Invite a retrospective application

The submission of a retrospective application may be appropriate where it is considered that there is a reasonable likelihood that planning permission may be granted in line with local and national planning policies or where a development may be made acceptable by way of the imposition of conditions. Minor or technical breaches of planning control may not be pursued if a retrospective application has been requested and not submitted or where it is not considered expedient to do so.

### How will we prioritise your allegation of a breach of planning control?

In order to make the best use of the resources available to the Council it is important to prioritise the allegations received in accordance with the seriousness (harm) of the alleged breach. This will initially be decided by the Council following receipt of the allegation but may be subject to change following a site inspection or when further information comes to light.

### Priority categories

To make the most effective use of resources, all incoming enforcement cases are prioritised when registered, based on information provided by the Informant, and an assessment of any planning history. This will determine the time frame for making an initial site visit and will be affected mainly by the assessment of the type and extent of the harm caused. During the course of the investigation, the priority classification may alter due to the information gained. There are four enforcement priorities:

#### Priority 1

Where irreversible harm is likely to be caused if the Council do not act immediately.

Example: Unauthorised works to Listed Buildings.

#### Priority 2

Development in the green belt

#### Priority 3

Where there is significant public concern or where there is (or is the potential for) significant harm to be caused to residential amenity in the surrounding area.

Example: Breaches of planning conditions specifically identified to meet expressed public concerns, such as hours of operation; unauthorised uses/activities which are causing significant harm.

#### Priority 4

Smaller scale infringements which do not result in significant, immediate, or irreversible harm.

Example: Single storey rear extensions and rear dormer windows, unauthorised building of walls/fences.

No further action will be taken for matters that do not constitute breaches of planning control such as:

- Where there is a perceived intention to breach planning controls, but no breach has occurred
- Internal works to a non-Listed Building.
- Boundary/ownership disputes.
- Party Wall Act issues.
- Opposition to business competition.
- Non-material planning considerations such as loss of property value or loss of view.
- Obstruction of a highway or public right of way (PROW). Report via: [Roads, pavements, verges and lighting | Worcestershire County Council](#)
- Parking of vehicles on the highway or on grass verges.

- Parking caravans on residential driveways or within the curtilage of domestic properties if they are incidental to the enjoyment of the property.
- Running a business from home where the residential use remains the primary use and there is no adverse impact on residential amenity.
- Land ownership disputes or trespass issues.
- Covenants imposed on property deeds.
- Any works that are deemed to be 'permitted development' under The Town and Country Planning (General Permitted Development) (England) Order 2015 and or substituted.
- Advertisements that are not subject to deemed or express consent requirements under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and as such are excluded from direct control.
- Dangerous structures or other health and safety issues such as those that fall within the remit of the Health and Safety Executive (HSE). [Further information - Health and Safety at Work etc Act 1974 Section 3: Enforcement \(hse.gov.uk\)](#)
- High hedge disputes (evergreen hedges)
- Dangerous and defective structures are dealt with under the Building Act by Building Control officers. [Building Control \(NWBC\) contact details - redditchbc.gov.uk](#)
- Failure to comply with a Section 106 agreement.
- Derelict / Abandoned buildings and Fly posting info can be found here:

<https://www.redditchbc.gov.uk/my-place/empty-homes.aspx>

<https://www.redditchbc.gov.uk/my-place/street-cleaning/fly-posting.aspx>

#### Immunity from enforcement action and thus lawful

Section 171B of the 1990 Act restricts the Council's ability to take enforcement action after certain periods of time have elapsed. These time periods are dependent on the type of breach. In these instances, development without planning permission becomes immune from enforcement action.

- For building, engineering, mining or other operations, action cannot be taken after four years beginning with the date on which operations were substantially completed.
- For a change of use of a building to a single dwelling house, action cannot be taken after four years beginning with the date of the breach.
- For any other breach, action cannot be taken after ten years beginning with the date of the breach, including a continuous breach of planning conditions.
- It should be noted that there is no time limit in respect of Listed Buildings and in this regard enforcement action can be taken at any time.
- Time limits also do not apply when there is evidence of deliberate concealment.

#### Complaints about the service

If you are unhappy about the level of service you have received from the Planning Enforcement Team or how the process has been managed then you may firstly discuss your concerns with the

case officer. Additionally, you can take the matter further through the Councils Complaints Procedure. If you remain unhappy then you may write to the Local Government Ombudsman who may investigate your complaint. However, please note that the Local Government Ombudsman will only investigate to establish if the Council is guilty of maladministration. The Local Government Ombudsman does not have powers to make the Council take formal enforcement action when it has previously decided not to.

This is the link to the Council's complaints and comments service:

[Compliments and Complaints - redditchbc.gov.uk](https://www.redditchbc.gov.uk/compliments-and-complaints)

The website allows you to submit an online complaint or, alternatively, you can call:

Bromsgrove: 01527 64252

or write to: Walter Stranz Square, Redditch B98 8AH

If someone is not satisfied with the response they receive, they can take their complaint to the Local Government Ombudsman. The Ombudsmen is unlikely to consider a complaint unless it has already been fully investigated by the Council.

The Local Government Ombudsman can be contacted at:

Local Government Ombudsman, PO Box 4771, Coventry, CV4 0EH.

Local Government Ombudsman Website [Home - Local Government and Social Care Ombudsman](https://www.local.gov.uk)

Telephone: 0300 061 0614 (Monday to Friday 8.30am to 5pm)

## IMPORTANT

Planning permission and building regulations approval (building control) are different, being two separate areas of legislation of which you may require both, only one or none at all. This guide relates to planning legislation ONLY

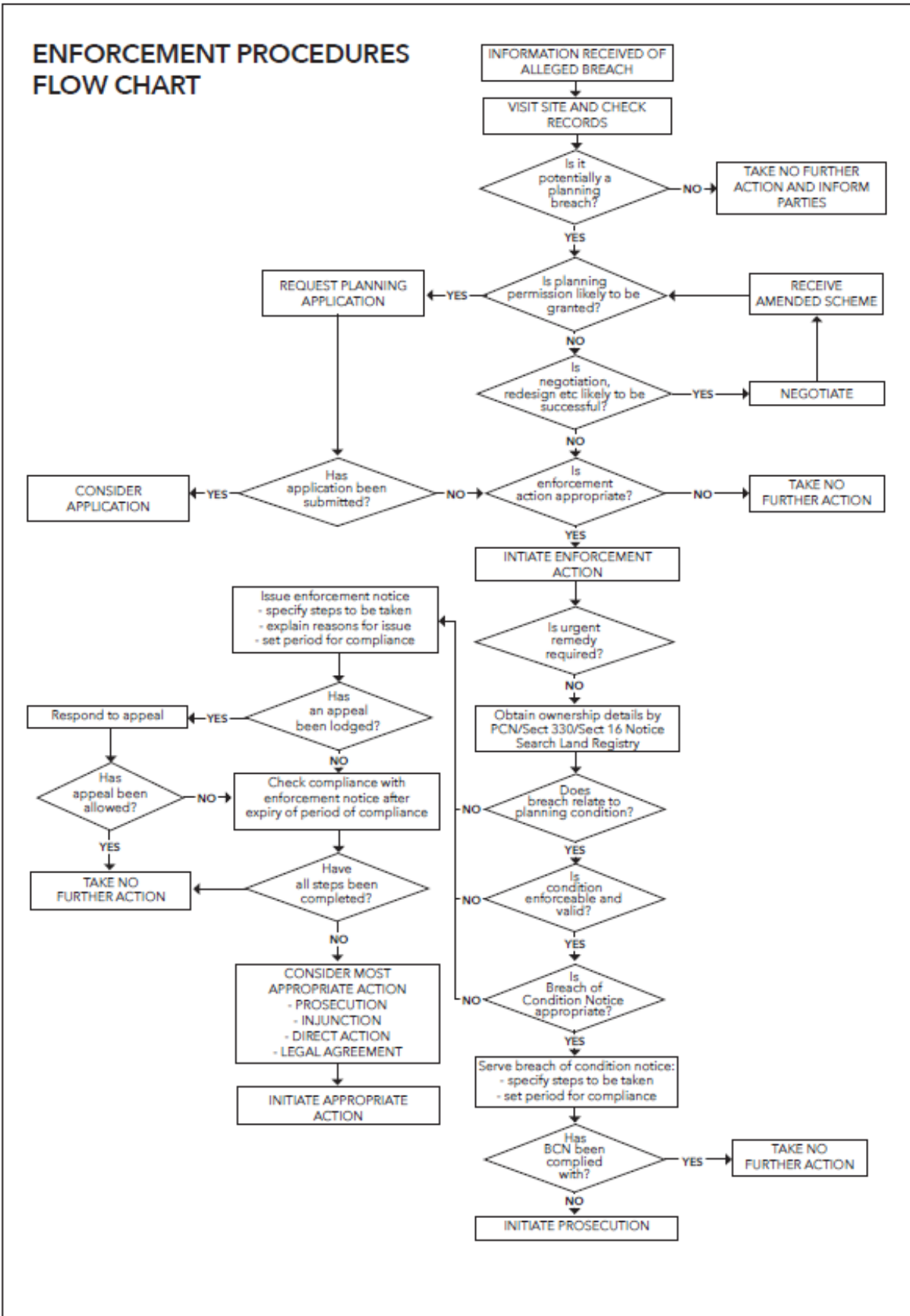
If you are unsure whether you require building regulations approval, then you should contact:

**North Worcestershire Building Control (NWBC)**, Parkside, Market Street, Bromsgrove, B61 8DA

[b.control@bromsgroveandredditch.gov.uk](mailto:b.control@bromsgroveandredditch.gov.uk)

Telephone: 01527 881402







**Executive**  
2024

9<sup>th</sup> January

**COUNCIL TAX BASE AND NON-DOMESTIC RATES YIELD**

Relevant Portfolio Holder	Councillor Luke Court
Portfolio Holder Consulted	Yes
Relevant Head of Service	Bernard Ofori-Atta Head of Finance and Customer Services
Report Author	Job Title: Financial Support Manager Contact email: david.riley@bromsgroveandredditch.gov.uk Contact Tel: 01527 548 418
Wards Affected	All
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	Aspiration, Work and Financial Independence
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. RECOMMENDATIONS**

The Committee is asked to RECOMMEND that:-

- 1) The calculation of the council tax base for the whole and parts of the area for 2024/25 be approved and
- 2) In accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, the figures calculated by Redditch Borough Council as its tax base for the whole area be 26,317.1 and for the parts of the area listed below be:

Parish of Feckenham	380.3
Rest of Redditch	<u>25,936.8</u>
Total for the Borough	<u>26,317.1</u>

**2. BACKGROUND**

- 2.1 The report sets out the details of the calculation of the tax base for council tax setting purposes. The calculation of the council tax base is required as part of the determination of the council tax for 2024/25.

**3. OPERATIONAL ISSUES**

**Executive  
2024**9<sup>th</sup> January

---

- 3.1 The council tax base is calculated based on information held by the authority on 30<sup>th</sup> November 2023. The base reflects the number of dwellings in each valuation band on that date, and those dwellings which are subject to exemptions, discounts, and reductions.
- 3.2 The information extracted on 30<sup>th</sup> November is then adjusted for the council's anticipated changes to the number of dwellings, and changes to discounts and exemptions. This figure is then adjusted to reflect the anticipated collection rates. An allowance of 2.00% has been made for non-collection of tax.
- 3.5 The council is required to set the council tax base each year, this forms part of the process of setting the following year budget.

**4. FINANCIAL IMPLICATIONS**

- 4.1 The calculation of the council tax base forms the basis of the calculation of council tax for the new financial year.
- 4.2 The council tax base is calculated using a prescribed formula to generate the equivalent number of band D dwellings in a district and accounts for the costs of council tax support provided to residents within the area.

**5. LEGAL IMPLICATIONS**

- 5.1 The Local Authorities (Calculation of Tax Base) (England) Regulations 2012 (as amended) set out the process for the calculation of the council tax base, for the whole or any part of the area for the following financial year.
- 5.2 The tax base information is required by Worcestershire County Council, West Mercia Police and Crime Commissioner, and Hereford Fire and Rescue Service to calculate and notify the district council of their precept requirements for the forthcoming tax year.
- 5.3 The legislation requires the billing authority to calculate the tax base for any "special areas" within its boundary. There are no such areas in the Bromsgrove District.

**6. OTHER - IMPLICATIONS****Relevant Strategic Purpose**

- 6.1 The council tax reduction scheme supports residents in financial need and it is a requirement that the design of the scheme incentivises work.

**Executive  
2024**9<sup>th</sup> January

- 6.2 The scheme supports the strategic purpose of Aspiration, Work and Financial Independence through the provision of a council tax reduction to people on low income and people transitioning to work.
- 6.2 Uprating of income bands will ensure that low-income residents do not lose support through general inflationary increases to their income and will ensure that the scheme continue to incentivise employment.

**Climate Change Implications**

- 6.2 There are no climate change implications.

**Equalities and Diversity Implications**

- 6.3 There are no specific equalities and climate change implications.

**7. RISK MANAGEMENT**

- 7.1 None.

**8. APPENDICES and BACKGROUND PAPERS**

Council Tax Base calculations.

**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder	Cllr Charles Hotham	
Lead Director / Head of Service	Bernard Ofori-Atta Head of Finance and Customer Services	
Financial Services	Bernard Ofori-Atta  Paul Early	
Legal Services		

**Executive  
2024**9<sup>th</sup> January

---

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Policy Team (if equalities implications apply)	Not Applicable	
Climate Change Team (if climate change implications apply)	Not Applicable	

REDDITCH BOROUGH COUNCIL**Executive**9<sup>th</sup> January 2024**COUNCIL TAX - DISCRETIONARY COUNCIL TAX REDUCTION POLICY -  
COUNCIL SECTION 13A1(C) POLICY**

Relevant Portfolio Holder	Councillor Luke Court
Portfolio Holder Consulted	Yes
Relevant Head of Service	Bernard Ofori-Atta Head of Finance and Customer Services
Report Author	Job Title: Financial Support Manager Contact email: david.riley@bromsgroveandredditch.gov.uk Contact Tel: 01527 548 418
Wards Affected	All
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	Aspiration, Work and Financial Independence
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. RECOMMENDATIONS****The Executive Committee RECOMMEND that: -**

- a) **The Section 13A(1)(C) policy be approved and adopted from 1<sup>st</sup> April 2024.**

**2. BACKGROUND**

- 2.1 The council has the power under section 13A(1)(C) of The Local Government Finance Act 1992 (LGFA '92) to reduce the amount of council tax that a person is liable to pay. The section 13A(1)(C) power may be exercised on a case-by-case basis or by determining a class of case in which the liability will be reduced.
- 2.2 The council, under an agreement between district councils and the county council, exercises the discretionary power on a case-by-case basis to provide a discount to Worcestershire County Council care leavers resident within the district.
- 2.3 The 13A(1)(C) power is also used to provide council tax discounts where, following a severe weather event, Government has determined that the flood recovery framework will be applied. Eligible residents impacted by flooding receive a 100% council tax discount for a minimum of three months and if they are unable to return to their home.

**Executive**9<sup>th</sup> January 2024

- 2.4 Government has allocated funding to councils to provide support to households using the 13A(1)(C) powers. In the 2020/21 tax year local authorities were provided with funding to administer the Covid-19 hardship fund. The hardship fund gave council tax discounts of up to £150 to residents who were in receipt of council tax support. The council tax support fund, during the 2022/23 tax year, has provided funding for a £25 reduction to council tax support recipients. In addition, councils were asked to use their discretionary council tax support powers to ensure that sponsor payments under the homes for Ukraine scheme did not affect a sponsor's local council tax support entitlement.
- 2.5 The council's policy for the award of section 13A(1)(C) reductions has not been reviewed for several years; amendments to the policy will ensure that the delegation to provide discounts in-line with any future national schemes are in place and enable support to be provided speedily to any qualifying households.
- 2.7 The refusal to provide support under 13A(1)(C) can be appealed to the Valuation Tribunal. The policy will provide officers with a framework for making decisions on a case-by-case basis from households requesting discretionary support.

**3. FINANCIAL IMPLICATIONS**

- 3.1 The Collection Fund (Council Tax Reductions) (England) Directions 2013 require billing authorities to transfer the cost of 13A(1)(C) discounts from their general fund to the collection fund. The full costs of all 13A(1)(C) discounts are met by the billing authority.
- 3.2 An agreement with Worcestershire County Council is in place which ensures that the authority is reimbursed for the costs of care leaver reductions for WCC care leavers.
- 3.3 The costs of national schemes of support - such as the homes for Ukraine sponsor payment disregard, the flood recovery framework, and the hardship support fund – are met by central government through section 31 grants where the authority has administered support in accordance with Government guidance.
- 3.4 The policy will allow for better management of the costs of discretionary reductions by providing a structured basis for the assessment of applications.

**Executive**9<sup>th</sup> January 2024

- 3.5 There is no current budget provision for the award of section 13A(1)(C) discounts, the costs of support excluding those schemes financed by central government or agreement with the county council has been minimal.

**4. LEGAL IMPLICATIONS**

- 4.1 The power to provided reductions to council tax is set out at section 13A(1)(C) of the Local Government Finance Act 1992. There is no specific case law or legal implications relating to the use of the discretionary power.
- 4.2 The local government ombudsman – in relation to council tax recovery policies – decided that the absence of a policy was maladministration. Review and revision of the policy provides assurance in the event of any appeals to the LGO in the administration of the discretionary reductions.

**5. STRATEGIC PURPOSES – IMPLICATIONS****Relevant Strategic Purpose**

- 5.1 The use of discretionary reductions to council tax support the council's strategic purpose of Aspiration, Work and Financial Independence by allowing officers to make decisions to provide discretionary support to households.

**Climate Change Implications**

- 5.2 None

**6. OTHER - IMPLICATIONS**

- 6.1 None

**Equalities and Diversity Implications**

- 6.2 None

**Operational Implications**

- 6.3 None

**7. RISK MANAGEMENT**

**Executive**9<sup>th</sup> January 2024

- 7.1 Please explain any risks and any mitigating action that will be taken to address those risks.

Risk	Mitigations
Financial Risk. The cost of discretionary reduction is met by the billing authority	The costs of discretionary reductions will be monitored monthly and reported to Head of Finance and Customer services.
Reputational Risk. The absence of policy could result in finding of maladministration or limit the council's ability to defend valuation tribunal appeals.	Approval of the policy will mitigate the risks and provided clear framework for the assessment of applications for support.

**8. APPENDICES and BACKGROUND PAPERS**

Appendix A: Council Tax Section 13A(1)(C) policy.

Worcestershire County Council care leavers concordant between the county council and districts.

**9. REPORT SIGN OFF**

Department	Name and Job Title	Date
Portfolio Holder		
Lead Director / Head of Service		
Financial Services		
Legal Services		
Policy Team (if equalities implications apply)		



**Executive**9<sup>th</sup> January 2024

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Climate Change Team (if climate change implications apply)		

This page is intentionally left blank

## **Council Tax**

### **Section 13A(1)(C) Discretionary Reduction Policy**

#### **Contents**

[Introduction](#)

[Policy Objectives](#)

[Circumstances for Award of Relief](#)

[Relationship to Other Schemes of Relief](#)

[Application and Evidence](#)

[Amount of Award and Duration](#)

[Backdating](#)

[Notification of Award](#)

[Appeals](#)

[Fraud](#)

#### **Introduction**

Section 13A(1)(C) of The Local Government Finance Act 1992 provides billing authorities with the power to reduce the amount of council tax which a person is liable to pay by such amount as it sees fit. The power can be exercised on a case-by case basis or by determining a class of case in which liability is to be reduced.

The 13A(1)(C) power allows the council the discretion to aid taxpayers where the existing legislation does not provide a discount, exemption, or reduction; or where the council feels the existing level of discount or reduction is insufficient given the liable person's circumstances. The power can also be used to implement government policy intended to provide targeted support to council taxpayers.

The policy sets out the process by which a person can apply for discretionary support and the method of administering and determining applications for support.

## **Policy Objectives**

The purpose of the policy is to set out how the council will use its discretionary power and to set out the factors that will be considered when making decisions.

The council will use the power to:

- Prevent homelessness.
- Support vulnerable residents to retain their place in the community.
- Help customers through personal crisis and difficult events.
- Improve financial independence through short-term relief.

## **Circumstances for award of relief**

### Worcestershire County Council Care Leavers

A discretionary reduction will be provided to care leavers under the age of 25 who were supported by Worcestershire County Council. The discount will be provided in-line with the care leavers concordant for the care leaver's sole or main residence.

The discretionary discount will be awarded where the care leaver is under the age of 25 and where Worcestershire County Council acted as corporate parent.

The care leaver will be required to claim local council tax support and the discretionary reduction will be considered after the award of LCTS and all other council tax discounts and reductions.

A qualifying care leaver who is the sole resident of a property will receive a 100% discount; where the care leaver is a joint-tenant or jointly liable for council tax they will receive a proportional discount, for example where there are two liable people the discount will be 50%.

Where a care leaver under the age of 25 takes residence with a parent or grandparent and there is a resultant loss of a single person discount then section 13A(1)(C) will be used to provide an equivalent discount.

The support for care leavers will be amended where there are changes to Worcestershire County Council care leavers concordant.

### Flood Recovery Framework

In a severe weather event with significant wide area impacts the Government may provide central support to help communities and businesses return to normal. A key element of the flood recovery framework is the council tax discount scheme which provides support to people whose homes have been flooded and become unliveable.

Where the flood recovery framework has been activated Section 13A(1)(C) powers will be used to provide support to qualifying households. The discount will be provided in accordance with the rules set by central government.

### Government Schemes of Support

The council will implement any Government funded discount schemes in-line with the guidance issued by central government. Where government schemes include an element of discretionary funding then the guidelines for allocation of discount to individual taxpayers will be determined by the Head of Finance and Customer Services in consultation with the relevant portfolio holder.

### Other Cases

The council will consider a discretionary reduction where:

- The taxpayer has an outstanding council tax balance.
- There is evidence of extreme financial hardship.
- The other members of the household could not contribute towards the payment of the council tax.
- Action to recover the full council tax liability would result in extreme financial hardship.
- The taxpayer does not have access to assets or funds of any kind which could be used to meet their council tax liability.
- There are no alternative means of securing the payment of the council tax – either through securing the debt using methods such as a charging order; or reducing the balance through the application of discounts, exemptions, or other reductions.
- The taxpayer would be unable to make payments either through restructuring the payment of the council tax balance or restructuring their other debts.
- The taxpayer can demonstrate they have no available income to pay their council tax.

### **Relationship to Other Schemes of Relief**

Section 13A(1)(C) reductions will be considered after applications for:

- Local Council Tax Support
- Council Tax Discount and Reductions
- Discretionary Housing Payments
- Exceptional Hardship and Essential Living Funds
- Discretionary Council Tax Support provided under Government funded schemes.

### **Application and Evidence**

Taxpayers, or a person authorised to act on their behalf, will be required to apply for the discretionary reduction in writing and set out the circumstances on which the application is based. The application will be in addition to any application for local council tax support.

Where the initial application indicates that a discretionary reduction may be appropriate the council will request further evidence which may include, but is not limited to:

- Household composition and income and expenditure details for all members of the household.
- Evidence of all capital and assets of the taxpayer; to include evidence of mortgage balances and property value where property is owned by the applicant.
- Income and expenditure for the taxpayer for the period to which the application relates to the current date.
- Utility and household bills.

### **Amount of Award and Duration**

The amount of reduction and the duration of the award are determined at the discretion of the council and will be made based on the evidence supplied and the circumstances of the claim.

The reduction will be calculated as a daily amount and the taxpayer will be notified of the award on the basis that their circumstances and eligibility will remain the same for the remainder of the tax year.

Where the reduction is being made for a period that will end before the end of the tax year then we will notify the customer of the end date and the reduction will be apportioned at this date.

The reduction will end in the following circumstances:

- The end of the tax year for which the reduction was made.
- Where the liable person changes or an additional resident joins the household.
- The council taxpayer enters any form of insolvency process.
- The council taxpayer's financial circumstances significantly alter.
- The liability for council tax ends.

When the reduction ends the amount of the discretionary award will be apportioned accordingly.

### **Backdating**

Section 13A(1)(C) discount will, where applicable, be backdated to the start of the tax year in which the application is made.

Where a new liability has been created for a previous tax year then backdating will be considered if the application for discount is made within six-months of notification of liability being issued to the taxpayer.

Backdating for periods before the tax year in which the application is made, or for periods outside of the six-month window, will be considered where the taxpayer has demonstrated continual exceptional hardship from the period for which the application has been made to the date of application. Evidence will be required for the whole period.

### **Notification of Award**

The council will notify the outcome of each application in writing. The notification will include the reason for the decision and advise the applicant of the appeals process.

Where a reduction has been granted the notification will include the reasons for the award, the period of the award and the date on which it will end. The notification will advise the taxpayer that they must inform the council of any changes in their circumstances that are relevant to the award.

### **Appeals**

Appeals against the council's decision may be made in accordance with section 16 of the Local Government Finance Act 1992.

The taxpayer must first appeal in writing to the council outlining the reasons why they disagree with the decision to refuse relief. When the appeal has been received the council will reconsider the decision and notify the taxpayer in writing of the outcome of the appeal.

Where the taxpayer remains aggrieved then a further appeal can be made to the valuation tribunal. This appeal must be made within 2 months of the council's decision.

Where the council does not respond to an appeal within 2 months the taxpayer may appeal directly to the valuation tribunal.

### **Fraud**

The Council is committed to protecting public funds and ensuring funds are awarded to the people who are rightfully eligible to them.

An applicant who tries to fraudulently claim a reduction in liability by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under The Fraud Act 2006.

Where the Council suspects that such a fraud may have been committed, this matter will be investigated as appropriate and may lead to proceedings being instigated.

This page is intentionally left blank



**Executive**  
2024

9<sup>th</sup> January

**COUNCIL TAX EMPTY HOMES DISCOUNTS AND PREMIUMS**

Relevant Portfolio Holder	Councillor Luke Court
Portfolio Holder Consulted	Yes
Relevant Head of Service	Bernard Ofori-Atta Head of Finance and Customer Services
Report Author	Job Title: Financial Support Manager Contact email: david.riley@bromsgroveandredditch.gov.uk Contact Tel: 01527 548 418
Wards Affected	All
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	Finding Somewhere to Live
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. RECOMMENDATIONS**

**The Executive Committee RECOMMEND that: -**

- 1) From 1st April 2024, under section 11B(1) of the local government finance act 1992, for long-term empty dwellings the discount under section 11(2)(a) will not apply and the additional council tax premium applied will be:
 
  - i) For a dwelling that has been unoccupied and substantially unfurnished for less than 5 years – 100% premium.**
  - ii) For a dwelling that has been unoccupied and substantially unfurnished for 5 years or more, but less than 10 years – 200% premium.**
  - iii) For a dwelling that has been unoccupied and substantially unfurnished for 10 years or more – 300% premium.****
- 2) The Head of Financial and Customer Services on a case-by-case basis may consider a reduction to the long-term empty premium under section 13A(1)(C) of the Local Government Finance Act 1992.**

**2. BACKGROUND**

- 2.1 Council Tax was introduced on 1<sup>st</sup> April 1993 and from this date until 1<sup>st</sup> April 2004 dwellings in England which were unoccupied were eligible for a council tax discount of 50%.**

**Executive  
2024**9<sup>th</sup> January

---

- 2.2 A series of amendments to council tax legislation, made since 2004, have given billing authorities the power to reduce or remove the discount for unoccupied dwellings and, in the case of long-term empty homes, to impose a council tax premium.
- 2.3 The Levelling Up and Regeneration Act 2023 has introduced further changes to the discount and premiums for unoccupied homes.
- 2.4 Section 11B of the LGFA '92 has been amended to reduce, from 2 years to 1 year, the period for which a dwelling must be vacant before it is classed as a long-term empty dwelling, and to introduce a requirement to consider guidance issued by the secretary of state before deciding to apply premiums.
- 2.5 Section 11C and 11D have been inserted into the LGFA '92 and give the billing authority powers to apply a premium of up to 100% for any dwellings that are furnished and have no residents. These dwellings would usually be second homes where the owner lives elsewhere and uses the property as holiday or occasional accommodation.
- 2.6 The council currently applies the full premium to all long-term empty homes. The decision to apply premiums was made on the basis that a dwelling would be subject to the premium if vacant for 2 years or more. The amendment to section 11B will mean that, from 1<sup>st</sup> April 2024 and the existing wording of the council's determination means that, the premium will be applied to all dwellings that have been vacant for 12 months or more.
- 2.7 Section 11B allows a determination to be made that:
- a) removes the unoccupied dwelling discount for long-term empty homes; and
  - b) specifies a premium by which the council tax will be increased.
- The premium can be set at up to the maximum level, but could be set at a lower level, or not applied.
- 2.8 The council needs to consider whether to apply the premium after a dwelling is vacant for 1 year, or to amend the determination to maintain the existing position and apply a premium after 2 years.
- 2.9 Long-Term Empty Premiums - Option 1
- To ensure that members have considered the effect of the change to the definition of long-term empty homes and that the application of a

**Executive  
2024**9<sup>th</sup> January

---

premium for dwellings vacant for one year or longer is the intention of the council a new determination is made.

The new determination removes the discount under section 11(2)(a) and applies premiums to all dwellings that have been vacant for one year or more.

**2.10 Long-Term Empty Premiums Option 2**

The council may, in order to retain the intention of the 2022 determination, decide that for long-term empty homes the discount under section 11(2)(a) will not apply and the following premiums will be applied:

- i) For dwellings vacant for 1 year or more, but for less than 2 years 0% premium.
- ii) For dwellings vacant for 2 years or more, but for less than 5 years 100% premium.
- iii) For dwellings vacant for 5 years or more, but for less than 10 years 200% premium.
- iv) For dwellings vacant for 10 years or more 300% premium.

2.11 The intention of the long-term empty home premium is to incentivise homeowners to bring properties back into use. The reduction in the time before which the premium can apply is intended to strengthen this incentive.

2.12 At the commencement of the 2022/23 tax year - the first year that the council applied the premium - 133 dwellings were subject to premium. The number of dwellings for which the premium is levied has now reduced to 61 dwellings.

2.13 The council is required to have regard to guidance issued by the secretary of state before deciding to apply premiums. The only guidance published to date is the May 2013 guidance on homes for sale or letting.

2.14 The council considered the 2013 guidance in full when the deciding to first apply premiums. There is no change to the view that the local housing market conditions indicate that there is no reason to exclude properties for sale or letting from the premium.

2.15 The Government has consulted on changes to secondary legislation which will exempt certain classes of dwelling from premiums. Properties on the market for sale or letting were included within the

**Executive  
2024**9<sup>th</sup> January

---

consultation. If it is appropriate for these premises to sit outside of the premium, then Government will legislate to reflect that position.

- 2.16 The council will retain the discretionary power under section 13A1(C) to reduce the council tax on a case-by-case basis. This power would include the ability to reduce any premium.
- 2.17 Having regard to the local housing market, the Government's ability to take a national decision to exempt homes for sale or letting from the premium, and the council's ability to use discretionary powers to reduce the premium in exceptional cases it is not necessary to place all homes that are being marketed for sale or let outside of the scope of the premium.
- 2.18 The recommendation is that, in line with the changes to the act and the intention to provide a stronger incentive to bring empty homes into use, the council applies premiums to all dwellings that have been empty for 12 months or more.
- 2.19 The changes at 11C and 11D of the LGFA '92 introduce a 100% premium for furnished homes where there is no resident. The homes are usually described as second homes; however, they include any home which, on a particular day, is left furnished and has no residents for example furnished rented accommodation where the tenant has moved out and the property has not been re-let.
- 2.20 The intention of the second home premium is to provide local authorities with a tool that can be used where disproportionate numbers of second homes impact on the vitality and viability of local communities. An example of the impact of second homes is where a large concentration of second homes results in a reduction in demand for local services such as schools, or GP surgeries resulting in the loss of these services for the remaining permanent residents.
- 2.21 Council Tax data shows that 98 homes within the council's area are classified as second homes – of these homes:
- 6 are properties owned by Redditch Borough Council.
  - 24 are properties owned by Worcestershire Hospital Trust.
  - 4 are held by the personal representatives of a deceased person and consultation indicates that Government will exempt these homes from premium.

**Executive  
2024**9<sup>th</sup> January

- 
- 2.22 Any determination to apply a second-home premium must be made at least 12 months before the financial year in which the premium will take effect. The earliest that a premium can be applied is 1<sup>st</sup> April 2025. The council needs to consider whether to apply the premium from 1<sup>st</sup> April 2025.
- 2.23 Second-Home Premiums – Option 1
- Take no action and retain the existing position for second homes and apply zero discount. The application of premiums will be reviewed, and the council will retain the option to make a determination for years commencing on or after 1<sup>st</sup> April 2026.
- 2.24 Second-Home Premiums – Option 2
- The council determines that, under section 11C(1) the discount under section 11(2)(a) shall not apply and applies a premium of up to 100% to any furnished dwellings that have no residents.
- 2.25 There is no evidence that the existence of second homes is having a detrimental impact on the provision of facilities and services within the area.
- 2.26 The second home premium would be levied, during periods between occupation by tenants, that landlords are providing on a furnished basis. The application of second home premiums may disincentivise landlords from making such homes available.
- 2.27 In the absence of any evidence of a detrimental impact on the provision of services and having due to the potential impact on the availability of furnished rental homes, it is recommended that the second-home premium is not applied.

**3. FINANCIAL IMPLICATIONS**

- 4.1 Applying long-term empty home premiums increases the amount of council tax collected, though taxpayers will take steps to minimise their liability. The reduction in time that a property must be vacant before the premium applies will increase the council tax income to the authority.
- 4.2 Council Tax data shows that there are 98 second homes within the area. The imposition of a second-home premium on these homes would raise an additional council tax of approximately £171,000 of which £22,000 would be retained by the council, however, this figure is likely to reduce when Government confirms the premises that will be

exempt from premiums. Taking the decision not to apply second home premiums reduces potential council tax income.

#### **4. LEGAL IMPLICATIONS**

4.1 The legislative framework for the application of council tax premiums is set out within the earlier sections of the report and the background papers listed.

4.2 The council is required by sections 11B(1D) and 11C(4) of the LGFA '92 to have regard to any guidance issued by the secretary of state before making a determination to apply a premium.

4.3 A determination to apply a premium can be challenged by judicial review under section 66 of the LGFA '92. In appeals to the Valuation Tribunal relating to the application of long-term empty premiums the president of the valuation tribunal. Professor Graham Zellick KC stated:

*“Whether the determinations are unlawful either because of a failure to give consideration to the Government’s Guidance or other relevant considerations or because an unqualified determination is one no reasonable billing authority could make are quintessentially judicial review questions (even apart from section 66)”*

4.4 The importance of considering Government guidance on the application of premiums should be noted and this report at 2.13 to 2.17 sets out why it is considered reasonable to apply premiums to all long-term empty homes.

#### **5. STRATEGIC PURPOSES – IMPLICATIONS**

##### **Relevant Strategic Purpose**

5.1 The application of premiums will support the council’s strategic purpose “finding somewhere to live” by incentivising homeowners to bring empty homes back into use.

##### **Climate Change Implications**

None

#### **6. OTHER - IMPLICATIONS**

**Executive  
2024**9<sup>th</sup> January

6.1 None

**Equalities and Diversity Implications**

6.2 None

**Operational Implications**

6.3 None

**7. RISK MANAGEMENT**

7.1 Please explain any risks and any mitigating action that will be taken to address those risks.

Risk	Mitigations
Application of premiums to taxpayers who do not have sufficient income to meet their liability.	<p>The council's strategic housing team offers advice and support to residents on bringing empty homes back into use – returning a home to use places the dwelling outside of the premium.</p> <p>The council will consider the application of 13A (1) (C) reductions for taxpayers in-line with the relevant council policy.</p>
Taxpayers subject to premiums may be dissatisfied with the decision of the authority.	<p>Clear communications to be issued with Council Tax demand notices setting out the reasons for the changes.</p> <p>Establish links with internal Housing Strategy team to help to publicise methods by which empty homes can be brought back into use.</p>

**Executive**  
2024

9<sup>th</sup> January

Risk	Mitigations
Customer facing staff are not prepared for changes to empty-home premiums	<p>Full briefing to be provided to all Revenues and Customer Services Officers setting out details of changes and framework for levying premiums.</p> <p>Briefing note to internal departments detailing changes and impacts of premiums.</p>
Manipulation of council tax system to avoid empty home premium	<p>To avoid the premiums homeowners may provide false information. Procedure notes and guidance for decision makers will be updated to include information on the steps that should be taken to verify changes to liability for long-term empty homes.</p> <p>Inspections and compliance reviews for empty homes to ensure that premiums are levied correctly.</p>
Increase in appeals and liability disputes.	<p>Guidance to be provided to decision makers and customer service advisors on the process for appeals and setting out appropriate responses to liability, discount and premium disputes.</p>

**8. APPENDICES and BACKGROUND PAPERS**

Report to Executive Committee 11<sup>th</sup> January 2022 – Council Tax Empty Homes, Discounts and Premiums.

Additional Background Papers as listed within the 11<sup>th</sup> of January 2022 Report.

Council Tax Guidance for Properties for Sale or Letting

<https://www.gov.uk/government/publications/council-tax-empty-homes-premium>

Council Tax consultation – exemptions to empty home premiums



**Executive  
2024**9<sup>th</sup> January

[Consultation on proposals to exempt categories of dwellings from the council tax premiums in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder		
Lead Director / Head of Service		
Financial Services		
Legal Services		
Policy Team (if equalities implications apply)		
Climate Change Team (if climate change implications apply)		

This page is intentionally left blank

**Executive  
2024**9<sup>th</sup> January**COUNCIL TAX REDUCTION SCHEME 2024-25**

Relevant Portfolio Holder	Councillor Luke Court
Portfolio Holder Consulted	Yes
Relevant Head of Service	Bernard Ofori-Atta Head of Finance and Customer Services
Report Author	Job Title: Financial Support Manager Contact email: david.riley@bromsgroveandredditch.gov.uk Contact Tel: 01527 548 418
Wards Affected	All
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	Aspiration, Work and Financial Independence
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. RECOMMENDATIONS****The Cabinet RECOMMEND that:-**

- 1) The council tax reduction scheme is retained for 2024-25 tax year, subject to uprating of income bands by 6.7% as set out in the table at appendix a.**

**2. BACKGROUND**

- 2.1 The council is required by section 13A(2) of the Local Government Finance Act 1992 (LGFA '92) to make a council tax reduction (CTR) scheme specifying the reductions in council tax that will be provided to people who are in financial need, or to classes of people who are in general in financial need.
- 2.2 When a scheme has been made the council must, for each tax year, consider whether to revise or replace its scheme. If the council intends to revise or replace the scheme, then there is a requirement to undertake a formal consultation before making a new scheme.
- 2.3 The council introduced a new income banded scheme for working age applicants with effect from 1<sup>st</sup> April 2021. The rationale for the new scheme was to ensure that it was future proofed, and it reduced the administrative burden placed on the council by the introduction of universal credit.

**Executive  
2024**9<sup>th</sup> January

---

- 2.4 The council has amended the scheme in the years since April 2021 to adjust the level of support in-line with funding available; to amend income bands and tapers to adjust for the impact of inflation; and to aid administration by simplifying elements of the scheme.
- 2.5 The existing scheme includes a provision for the uprating of income bands by an inflation factor decided by the council. The scheme will usually be uprated by an inflation factor in-line with the increases to national welfare benefits announcing in the chancellor's autumn statement.
- 2.6 The autumn statement increased national welfare benefits by 6.7% and it is recommended that the income bands within the council's scheme are adjusted by this amount.

**3. OPERATIONAL ISSUES**

- 3.1 Retaining the existing scheme and uprating the income bands will have no additional operational implications.

**4. FINANCIAL IMPLICATIONS**

- 4.1 Changes to the income bands will impact the amount of council tax reduction provided to claimants. The change may result in an increase in the total cost of council tax reduction.
- 4.2 The intention of uprating to income bands is to protect claimants from the impact of inflation and to ensure that inflationary increases to universal credit or wages do not remove their eligibility for CTR.
- 4.2 Uprating is essential in order to ensure that support is provided to residents in financial need, and that ordinary increases in national benefits and wages do not remove eligibility for support.

**5. LEGAL IMPLICATIONS**

- 5.1 The council is required by paragraph 5 of Schedule 1A to the LGFA '92 to consider whether to revise or replace its CTR scheme. Where a council makes a revision or replacement there is a requirement to carry out a formal consultation which consists of three steps:
- a) consultation with major precepting authorities; and
  - b) publication of a draft scheme; and
  - c) consultation with persons who are likely to have an interest in the operation of the scheme.

**Executive  
2024**9<sup>th</sup> January

---

- 5.2 Where a revised scheme reduces or removes a reduction the new scheme must include such transitional provision as the council sees fit.
- 5.3 The existing scheme includes a provision to uprate income bands by the appropriate level of inflation in each tax year; therefore, changes that increase the income bands in each tax year can be carried out without consultation.
- 5.4 Changes to the scheme which reduce the income bands are not provided for within the existing scheme. Any changes that reduce the % discount provided under the scheme would constitute a revision to the scheme and would require full consultation and approval of full council.

**6. OTHER - IMPLICATIONS****Relevant Strategic Purpose**

- 6.1 The council tax reduction scheme supports residents in financial need and it is a requirement that the design of the scheme incentivises work.
- 6.2 The scheme supports the strategic purpose of Aspiration, Work and Financial Independence through the provision of a council tax reduction to people on low income and people transitioning to work.
- 6.2 Uprating of income bands will ensure that low-income residents do not lose support through general inflationary increases to their income and will ensure that the scheme continue to incentivise employment.

**Climate Change Implications**

- 6.2 There are no climate change implications.

**Equalities and Diversity Implications**

- 6.3 When the existing income band based CTR scheme was introduced a full equalities impact assessment was completed. The uprating of income bands has no further equalities and diversity implications.

**7. RISK MANAGEMENT**

- 7.1 Please explain any risks and any mitigating action that will be taken to address those risks.

**Executive**  
2024

9<sup>th</sup> January

Risk	Mitigations
Loss of support for residents in financial need.	Revision of income bands as provided for within the council's scheme will ensure that low-income residents are not phased out of the existing scheme through general inflationary increases in their income.
Increased financial costs of CTR scheme	<p>The scheme reduces the council tax collected by the authority. Increases in the level of income-bands can increase the amount of support provided to residents and the costs of the CTR scheme.</p> <p>Options for revision of the scheme will be modelled so that the costs of the scheme can be considered when increases to the income bands are agreed.</p>

**8. APPENDICES and BACKGROUND PAPERS**

None

**9. REPORT SIGN OFF**

Department	Name and Job Title	Date
Portfolio Holder	Cllr Charles Hotham	
Lead Director / Head of Service	Michelle Howell Head of Finance and Customer Services	
Financial Services	Michelle Howell Head of Finance and Customer Services	

**Executive  
2024**9<sup>th</sup> January

---

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Legal Services		
Policy Team (if equalities implications apply)	Not Applicable	
Climate Change Team (if climate change implications apply)	Not Applicable	

This page is intentionally left blank



**Annexe A – Discount Band Table**

<b>Discount Band ▼</b>	<b>Discount</b>	<b>Single Person</b>	<b>Single Person with One Child</b>	<b>Single Person with two or more children</b>	<b>Couple</b>	<b>Couple with one child</b>	<b>Couple with two or more children</b>
Income Band 1	100%	£0 to £123.00	£0 to £192.00	£0 to £262.00	£0 to £176.00	£0 to £246	£0 to £315.00
Income Band 2	80%	£123.01 to £150.00	£192.01 to £230.00	£262.01 to £299.00	£176.01 to £203.00	£246.01 to £283.00	£315.01 to £352.00
Income Band 3	55%	£150.01 to £176.00	£230.01 to £267.00	£299.01 to £336.00	£203.01 to £230.00	£283.01 to £320.00	£352.01 to £390.00
Income Band 4	30%	£176.01 to £203.00	£267.01 to £304.00	£336.01 to £374.00	£230.01 to £256.00	£320.01 to £358.00	£390.01 to £427.00
Nil award	0%	Over £203.00	Over £304.00	Over £374.00	Over £256.00	Over £358.00	Over £427.00

This page is intentionally left blank

REDDITCH BOROUGH COUNCILEXECUTIVE COMMITTEE9<sup>th</sup> January 2024HOUSING REVENUE ACCOUNT RENT SETTING 2024/25

Relevant Portfolio Holder	Councillor Craig Warhurst, Portfolio Holder for Housing
Portfolio Holder Consulted	Yes
Relevant Head of Service	Peter Carpenter
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Key Decision	

**1. SUMMARY OF PROPOSALS**

To present Members with the proposed dwelling rent increase for 2024/25.

**2. RECOMMENDATIONS**

The Committee is asked to **RECOMMEND** to Council that:

- the actual average rent increase for 2024/25 be set as 7%.

**3. KEY ISSUES**Financial Implications

- 3.1 The rent increase above is in line with the Government guideline on rent increase as described below.
- 3.2 On the 31<sup>st</sup> of August 2022, DLUHC published a consultation on a draft Direction to the Regulator of Social Housing about social housing rents in England. DLUHC was seeking views on whether a rent cap should be introduced, where it should be set and whether it should potentially cover one or two years.
- 3.3 In the autumn statement issued by the Chancellor on the 17th of November 2022, The government stated that it is capping the amount that social rents can increase by next year at 7% compared to circa.11.1% under current rules (CPI plus 1%).
- 3.4 The Chancellor delivered the 2023 autumn statement on 25<sup>th</sup> of November 2023 and no mention has been made of the 7% social rent cap extending for a second year. Therefore, the previous rent cap position of CPI plus 1% comes back into force which is 7.7% (6.7% plus 1%). It should be noted that the Chancellor has promised a 6.7% in universal credit and benefits from April 2024.

REDDITCH BOROUGH COUNCILEXECUTIVE COMMITTEE9<sup>th</sup> January 2024

- 3.5 For comparison purposes, the table below sets out the financial implications should Members wish to consider a 6.7% rent increase in line with the 6.7% universal credit increase from April 2024 in comparison to a 7% increase.

**Loss of Rental income –****All other variables/assumptions remain the same**

	1	2	3	4	5	Total
	2024.25	2025.26	2026.27	2027.28	2028.29	5 Years
	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>	<b>Budget</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Rental income @ 7%	27,443	28,221	29,021	29,844	30,691	<b>145,220</b>
Rental income @ 6.7%	27,366	28,142	28,942	29,762	30,607	<b>144,819</b>
Loss of rental income	77	79	79	82	84	<b>401</b>

- 3.6 This analysis shows that for 2024/25 there would be a reduction of £77,000 in income compared to a 7% rent increase. Over 5 years this is equates to £401,000 less income.
- 3.7 For reference, other local Housing Authorities are looking to increase rents by the full 7.7%.
- 3.8 The committee is asked to recommend that the council increase the rent by 7% to enable the HRA to balance the budget for 2024/25.
- 3.9 For those tenants on Housing Benefit or Universal Credit, which is around 78% of our tenants, they will receive the full or partial payment of their rent.
- 3.10 During 2023/24, 19 new build properties were added to HRA stock, the rent for these properties were set at affordable levels but constrained at the Local Housing allowance rate.
- 3.11 This report will set rent for 5,559 properties of which 5,463 are charged at social rent and 96 at affordable rent. The average rent (48 week basis) for 2024/25 charged will be £104.37 and £161 for social and affordable rent properties respectively.
- 3.12 The Council has some dwellings with actual social rent charge below Target Rent (Formula Rent) levels. In line with the Government's rent standard for social rents, when these void properties are re-let, the rent will be set at the re-calculated target rent for a new tenant.

REDDITCH BOROUGH COUNCILEXECUTIVE COMMITTEE9<sup>th</sup> January 2024

- 3.13 As members are aware the system of housing revenue account subsidy ceased on the 31st of March 2012 and was replaced with a devolved system of council housing finance called self-financing. The proposal in the form of a financial settlement meant a redistribution of the 'national' housing debt. This resulted in the Council borrowing £98.9 million from the Public Works Loan Board.
- 3.14 Self-financing placed a limit (Debt Cap) on borrowing for housing purposes at the closing position for 2011/12 at £122.2 million, however, the debt cap has now been removed and officers are currently reviewing implications of this change on councils future social housing growth strategy.
- 3.15 The Direction on the Rent Standard 2019 issued by the Government in February 2019 confirmed that from 1 April 2020 weekly dwelling rents can be increased in line with CPI inflation (Consumer Price Index), plus 1% for the 5 year period through to 2024/25. This is the last year following the new rent standard guidance. The government has indicated that a revised rent structure will be put in place from 2024/25

2024/25

- 3.16 **For 2024/25, the actual average rent increase is recommended to be 7%. The average rent on a 52 week basis will be £96.35 or £104.37 on a 48 week basis. This compares to the average for 2023/24 on a 52 week basis of £89.90 and £97.39 on a 48 week basis.**
- 3.17 As a comparison, the following table sets out that the average local private rent and highlights that our social and affordable rents are still considerably lower than these levels.

**Average monthly private sector rent for a 2 bedroom property  
(from 2020/2021 to 2022/2023 for Redditch)**

Period	Mean Redditch
2020/2021 (Biannual 1)	<a href="#">675</a>
2020/2021 (Biannual 2)	<a href="#">694</a>
2021/2022 (Biannual 1)	<a href="#">692</a>
2021/2022 (Biannual 2)	<a href="#">695</a>
2022/2023 (Biannual 1)	<a href="#">720</a>

**Source:** Office for National Statistics

REDDITCH BOROUGH COUNCILEXECUTIVE COMMITTEE9<sup>th</sup> January 2024Legal Implications

- 3.18 Section 21 of the Welfare and Reform Act 2016 required 'In relation to each relevant year, registered providers of social housing must secure that the amount of rent payable in respect of that relevant year by a tenant of their social housing in England is at least 1% less than the amount of rent that was payable by the tenant in respect of the preceding 12 months.' This has now come to an end, and on 4 October 2017, DCLG announced that "increases to social housing rents will be limited to CPI plus 1% for 5 years from 2020."
- 3.19 Consultation on the introduction of a rent cap for 2023/24 and 2024/25 took place between September and October 2022. In the 2022 autumn statement, the Chancellor of the Exchequer announced that the rent cap for social housing will be set at 7%. From 2024/25 onwards the rent caps will increase by CPI + 1%.

Service/Operational Implications

- 3.20 The Council needs to approve the rents in a timely manner to allow officer time to notify the tenants of the annual rent. Tenants must have 28 calendar days' notice of any change to their rent charge.

Customer/Equalities and Diversity Implications

- 3.21 The rent increase will be applied by the same percentage regardless of property size. The equality and diversity implications of the changes will be evaluated and considered as part of the decision making process.

**4. RISK MANAGEMENT**

- 4.1 There is a risk to that rents are not approved in sufficient time to allow for notification of tenants of the increase. This will be monitored throughout the process.

**5. APPENDICES**

None

**6. BACKGROUND PAPERS**

None.

**AUTHOR OF REPORT**

Name: Peter Carpenter

Email: [peter.carpenter@bromsgroveandredditch.gov.uk](mailto:peter.carpenter@bromsgroveandredditch.gov.uk)

Tel:



## Licensing Committee

---

Monday, 27th November,  
2023

### MINUTES

#### Present:

Councillor Karen Ashley (Chair), and Councillors Salman Akbar, Joe Baker, Juliet Barker Smith, Sharon Harvey, Chris Holz, Joanna Kane, Emma Marshall and Jane Spilsbury

#### Also Present:

Councillor Imran Altaf

#### Officers:

Vanessa Brown, Mamta Patel and Dave Etheridge

#### Democratic Services Officers:

Gavin Day

#### 19. HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE COMPLIANCE TESTING - CURRENT ARRANGEMENTS AND ALTERNATIVE OPTIONS

With agreement of the Chair, Minute item 19 (Item 8 on the agenda) was heard first by Members to address the points raised by the public speakers.

The Principal Licensing Officer, Worcester Regulatory Services (WRS), presented the report to Members. The purpose of the report was to inform Members of the vehicle safety testing arrangements and outline possible alternative options.

The Principal Licensing Officer detailed that there were 420 Taxi Licence holders with Redditch Borough Council, It was further detailed that each licenced vehicle needed 2 Safety Compliance Tests a year. There were 7 timeslots each day which amounted to 35 tests a week and when accounting for shutdown weeks gave 1600-1700 available slots a year to accommodate approximately 820 Vehicle Safety Inspections. Therefore, Officers expressed the

Chair

# Licensing Committee

Monday, 27th November, 2023

---

opinion that there was sufficient capacity within the current testing arrangements. It was reported that a driver was generally able to get an appointment on short notice if they were fully flexible or within 2 or 3 weeks should they required a specific timeslot.

The additional activities which the engineers at Crossgates participated in was detailed. This included late night enforcement exercises and spot checks, which allowed Officers to direct a driver to the garage for a vehicle examination if a quick visual inspection raised concerns. It was further highlighted that an equivalent service, the engineers' knowledge, experience and good working relationship may not be replicated with an alternative arrangement.

Officers detailed concerns that should an alternative arrangement be sought, an equivalent standard of work may not be replicated, it was due to concerns regarding work standards and public safety which prompted the migration to in house testing in 2010. Likewise, it was highlighted that the Taxi Vehicle Safety inspection went beyond a standard MOT and examined the internal and external state of the vehicle and compliance with vehicle licencing policy, therefore, it would be unlikely for a garage to agree to undertake the work for the same price as an MOT.

The Principal Licensing Officer outlined the possible options available for the vehicle safety inspection.

1. **Maintain the current arrangement**, which was the recommendation of Officers.
2. **Outsource the Safety Vehicle Inspection to approved providers**. The number of which would be decided during a procurement process. It was unknown how many, if any, garages would be prepared to undertake the work and for what cost. Regular auditing would have to be undertaken to ensure an appropriate quality of work was maintained.
3. **Allow any valid recent MOT undertaken at any DVSA approved garage combined with a brief visual inspection**. Officers advised against this option and did not consider it suitable.

Officers further detailed that of the 6 Worcestershire Authorities that WRS covered, Redditch, Bromsgrove and Wyre Forest had their own garages. Malvern Hills and Worcester City had approved garages. Wychavon currently accepted a recent MOT; however,



# Licensing Committee

Monday, 27th November, 2023

---

Wychavon were currently undertaking a procurement process to secure a number of garages to carry out their safety inspections.

The following was clarified after questions from Members.

- That although the fee free retesting period was 24 hours, if the work was a minor in nature such as a bulb or tyre replacement, an engineer was able to check that the work was completed without having to book in another appointment.
- That it was considered best practice to perform the inspections in house should an authority have the capacity to do so and although outsourcing was not dangerous if it was managed effectively, it was a deviation from best practice and therefore not recommended.
- Drivers could book appointments 12 months in advance and the current 2-week period was for drivers to get their preferred timeslot and not for the earliest available appointment, however, there were some longer lead in periods of up to a 4 week wait, at certain times of the year.
- That 4.1 on page 175 of the Public Reports Pack detailed that Monitoring and Auditing may be required, however, details on the cost implication would not be known without an in-depth examination during the procurement process.
- As the licensed activities should be cost neutral, any additional costs incurred needed to be covered, a possible solution could mean an increase in licencing fees.
- Crossgates had a number of bays, one of which was exclusively used for Taxi Safety Checks.

Members were happy with the report but expressed a desire to obtain more information on the subject and the exploring interest from local garages before making a decision.

Councillor Joe Baker proposed an alternative recommendation that Officers be directed to look into the viability of allowing drivers to use DVSA testing stations to undertake vehicle safety checks, the alternative recommendation was seconded by Councillor Sharon Harvey.

Following further debate, it was clarified to Members that should they wish to alter the 24-hour fee free testing period, there needed to be a recommendation to the Executive Committee then the

# Licensing Committee

Monday, 27th November, 2023

---

decision regarding any Fees or Charges would be made during Full Council.

Members further commented that should the 24-hour fee free testing period be extended a vehicle should have a valid MOT certificate to cover the duration to maintain public safety standards.

Councillor Joe Baker proposed an additional alternative recommendation that it be recommended to Executive that the period during which a taxi or private hire vehicle can be retested at Crossgates Depot without charge be extended from 24 hours to 10 working days, so long as the vehicle has a valid MOT certificate to cover that period of time, The additional alternative recommendation was seconded by Councillor Salmon Akbar.

Members debated the timeslots and the availability of Taxi drivers in general throughout the day, it was commented that considering multiple bays existed at the Crossgates Depot, it should be examined whether it was possible to use two bays for taxi inspections during more favourable periods, to allow for less disruption to school contracts and religious activities.

Councillor Emma Marshall proposed an additional alternative recommendation that Officers be directed to liaise with the relevant officers at Crossgates Depot to investigate how to make more efficient use of the testing bays at the Crossgates Depot taking into account school runs and other relevant aspects, The alternative recommendation was seconded by Councillor Juliet Barker Smith.

On being put to a vote it was

### **RECOMMENDED to Executive Committee that**

- **the period during which a taxi or private hire vehicle can be retested at Crossgates Depot without charge be extended from 24 hours to 10 working days, so long as the vehicle has a valid MOT certificate to cover that period of time.**

# Licensing Committee

Monday, 27th November, 2023

---

**RESOLVED** that

- Officers be directed to look into the viability of allowing drivers to use DVSA testing stations to undertake vehicle safety checks.
- Officers be directed to liaise with the relevant officers at Crossgates Depot to investigate how to make more efficient use of the testing bays at the Crossgates Depot taking into account school runs and other relevant aspects.

The Meeting commenced at 7.00 pm  
and closed at 9.14 pm

This page is intentionally left blank

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024****MEDIUM TERM FINANCIAL PLAN 2024/5 TO 2026/7 – Tranche 1**

Relevant Portfolio Holder	Cllr. Luke Court, Finance and Enabling Portfolio Holder
Portfolio Holder Consulted	Yes
Relevant Head of Service	Bernard Ofori-Atta
Report Author	Job Title: Head of Finance & Customer Services email: <a href="mailto:Bernard.ofori-atta@bromsgroveandredditch.gov.uk">Bernard.ofori-atta@bromsgroveandredditch.gov.uk</a>
Wards Affected	N/A
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	All
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. SUMMARY OF PROPOSALS**

- 1.1 The Council will set its budget in two Tranches this year as it did in the 2023/4 Medium Term Financial Plan (MTFP) process. The initial Tranche will be published in the Autumn with approval of options sought at Council in January, with a second Tranche to be considered in January once final settlement figures are known with final budget approval sought in February. Housing Revenue Account (HRA) budgets will be dealt with in a separate report although they will form part of a single report to Council in February at Council Tax setting time.

**2. RECOMMENDATIONS****Executive are asked to Recommend to Council that:**

- 1 They endorse the inputs into the Council's Medium Term Financial Plan as at the start of October, and the associated risks and opportunities.
- 2 These inputs have been used, along with the 2023/24-25/26 Medium Term Financial Plan (MTFP) agreed by Council in February 2023, to project an initial "gap" to be closed.
- 3 An initial Tranche of savings proposals, as set out in Sections 3.21 to 3.25 and the associated Savings Proposal Document in Appendix A, has been published on the 24<sup>th</sup> October and any feedback will be considered by Executive at this meeting on the 9<sup>th</sup> January prior to seeking approval at Council on the 29<sup>th</sup> January 2024.
- 4 That fees and charges are increased by 7% as part of these proposals.
- 5 Tranche 2 of this process will add further information such as the Local Government Settlement to give a final financial position for the Council.

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

**Council have already approved in November that:**

1. That the Play Audit recommended capital works for 2023/4 as set out in 3.41 are approved and added to the Capital Programme.

**3. Background****Introduction**

- 3.1 The Council sets a 3-year Medium Term Financial Plan every year, with the final Council Tax Resolution being approved by Council in February. This year's process will be more difficult due to the following factors:

- Starting the process with an initial small deficit amount from the 2023/24 MTFP.
- The present cost of living crisis.
- The fact that the Council is still to close its 2020/21 financial year and the ongoing cross sector issues in relation to Audit which are set out in the wider Finance Report.
- The movement of the Government to funding projects for specific outcomes and the movement of this from a bidding process to an "allocations" process.
- The time limited nature of these funds and the pressure this puts on other deliverables.
- Loss of key personnel, present vacancies rates, and staff retention – linked to the Workforce Strategy.
- Business Rates and Council Tax Income – and associated collection rates and reliefs linked to the "cost of living" crisis and C-19 grants working their way through our system.
- Inflation still not reducing as quickly as Government and Financial Market predictions.

As such, it is prudent to split the budget process into two tranches,

- Having an initial Tranche which seeks to close as much of the deficit as possible using information known as at the end of September and seeking approval for those savings to be implemented at Council in January,
- Having a second Tranche after the Christmas break, for which approval will be sought in February, that takes account of the Local Government Settlement whose final detail will not be known until early January.

- 3.2 This report will set out:

- The starting position for the 2023/24 MTFP.
- The emerging national picture including expected settlement dates.

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

- Council Priorities
- Strategic Approach
- The Council's Base Assumptions including Inflation and Grants
- Fees and Charges update.
- Impact on Reserves and Balances.
- Capital Programme.
- Robustness Statement
- Consultation Details.

**The Starting Position for the 2024/25 MTFP**

- 3.3 The Council set a three year MTFP 2023/24 to 2025/26 in February 2023. The plan moved the Council to a sustainable budget position over the three year planning horizon and limited the support from reserves to achieve this to £378k over the initial two years.

**REDDITCH BOROUGH COUNCIL**

EXECUTIVE COMMITTEE

9<sup>th</sup> January 2024

	2023/24	2024/25	2025/26
	£000	£000	£000
<b>Base Budget Position 22/23 MTFP</b>			
Expenditure	10,290	10,428	10,661
Funding	-9,341	-9,595	-9,621
<b>Net</b>	<b>949</b>	<b>833</b>	<b>1,040</b>
<b>Revised Gap</b>	<b>949</b>	<b>833</b>	<b>1,040</b>
<b>Pressures</b>			
50% Funding for Climate Change Officer	30	30	30
<b>Savings Options</b>			
Environmental Services Partnership	0	-25	-50
Service Reviews	-140	-330	-405
Move to All Out Elections	0	0	-170
Town Hall	0	0	-400
Finance Vacancies	-100	-100	-100
MRP	-100	-100	-100
Pension Fund	-580	-580	-580
Engage Capacity Grid (One Off)	-300	-300	0
10% Increase in Fees and Charges	-339	-340	-342
Council Tax Increase	0	-104	-104
<b>Total Savings</b>	<b>-1,529</b>	<b>-1,849</b>	<b>-2,221</b>
<b>Revised Position</b>	<b>-580</b>	<b>-1,016</b>	<b>-1,181</b>
<b>Pressures</b>			
Pay Pressure Year 1	928	928	928
Pay Pressure Future Years (1%)	0	0	117
Transport Pressure	21	21	21
Contracts Pressures	230	235	240
<b>Core Pressures</b>	<b>1,179</b>	<b>1,184</b>	<b>1,306</b>
<b>Updated Position</b>	<b>599</b>	<b>168</b>	<b>125</b>
Utilities Inflation	1,140	1,140	1,140
<b>Tranche 1 Final Draft Position</b>	<b>1,739</b>	<b>1,308</b>	<b>1,265</b>
<b>Draft Local Government Financial Settlement</b>			
New Homes Bonus	-19		
Services Grant	-86		
Funding Guarantee	-493		
C Tax Base Reduction	130		
Business Rates/Investment Inc Rebaseline	-466	-250	-250
Future Years Settlements - assumption		-450	-450
<b>Settlement Draft Amounts</b>	<b>-934</b>	<b>-700</b>	<b>-700</b>
1% more on Councils Tax	-69	-69	-69
Conversion of 50% of Utilities to a Reserve	-570	-570	-570
Correction of Salary £1,925 amount	-200	-200	-200
Additional Pensions Savings	-221	-221	-221
<b>Revised Deficit</b>	<b>-255</b>	<b>-452</b>	<b>-495</b>
<b>New Pressures (Known/Ongoing)</b>			
Fleet Refurbishment	129	258	258
Apprenticeship Scheme	50	50	50
Data Analyst	25	25	25
Planning Enforcement	25	25	25
WRS Increase	47	61	74
Under Recovery of 22/23 Council Tax	190		
Increased pay award - so 2%	100	100	0
<b>Total</b>	<b>566</b>	<b>519</b>	<b>432</b>
<b>Revised Draft Position</b>	<b>311</b>	<b>67</b>	<b>-63</b>

Table 1 – Opening MTFP Position

**The emerging national picture including expected Settlement Dates**

- 3.4 Local Government is in uncharted territory. C-19 has changed significantly the way Councils and the people they serve work, or expect to be served, and this needs to be reflected in Service Plans and associated budgets.
- 3.5 The War in Ukraine has still not been resolved. This has led to Inflationary increases that initially reached levels not seen since that late 1980's although they are now starting to reduce. This has however had a significant impact on our customers and stakeholders and is now labelled a "cost of living" crisis.



**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

- 3.6 Councils have declared “Climate Emergencies” and have challenging carbon reduction targets to deliver by 2030, 2040 and 2050. At the moment plans are within existing budgets, but as we move through the next three-year period there will be the requirement for the prioritisation of resources and approval of additional funding on a scheme by scheme basis. These will need to be taken account of in future budgets, although a significant part of this budget spend will be Capital in nature.
- 3.7 As mentioned in the Risk section, the Government made 2 major announcements during the LGA Conference in July, both of which will significantly affect budgeting.
- The first of these was the launch of the Office for Local Government. They will look at Council data to assess performance and try to predict if Councils are getting into difficulty.
  - The second was a movement from a bidding process for Funds to that of an allocations method using data (however no increase in the funds being allocated/bid for). No further guidance has been issued since the original guidance from DLUHC in July 2023. However, it is now key that all Council returns are made thinking about this point and our records that are accessed by the Government are as up to date as possible.
- 3.8 There are a number of other significant factors in looking at the 24/5 budget which are linked to the Local Government Finance Market. Presently:
- There are a number of Local Authorities who have now issued S114 Statements, including the largest Council in the Country – Birmingham. Given the number of Council in financial distress there is a possibility that the Government might be far more prescriptive than in previous years in its funding allocations.
  - Redditch still have accounts unaudited from 2020/21 and will not have the cash receipting backlogs cleared until the end of this calendar year. As such, there is still a degree of uncertainty on the overall figures, until those years accounts have been finalised and audited.
  - That in the Local Government sector, there are circa 900 Audits from 2015/16 that are still outstanding. There is an issue with audit resources to deliver these audits, with generally only upper tier authorities being close to actual timescales due to the size of their budgets. In light of this, DLUHC are looking to implement deadlines for delivery which will possibly mean significant numbers of Councils, including possibly Redditch, who due to time constraints have not had audits complete might end up with qualified accounts.
- 3.9 It is understood that the Chancellors Autumn Statement will now not happen until the 22<sup>nd</sup> November. This means that it is likely the Provisional Local Government Settlement will not take place until the week before most Councils break up for Christmas. It is expected that this years Local

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

Government Settlement will be multi year but in reality, would be no longer than 2 years given the impending National Elections. The final Local Government Settlement will be required halfway through January to enable all precepting authorities to deliver their budgets – using this gives the following timetable:

- Initial Tranche 1 Options published – 24<sup>th</sup> October
- Executive discuss initial options – 31<sup>st</sup> October.
- Chancellors Statement – 22<sup>nd</sup> November
- Provisional Local Government Settlement – Late December
- Tranche 1 approved sought by Executive 9<sup>th</sup> January/Council 29<sup>th</sup> January
- Final Local Government Settlement – Mid January (at the earliest)
- Tranche 2 options ready – Late January
- Tranche 2 options presented to Executive – 6<sup>th</sup> February
- Full Budget approved by Council – 26<sup>th</sup> February

Timescales are estimated – however the issue is that there is little time for delivery of either Tranche 1 or Tranche 2.

**Council Strategic Priorities**

3.10 The Leader and Portfolio Holders with the support of the Corporate Management Team have reviewed the current priorities by undertaking two review sessions taking on board data from:

- Annual Community Survey 2022
- Community Priorities Survey
- Cost of Living survey
- Census
- [Office of National Statistics](#)
- Current priorities

3.11 Redditch Borough Council's current priorities are underpinned by a set of key themes. These are set out in the current Council Plan 2019 – 2023 [here](#) and in the Council Plan Addendum 2022/23. The 5 themes are:

- Run & grow a successful business.
- Finding somewhere to live.
- Aspiration, work & financial independence.
- Living independent, active & healthy lives.
- Communities which are safe, well-maintained, and green.

3.12 The council's vision, priorities and themes are connected using a 'green' thread:

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

“To enrich the lives and aspirations of all our residents, businesses and visitors through the provision of efficiently run and high-quality services, ensuring that all in need receive appropriate help, support and opportunities”.

- 3.13 Along with demonstrating what are identified as the community and organisational priorities:

<b>Community Priorities</b>	<b>Organisational Priorities</b>
Economic Development & Regeneration	Financial Stability
Housing Growth	Sustainability
Skills	High Quality Services
Improved Health & Wellbeing	
Community Safety & Anti-Social Behaviour	

- 3.14 The council cannot deliver all priorities on its own. In some cases it can support, influence, or work collaboratively with other partner agencies to persuade them to take a particular course of action/undertake a particular project. Considerable support and input from partner organisations will be needed for priorities, to be successfully achieved.

- 3.15 Following consultation and taking other information on board, the Council's priorities are therefore proposed as:

- Housing
- Parks & Green Spaces
- Economy & Regeneration
- Community Safety

**Strategic Approach**

- 3.16 The Council has come into the 2023/24 budget process with a number of conflicting issues. These include:

- An almost break even budget position from the 2023/24 MTFS.
- The requirement to fund the 23/4 pay award which is 5% higher than planned at an average value of 7%.
- Increases in Council Tax are limited at 2% or £5, which is significantly lower than the present rates of inflation.

- 3.17 The Council must move to financial sustainability over the time scale of the next MTFS and indeed was on course for this before the agreement of the 2023/4 pay award. Given the magnitude of the savings due to this it is not prudent to expect the movement to sustainability to happen by 2024/5. However, the level of reserves and balances presently held suggest that moving to sustainability by 2025/26 would be deliverable without a strain on resources for any emergency situation.

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

- 3.18 As such, the strategy must be to move the Council to financial sustainability by the 2025/26 financial year. To get to this position there will be the need for investment, efficiencies and possibly the requirement to fund redundancy (both from reserves and balances). These requirements will be outputs from the Council having to implement changes to the way it operates to continue to become a viable entity going forward.
- 3.19 As set out later in the Robustness Statement, in compiling Tranche1 of the budget, assumptions have been made based on the best information held now. Issues the Council is facing are not unique, they are being faced by almost all Councils. Tranche 2 of the budget will adjust for any funding that the Government will provide and also look at other options to close any deficit should the Government settlement not bridge any resultant gap. Initiatives that will be assessed in Tranche 2 (as more time is required to analyse these individual options) include:
- Ensuring Grants are maximised.
  - Ensuring Agency work reflects the income provided for its delivery.
  - Minimisation of Bed and Breakfast Temporary Accommodation costs
  - Reviewing the effectiveness of the Council's largest Contracts.
  - Maximising the effectiveness of our refuse fleet
  - Reviewing the location and effectiveness of our Depot
  - Assessing the Council's leisure and cultural strategy in terms of affordability
  - Reviewing recharging mechanisms between the Councils for appropriateness
  - Rationalisation of Back Office services as we embrace technology.
- 3.20 Many of these initiatives will require investment, for which the only present source of funding is reserves (General Fund and Earmarked Reserves). Key areas of investment will be:
- Documentation of Processes
  - Investment in automation and robotic processes
  - Possible redundancy – through restructures
- 3.21 However, in any situation, the Council must move to sustainability by the 2025/26 financial year.

**The Council's Base Assumptions including Inflation and Grants**

- 3.22 It is important to set out the base assumptions under which the budget is constructed. These assumptions can then be stress tested for various scenarios to test the robustness of the overall budget.
- 3.23 Tax Base and Corporate Financing underlying assumptions are as follows:

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

- Council Tax – Figures assume the full 1.99% allowable increase over all years of the 3 year MTFP and no increase in numbers of properties.
- Business Rates Increases – business rates assume no growth in the base.
- New Homes Bonus – It is assumed to be none in 24/5 onwards pending any change that might be announced in the Local Government settlement.
- Services Grant - It is assumed that Central Government Grants are at similar levels to previous years (as was the case in 2023/4)
- Pension Fund assumptions – takes account of the latest triennial valuation which was received in September 2022. A significant risk is that the next revaluation will be actioned in 2026 and as such the 2026/7 figure could well change pending the outcome of that exercise

3.24 Grant support assumptions are as follows (Revenue and Capital). It should be noted that these are budgeted figures and final grant figures will not be confirmed until the time of the final Local Government Settlement.

- The main Revenue Grants are
  - S31 Grant - £0.748m
  - Housing Benefit Administration Grant - £0.235m
  - Housing Benefit Grant - £18.5m
  - Discretionary Housing Payment - £0.136m
  - Revenue Cost of Collection Grant - £0.106m
  - Homelessness Grant - £0.153m
- The Council has £15.2m of Towns Fund Grant to be spent by April 2026 which is match funded by £2.0m of Council funding.
- The Council has £2.4m of UK Shared Prosperity Fund to spend by April 2025. This is both revenue and capital in nature.

3.25 There are significant pressures mounting on the Council.

- The Q1 2023/4 monitoring sets out the issue on the pay award, which has been mitigated in 2023/4 by the use of the Utilities Reserve. However, the ongoing impact of this on our ongoing £11.5m employees budget at an average of 7% Increase is £805k a year. However, we have already accounted for a pay award of 2% reduces this amount to circa £575k a year to resolve.
- It is also prudent to increase the Councils 2024/5 pay award impact from 2% to 3% given the significant increases that have been offered by the Employers during 2022/3 and 2023/4. The 2025/6 and 2026/7 pay awards are assumed to be 2%.
- Although inflation is coming down, at this point of time it is also prudent to include a 5% budget for inflationary increases.
- However, we have the following budgets that were included in the 2023/4 budget but have not been called on yet that could partially mitigate these pressures which include:

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

- We are only using 60% of the utilities budget increases this frees up £228k a year
  - We have not called on the circa £260k of inflationary increases to contracts which was added to the base budget.
  - In addition, there is the £570k utilities reserve that will have no calls on it for 2024/5 and 2025/6.
  - We have included as an appendix the impact of a 7% increase in fees and charges – this amounts to an additional £238k. This increase is in line with the inflationary increases to salaries which are running at just over 7% and inflation which as of October 2023 was 6.8%. Looking at a sensitivity analysis around this figure (although the increases mean that the Council is just keeping pace with cost increases):
    - If this increase was below inflation at just to 4% this would lead to a savings/Income budget of £136k. However, at this level there would be an ongoing deficit of £102k that would never be recovered.
    - An 8% increase would lead to a savings/income budget of £272k.
    - It should be noted that another district in Worcestershire is looking to increase WRS fees and charges by just under 7%. Given that it is common practice to increase these fees and charges by the same across the County, the increases would be in line with these levels.
    - It is proposed that the Dial a Ride registration fees are reduced from £16.50 to £15, but journey fees increase by £1. Lifeline Alarm rates remain at present levels.
    - We have also assumed that inflation on fees and charges will be 2% in 2025/6. This amounts to an additional £69k in 2025/6 and £73k in 2026/7.
  - As part of the 23/4 MTFP, Departments had lists of possible savings areas. These are set out in Appendix B.
- 3.26 Overall, this baseline analysis, before recharge changes or specific departmental savings, results in an ongoing cost of circa £190k in year 3 of the MTFP, although this is before the application of service pressures.
- 3.27 It should be noted that the assumption on the Local Government Settlement for 24/5 and 25/6 is £148k less than the Council received in 23/4. This was a prudent position to take, however if the Council received the same amount in 2024/5 and 2025/6 as in 2023/4, and increased fees and charges by 2% in 2025/6 then 24/5 would be at a surplus position of circa £400k in the final 2 years of the MTFP period before departmental pressures.
- 3.28 Departmental pressures are summarised in the following table.

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

<b>Service Adjustments</b>					
Reduction in Benefits Overpayments Target			200	200	200
Use of HVO Fuel by 100% of Fleet			20	20	20
Increase in HR Establishment			10	10	10
PRA Housing Licence Costs			15	15	15
Garden Waste Service			20	-27	-56
Interest Charges on Updated Capital Programme			82	102	121
MRP Increases on Capital Programme			22	140	153

Table 2 Departmental Pressures

- There is presently a target of £500k for the reclaiming of Benefit overpayments. We now have more accurate information and processes which mean that initial payments are more accurate and the need for recovery of overpayments has diminished. Over the past 2 years the Council has recovered under half of this amount (with many linked to Universal Credit payments) and so it is prudent to reduce this amount to £300k.
- The Government has still not provided guidance on Waste delivery. The Council has a diesel fleet which could use HVO fuel would reduced the Carbon footprint of the fleet and the Council significantly. With alternatives to Diesel (Electric and Hydrogen powered vehicles) being extremely expensive with vehicles 2 to 4 times more expensive than existing vehicles it would be prudent to ensure the fleet used HVO fuel, significantly reducing the Council's carbon footprint. However, HVO fuel at the moment is significantly more expensive than diesel and this would cost an additional £64k a year. The Councils Carbon pledge is to move to this position over time so a £20k increase in budget allows for, prices dependent a 30% use of this fuel and an estimated savings of 154 tonnes of greenhouse gases from the fleet.
- There is the new requirement for the monitoring of the Private Housing Sector. There is a capital bid of £30k for software to undertake this. The ongoing licensing costs are £15k a year.
- The present pilot scheme on planning enforcement being delivered by Worcester Regulatory Services was in the Tranche1 options. This has been removed pending a far more detailed report on Enforcement in Tranche 2.
- Councils have a discretionary duty to provide a Garden Waste service, for which a charge can be made to the resident. This proposal sets up a Redditch based service to build on service demand. The cost of the service to the resident would be £60 a year with a £20 initial setup cost.
- The Capital section sets out new items and changes to the Capital programme. These will be addressed in that section. However, there are ongoing additional revenue costs of those schemes that amount to £60k for interest charges and £119k for Minimum Revenue Provision requirements.

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

- 3.29 These departmental changes result in an overall £353k pressure in the 2024/5 financial year reducing to a deficit of £93k and then £72k in the following 2 years. The whole revenue budget is summarised in the table on the following page.
- 3.30 To meet strategic priorities, the Council requires more funding. In reviewing the possible areas of savings set out in Appendix A, it was agreed that all need to be assessed as part of the 2024/5 MTFP process although the following three should be prioritised so that their impact could be possibly included in Tranche 2 of the budget:
- Recharges
  - Debt costs – given the slippage in the Capital Programme.
  - Business Rates Re-baselining.



**REDDITCH BOROUGH COUNCIL**

EXECUTIVE COMMITTEE

9<sup>th</sup> January 2024

<b>Redditch Position Statement</b>				
	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
<b>Base Budget Position 22/23 MTFP</b>				
Expenditure	10,290	10,428	10,661	10,661
Funding	-9,341	-9,595	-9,621	-9,621
<b>Net</b>	<b>949</b>	<b>833</b>	<b>1,040</b>	<b>1,040</b>
<b>Revised Gap</b>	<b>949</b>	<b>833</b>	<b>1,040</b>	<b>1,040</b>
Phase 1 Savings 2023/24 MTFP	-1,529	-1,849	-2,221	-2,221
<b>Revised Position</b>	<b>-580</b>	<b>-1,016</b>	<b>-1,181</b>	<b>-1,181</b>
Phase 1 Pressures 2023/24 MTFP	2,319	2,324	2,446	2,446
<b>Phase 1 2023/24 MTFP Position</b>	<b>1,739</b>	<b>1,308</b>	<b>1,265</b>	<b>1,265</b>
Local Government Settlement	-934	-700	-700	-700
Additional Savings (Phase 2)	-1060	-1060	-1060	-1060
Additional Pressures - Phase 2	566	519	432	432
<b>Final 2023/24 MTFP Position</b>	<b>311</b>	<b>67</b>	<b>-63</b>	<b>-63</b>
<b>Known Changes</b>				
23/4 Pay Award - 5% More than planned		575	575	575
Utilities Increases running at 60% - 40% Savings		-228	-228	-228
Existing Inflation Budget (unallocated)		-269	-274	-274
Inflation on Contracts - additional 5%		125	125	125
Additional 1% on 24/5 Pay Award - to 3%		100	100	100
Additional 2% pay Award for 2026/7				200
7% addition on Fees and charges		-238	-241	-243
<b>Draft Opening Position 24/25</b>	<b>311</b>	<b>132</b>	<b>-6</b>	<b>192</b>
<b>Possible Adjustments</b>				
Quarter 1 23/4 Overspend position	557			
Use of 23/4 Utilities Reserve	-557			
2% Council Tax 2025/6			-144	-144
2% Council Tax 2026/7				-147
Year 2 Fees and Charges Increase at 2%			-69	-70.5
Year 3 Fees and Charges Increase at 2%				-73.5
Government Grant at 23/4 Levels		-148	-148	-148
<b>Draft Opening Position</b>	<b>311</b>	<b>-16</b>	<b>-367</b>	<b>-391</b>
<b>Service Adjustments</b>				
Reduction in Benefits Overpayments Target		200	200	200
Use of HVO Fuel by 100% of Fleet		20	20	20
Increase in HR Establishment		10	10	10
PRA Housing Licence Costs		15	15	15
Garden Waste Service		20	-27	-56
Interest Charges on Updated Capital Programme		82	102	121
MRP Increases on Capital Programme		22	140	153
<b>Revised Opening Position</b>	<b>311</b>	<b>353</b>	<b>93</b>	<b>72</b>

**Table 3 Revised MTFP Position****Fees and Charges update**

- 3.31 The section, looks at the impact of proposed Fees and Charges increases for the 2024/25 Financial year. These increases are shown in detail by service in the Fees and Charges Report which is shown as Appendix C. The table below highlights the possible increase of income if 7% was applied across the board. The 7% has been applied to Contributions and Fees and Charges budgets and not on SLA Income or lifeline, where charges are set statutorily, and charges across more than one area.

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

Year	2024/25	2025/26	2026/27
Base Budget	3,404,000	3,404,000	3,404,000
7% Increase	238,000	241,000	242,000

**Table 4 Fees and Charges Increases at 7%**

- 3.32 The overall impact on the Council's position is set out in the following section. In setting the base budget levels to apply the increases an assessment has been made on deliverability.

**Impact on Reserves**

- 3.33 The existing 23/24 MTFP saw general fund balances reduce by £315k over the three year period as the original plan moved the Council towards sustainability. In the 2023/4 budget, the Council was prudent and reviewed all its earmarked Reserves and reallocated a substantial amount to the General Fund and also a newly formed Utilities Reserve due to the significant pressure on budgets in that area. As we have moved into 2023/4 there have been pressures, although they have been due to staffing and the 2023/4 allocation of the Utilities Reserve has been used to mitigate these. Years 2 and 3 of this reserve are not required and have been transferred to the General Fund to bolster its position.
- 3.34 The projected 2024/5 to 2026/7 position, at Tranche 1, has £829k of pressures to mitigate. If alternatives are not found in Tranche 2 then the General Fund will be required to support this deficit. Presently the general Fund sits at a value of £3.196m (assuming that it is required to fund this shortfall) at the 31<sup>st</sup> March 2017. This sum is approximately 6.2% of gross expenditure and above the 5% benchmark quoted by the Government a being a minimum requirement. If Housing benefit payments, which are passported through the Council are ignored than this percentage rises to 10.2% of gross expenditure.
- 3.35 The analysis in Table 5 sets out the effects on Council General Fund and Earmarked Reserves. Full detail is set out in Appendix D

Reserves Position	2023/24	2024/25	2025/26	2026/27
General Fund Opening Position	2,686	2,575	3,362	3,268
General Fund Changes	-111	787	-93	-72
General Fund Closing Position	2,575	3,362	3,268	3,196
Earmarked Reserves	5,242	4,658	4,088	4,088

**Table 5 Reserves Position**

- In 2023/4
  - We start with £2.686m in the General Fund Reserve.
    - £200k will be moved into the it from the Rates Reserve
    - £311k was already being used to subsidise the base budget

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

- This results in a closing 23/4 position of £2.575m
- In 2024/5
  - We start with £2.575m
    - We propose to transfer years 2 and 3 of the utilities reserve in as the view is that this is now not required - £1.140m.
    - There is a £353k deficit figure that will need funding.
  - This results in a closing 24/5 position of £3.362m
- In 2025/6
  - the opening position is £3.362m
    - The present draft budget is a deficit of £93k which will be transferred from the G/F.
  - This results in a closing 25/6 position of £3.268m

**Capital Programme**

- 3.36 The Council over the past number of years has not spent its capital programme allocations in year. A review has been carried out of
- All schemes that have not started (both from 22/23 and from previous years)
  - Schemes that have started
- To assess deliverability and links to revised strategic priorities.
- 3.37 Present rationale is for any scheme not yet started (unless grant or S106 funded) to rebid for funds as part of the 2024/25 budget process. There will be the need to add items to the capital programme to include sums for:
- ICT hardware (such as laptops, etc)
  - Property Maintenance budgets (as minimal and significant work is required to ensure energy efficiency compliance).
- 3.38 The priority in capital terms is for the Council to spend its grant funding. It has the following:
- Towns Funding of £17.2m
  - UK Shared Prosperity Funding of £2.4m
- This funding is time limited and must all be spent by 2026 (with UKSPF being 2025). Therefore, there is a question over what resources would be available to manage any significant capital spend above these schemes.
- 3.39 Appendix E sets out the present capital programme as agreed at Council in February.
- 3.40 The table below highlights additional Capital Programme bids, and incorporates bids approved in the Quarter 1 financial monitoring for approval. The revenue budget takes account of these additional costs. Full descriptions are set out in the Savings Proposal document.

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

Capital Programme Changes	2023/4	2024/5	2025/6	2026/7
	£000	£000	£000	£000
Lifeline		72		
PRS Housing ICT System		30		
Play Areas (Replacement of Surfaces)		10	10	7.5
AVCP - Parking Bays near Visitor Centre		12		
AVCP - Car Park Extension 25 Spaces		95		
Morton Stanley Park - Footpaths		16.5		
Ipsley Rd Cemetery (As per Q1 Monitoring)	-125	125		
Increased Buildings Maintenance Costs		150	150	150
Arrow Valley Park Visitor Centre Improvements		150	150	150
Fleet Costs (as per Q1 Monitoring)		585	26	
	<b>-125</b>	<b>1245.5</b>	<b>336</b>	<b>307.5</b>

**Table 6 – Capital Programme Changes**

3.41 The following table summarised the Play Area requirements

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

<b>Play Area Audit Outcomes</b>	<b>2023/24</b>	<b>2024/25</b>
	<b>£000</b>	<b>£000</b>
MMP proposal consider MUGA for MS Park		100
MMP proposal new bins for MS Park		2
MMP proposal new benches for MS Park		3
MMP recommendation carry out an ecological survey MS Park		5
Requirement renew pathway section "loop adjacent woods MS	25	
MMP recommendation AVCP North improve surfacing and widen path along route between the Abbey ruins and the fishponds.		30
MMP recommendation AVCP Replace or repair broken bins, adopting a consistent style of bin across the site (in my opinion you do not need to change every bin to the same style, we try to zone so similar styles in an area. Taking a perfectly good bin out is a waste of money. Replace as required		5
Additional funds are required to carry out repairs to things such as rubber surfacing, gate replacemnt, worn spare parts etc which are currently risk rated to ensure the play areas are kept safe and the risk is not raise to medium or high which could result in play area closures.	100	
MMP recommendation AVCP South. Repair or replace car park surface at Icknield St Drive.	25	
MMP recommendation Overdale Park Install information board in the Orchard area to replace the temporary information sheets attached to the fruit trees and "sorry not for general use" notice OR display this information in the display cabinet at the Overdale Close entrance.	1	
MMP Overdale park recommendation Resurface paths where needed with self-binding gravel		10
MSP Cableways	43	
AVCP Pump Track	33	
<b>Total</b>	<b>227</b>	<b>155</b>

**Table 7 Play Area Audit Requirements****An Initial Risk Assessment**

- 3.42 As set out the Strategic Approach and Robustness Statement sections we are budgeting in a time of extreme uncertainty.
- 3.43 As per the Risk Reports that are reported to both Executive and Audit, Governance and Standards and Committees these are:
- Resolution of the approved budget position.

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

- Financial process rectification.
- Decisions made to address financial pressures and implementing new projects that are not informed by robust data and evidence.
- Adequate workforce planning.
- The next Pension fund re-valuation which will impact 2026/7 figures.

**3.44 The core risks of implementation**

- Any savings proposal must pass the S151 Officers tests for robustness and delivery. If items are not deliverable or amounts not obtainable, they cannot be included.
- Implementation of savings to time and budget – there must be full implementation processes documented to ensure implementation within timescales.
- Non delivery is a high risk - Savings tracking and ensuring implementation happens based on the plans and the assumptions will become part of the Council's core processes
- Loss of key personnel will be crucial in a number of proposals and mitigation plans will need to be drawn up
- Change of corporate direction/priorities

**Robustness Statement**

3.45 For Tranche 1, the opinion of the Interim Director of Finance is that the 2024/25 budget estimates contain considerable risk due to the level of uncertainty in the Council's operating environment, making it problematic to develop meaningful assumptions.

3.46 The revenue budget and capital programme have been formulated having regard to several factors including:

- Funding Available.
- Inflation.
- Risks and Uncertainties.
- Priorities.
- Service Pressures.
- Commercial Opportunities.
- Operating in a Post C-19 environment.

3.47 The MTFP highlights that the current financial position is untenable without some form of intervention. Whilst a balanced budget for 2023/24 was approved with the use of reserves and balances in February 2023, the Council is currently forecasting a £0.3m overspend in 2023/24 due to the additional demands placed on it due to the provisional pay award, which in turn is utilising reserves balances to fund these pressures.

3.48 Given all the uncertainty which encapsulates this MTFP, the assumptions have been based on the best available information to the Council at this time.

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024**

Work will continue in validating all assumptions, robustly challenging estimates, ensuring the delivery of existing saving plans. Updates will be included in Tranche 2 of the MTFs and balanced budget setting process.

**Tranche 1 Feedback**

- 3.49 Tranche One is the first Phase of the 2024/25 budget process. The proposals are set out in Appendix C of the Savings Proposal Document. A feedback section is included at the end of that document. Any feedback can then be reported. The draft consultation timetable is in Table 5.

Savings Proposals and MTFP Published	24 <sup>th</sup> October 2023
Budget Scrutiny Committee	30 <sup>th</sup> October 2023
Executive	31 <sup>st</sup> October 2023
Feedback Closing Date	4 <sup>th</sup> December 2023
Executive	9 <sup>th</sup> January 2023
Council	29 <sup>th</sup> January 2024

**Table 8 Consultation Timetable**

- 3.49 Hard copies of the Savings Proposal Document (Appendix A) can be available on request. The Savings Proposal Document will be published on the website and internal intranet (Orb) for residents, businesses and staff to view and provide responses via an online survey. The Council has raised awareness of the budget proposals via use of social media.

**4. IMPLICATIONS****Financial Implications**

- 4.1 Financial implications are set out in section 3.

**Legal Implications**

- 4.2 A number of statutes governing the provision of services covered by this report contain express powers or duties to charge for services. Where an express power to charge does not exist the Council has the power under Section 111 of the Local Government Act 1972 to charge where the activity is incidental or conducive to or calculated to facilitate the Council's statutory function.

**Service / Operational Implications**

- 4.3 Monitoring will be undertaken to ensure that income targets are achieved.

**REDDITCH BOROUGH COUNCIL****EXECUTIVE COMMITTEE****9<sup>th</sup> January 2024****Customer / Equalities and Diversity Implications**

- 4.4 The implementation of the revised fees and charges will be notified in advance to the customer to ensure that all users are aware of the new charges and any concessions available to them.
- 4.5 Initial Equalities Impact Assessments will be taken where required.

**5. RISK MANAGEMENT**

- 5.1 There is a risk that if fees and charges are not increased that income levels will not be achieved, and the cost of services will increase. This is mitigated by managers reviewing their fees and charges annually.

**6. APPENDICES**

Appendix A – Savings Proposal Document  
Appendix B – Possible Savings Areas  
Appendix C – Fees and Charges by Service  
Appendix D - Reserves  
Appendix E – Existing Capital Programme

**6. BACKGROUND PAPERS**

None.

**7. KEY**

None





# Overview and Scrutiny Committee

---

Thursday, 30th November,  
2023

## MINUTES

### Present:

Councillor Sid Khan (Chair), Councillor Sharon Harvey (Vice-Chair) and Councillors Imran Altaf, Karen Ashley, Joanna Kane, Emma Marshall, Jane Spilsbury and Juma Begum (substitute)

### Officers:

Sue Hanley, Judith Willis and Bev Houghton

### Democratic Services Officers:

M Sliwinski

#### 44. APOLOGIES AND NAMED SUBSTITUTES

Apologies for absence were received from Councillors Holz and Stringfellow. Councillor Begum attended the meeting as a named substitute for Councillor Stringfellow.

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

There were no declarations of interest nor of party whip.

#### 46. MINUTES

The minutes of the meeting of Overview and Scrutiny Committee held on 26<sup>th</sup> October 2023 were submitted for Members' consideration.

#### RESOLVED that

**the Minutes of the Overview and Scrutiny Committee meeting held on 26<sup>th</sup> October 2023 be approved as a true record and signed by the Chair.**

#### 47. PUBLIC SPEAKING

Chair

# Overview and Scrutiny Committee

---

Thursday, 30th November, 2023

There were no public speakers on this occasion.

**48. PRE-DECISION SCRUTINY - PROPOSAL FOR A PUBLIC SPACE PROTECTION ORDER (PSPO) IN REDDITCH TOWN CENTRE**

The Community Safety Manager presented a report which detailed a proposal to introduce a Public Space Protection Order (PSPO) in Redditch Town Centre.

The Committee was advised that the report detailed the proposed wording of the order, the geographic location in which the PSPO would apply and the data that had informed the proposal. Partner organisations, including West Mercia Police, had been consulted and an equality impact assessment had been undertaken. The proposed PSPO had the support of the West Mercia Police and Crime Commissioner (PCC) and would help to tackle anti-social behaviour (ASB) in the town centre.

The Committee was informed that risks associated with the introduction of PSPO included the risk that public expectations would be raised by the Order, which agencies might not be able to meet. To this effect, it was explained that discussions had been held and would continue with the Police Safer Neighbourhood Teams (SNT) who were the primary agency for enforcement of the Order. The impact and effectiveness of the PSPO would also be monitored via the Town Centre Operational Group and Safer Redditch, where any issues or adjustments would be discussed as part of a multi-agency problem solving approach.

Another risk arising from the Order was that the introduction of a PSPO could displace ASB perpetrators to more residential locations outside of the proposed restricted area. This issue had been considered by the operational group and discussions had been held with support agencies and local charities to identify alternative, more appropriate spaces that people affected by the order could be directed toward. The proposed restricted area follows the footprint of previous Designated Public Places Orders (DPPO) and PSPOs and historically there had been no reported increases of ASB in residential areas as a result of an Order being in place.

Once the report had been presented, Members discussed the following points in detail:

- Impact of PSPO on licensed activities in the town centre - It was explained that PSPO did not impact on licensed activities as these were two separate sets of legislation and

# Overview and Scrutiny Committee

---

Thursday, 30th November, 2023

requirements. The PSPO enabled an early intervention action to be taken if somebody engages in anti-social behaviour (ASB) as a result of attending an event, however, the restrictions and guidance on PSPO specifically exclude any licensed premise or licensed activity.

- PSPO and restriction on drinking in public spaces – It was explained that the PSPO would not make it illegal to drink alcohol within the boundary of a licensed premise. It only related to a public space so if a person was drinking outside of the boundary of the licensed premise and begins to commit ASB, and do not comply with the requests of the authorised officer, then they could be at risk of enforcement action. It was noted that PSPO also did not make it illegal to carry or drink alcohol in a public space, as long as someone was drinking responsibly and not affecting other users of the space.
- Gating of the alleyways in the Town Centre – It was noted that the gating of alleyways within Church Green Conservation Area had been considered with the informal conversations with businesses in that area revealing they were in favour of a key or a numbered lock access to the alleyway rather than permanent closure. However, due to legal considerations around liability and timescales for proceeding with PSPO proposal, it was decided not to take action with regards to the gating order for the time being. It is expected that the PSPO alongside current restrictions would resolve the majority of the ASB problems in the alleyways area. However, if the risks in those locations persisted after the introduction of PSPO, the Council would revisit the process.
- Feedback on recent use of a 48 hour dispersal order in Redditch – Officers explained that this was a power available to the police, which could be implemented by the district inspector. It was noted that the recent use of a 48-hour dispersal order was as a result of significant concern around anti-social behaviour in the area around Unicorn Hill and the train station, and with this in mind, it was the district inspector's decision to implement that dispersal order. It was noted that a PSPO, if agreed for implementation, would eliminate the need for issuing temporary dispersal orders as similar powers were available to the Police under the PSPO as under the dispersal order.
- Dispersal locations for repeat ASB offenders in the proposed PSPO area – It was noted as mentioned in the presentation that there was a risk that ASB perpetrators could be dispersed to other locations as a result of PSPO. Conversations were being undertaken with the Ecumenical

# Overview and Scrutiny Committee

---

Thursday, 30th November, 2023

Centre in Redditch, as well as the providers of Council commissioned services, to provide support services, engage with the offenders and direct them to more appropriate spaces. It was noted that it was a relatively small core group of people which were causing ASB issues within the area of the proposed PSPO and who were mostly known to the statutory agencies. The Order was around behaviours and, if ASB problems persisted, enforcement action would be taken against offenders. However, it was a staged approach whereby there was an educational and support offer in the first instance.

- Data around ASB in the Town Centre – It was reported that currently Tuesday afternoons and Friday evenings/Saturday mornings were the times of the week with higher reported anti-social behaviour. Currently, it was difficult for the analyst team to find reasons as to why Tuesdays afternoons saw a higher incidence of ASB.
- Concerns about the ability of the Police to enforce PSPO – It was noted that one of the responses to the Redditch Borough Council's consultation on the PSPO detailed the difficulties that Shropshire Council was having with the enforcement and administration of their PSPO in Shrewsbury town centre. It was commented that the response details how despite notices being issued under the PSPO, very few were being prosecuted in Shropshire. Officers responded that the response in part alluded to the specific difficulties experienced in Shropshire, however, Members were assured that significant conversations had taken place within the Council's Safer Neighbourhood Team and with the Police. It was believed that in Redditch the PSPO would significantly reduce the restrictions around enforcement and prosecution and would enable agencies to intervene much earlier and take action to reduce likelihood of significant harm incidents taking place. The Community Safety Manager added that colleagues at Shropshire Council would be contacted for their feedback.
- It was clarified that at the moment, if implemented, only Police Officers would have the power to enforce under PSPO. However, the Order provided for specific Council officers to be granted enforcement powers if authorised by the Council. It was noted that there would be discussions with senior officers and Members as to whether that becomes necessary at the review stage of the PSPO.
- It was highlighted that PSPO would not criminalise young people socialising or spending time in larger groups in the Town Centre. The PSPO was targeted at behaviours and would criminalise people from drinking and then causing

# Overview and Scrutiny Committee

Thursday, 30th November, 2023

---

ASB nuisance and would also enable Police Officers to enforce against possession and use of Psychoactive Substances, for example Nitrous Oxide.

- Potential for changing the boundaries (or expanding) the PSPO zone – It was explained that any changes to the PSPO boundary would require a review of the existing PSPO. The proposed PSPO, if accepted, would come in place for a period of three years but there was an option to review at any time within that period. The review process would require any boundary change proposals to go through public consultation and through the committee process.
- Members expressed concern with the possible levels of Police attendance to ASB events and hoped that this would improve considerably with the introduction of the PSPO in the Town Centre. It was asked that feedback on the enforcement of the proposed PSPO order be shared at next year's meeting of the Crime and Disorder Scrutiny Panel.

## **RECOMMENDED that**

**a Public Space Protection Order to restrict Antisocial Behaviour related to Alcohol and Misuse of Psychoactive Substances be implemented.**

### **49. UPDATE ON THE CRIME AND DISORDER SCRUTINY PANEL 2023-24 (VERBAL UPDATE)**

The Chair of the Crime and Disorder Scrutiny Panel, Councillor Kane, provided an update on the 2023-24 meeting of the Panel which took place on 1<sup>st</sup> November 2023, where the Panel received a detailed presentation on the work of the North Worcestershire Community Safety Partnership (NWCSP).

The Chair of the Panel summarised the main points discussed at the 1<sup>st</sup> November meeting:

- The role of the NWCSP and the NWCSP Plan 2021-24, which was refreshed annually and was now in its last year. A new community safety action plan would be developed for 2024-27.
- NWCSP focused on four priorities - Reducing Violence and Abuse; Reducing Theft and Acquisitive Crime; Reducing Anti-Social Behaviour, Damage and Nuisance; and Protecting Vulnerable Communities. Alongside these there were two cross cutting themes that had an impact across the priority areas, namely reducing the harm caused by drug and alcohol misuse and reducing reoffending.

# Overview and Scrutiny Committee

---

Thursday, 30th November, 2023

- The NWCSP had been allocated an annual ring-fenced budget from the West Mercia Police and Crime Commissioner (PCC) of £139,250.
- Since 2017, the West Mercia Police and Crime Commissioner (PCC) had been allocating significant funding as part of its CCTV Capital Fund across the West Mercia Force area, including Redditch. The NWCSP used its funding allocation to upgrade and enhance the CCTV scheme across its area. However, no further CCTV capital funding for 2023-24 would be provided as the funding priorities of the PCC had now changed.
- The role and setup of the Community Safety Team within the Council was explained including that it was a small team which received calls for advice and support from numerous sources. In September 2022 to August 2023 (inclusive) the Team received 19 requests from Residents, 13 from Elected Members, 24 from Partner Agencies, and 52 Requests from Internal Service with most requests relating to domestic violence, multi-agency risk assessment conference (MARAC) and sanctuary queries including home security assessment.
- The details of community safety programmes and schemes delivered by NWCSP in 2022-23 were shared with Members of the Crime and Disorder Scrutiny Panel. The Chair noted that the Panel was impressed by the range of work carried out by the Community Safety Team and the wider Partnership.
- It was highlighted that within Redditch Council there were two fully qualified Designing Out Crime Officers (DOCOs) who provided specialist advice and guidance as it pertains to the built environment.
- The Chair commented that the Panel felt there should be more promotion of NWCSP among elected members, officers and the public. At the meeting, Officers stated that there was a plan to address this through more regular briefings about its work, including to the service managers across the Council.

The Chair further reported that at the Panel meeting of 1<sup>st</sup> November 2023, the topic of County Lines Drug Activity and prevention strategies used by regional and local agencies was considered. A detailed presentation was given on County Lines and the Chair noted that what was particularly important to note on County Lines was that these criminals operated like a business with a psychological element whereby 'employees' at the bottom of the operation would be threatened with violence and become too afraid to report. It was noted that county lines gangs were also shifting their tactics, for example, with the gangs now more often targeting

# Overview and Scrutiny Committee

---

Thursday, 30th November, 2023

young people from relatively affluent areas/neighbourhoods than was the case before.

Following the update provided by Councillor Kane, the Committee discussed the topics covered in the update in detail as follows:

- Tactics used by County Lines gangs – Members commented that anecdotal evidence showed that a common tactic used by county lines criminals was buying / giving young people disposable vapes to carry favour and make young people feel they owe a favour. It was noted that it was a simple, inexpensive way of targeting young people and getting them ‘on the side’ of criminals.
- Officers noted that the issue also extended to premises selling vapes to underage users, with such premises potentially acting to facilitate organised crime. This had been raised through and monitored by the County Council’s trading standards and the multi-agency targeted enforcement group.
- Work of schools to inform children and young people of tactics used by county lines gangs – It was noted that schools had a key role in acting as the first line of defence against young people becoming involved in county lines and other criminal activity. Pupils were informed about how to avoid getting involved in those activities through regular school assemblies and these topics were covered in PHSE curriculum. In addition, pastoral departments in schools provided the opportunity for young people to raise any concerns directly with staff and involve agencies if necessary.
- The Respect Programme – this programme delivered bespoke one-to-one mentoring, classroom sessions and whole school assemblies. It was explained that this programme had now been operating for more than 10 years and was a mentoring programme tailored particularly to young people referred to the scheme as being at risk of becoming victims or perpetrators of crime. It was a tiered approach, so as part of the programme, if requested or referred, the programme’s qualified mentors and youth workers would deliver presentations in schools on particular subjects as requested by the school. It was highlighted that this was a scheme specific to Redditch and Bromsgrove and because of the nature of information shared the training and mentoring had to be provided by appropriately trained professionals.
- It was commented that county lines was a cross boundary issue, and as such it was imperative that agencies worked

# Overview and Scrutiny Committee

---

Thursday, 30th November, 2023

collaboratively and shared information across administrative boundaries in a timely and effective manner.

- Sharing resources on crime and county lines prevention in ward surgeries – It was noted that the Community Safety Team would soon be updating its promotional materials and leaflets, and these would be shared with Members.

## **RESOLVED that**

**The Crime and Disorder Scrutiny Panel Update be noted.**

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

It was requested that the following item be added to the work programme of the Budget Scrutiny Working Group (a sub-committee of Overview and Scrutiny):

- Finance and Performance Monitoring Outturn Report 2023/24

**RESOLVED that the Overview and Scrutiny Work Programme be updated with items from the Executive Committee's Work Programme as detailed in the preamble above.**

### **51. OVERVIEW AND SCRUTINY WORK PROGRAMME**

It was requested that the following overview item be added to the Overview and Scrutiny Committee Work Programme:

- Disabled facilities grants (DFG) – a report highlighting obstacles that the Borough Council faces in spending the grant, how these obstacles could be removed, and how the grant had been spent by the Council over the last few years.

**RESOLVED that subject to changes detailed in the preamble above the Overview and Scrutiny Committee's Work Programme be noted.**

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

Updates on the Task Groups and Working groups were provided as follows:



# Overview and Scrutiny Committee

---

Thursday, 30th November, 2023

a) Budget Scrutiny Working Group, Chair, Councillor Kane

Councillor Kane reported on the meeting of Budget Scrutiny Working Group which took place on 30<sup>th</sup> October 2023 and noted that main concerns voiced at that meeting concerned the Council's capital programme and the potential strains on the Council's capital project budgets, and budgetary pressures within the Medium Term Financial Plan process.

Councillor Kane reported that another meeting of Budget Scrutiny Working Group took place on 29<sup>th</sup> November 2023 at which the following recommendations to the Executive Committee had been proposed in respect of the Finance and Performance Quarter 2 Report 2023/24:

Recommendation 1: *"That the Executive Committee ask for an officer report that provides a model of the financial implications of an unusually high demand for emergency housing support."*

Recommendation 2: *"That, referring to the Strategic and Operational Performance measures stated in Appendix F of the Report (subsection Work and Financial Independence), it be recommended to the Executive Committee that they examine the Essex / Preston models that link skills to Procurement."*

During discussion of the Budget Scrutiny meetings, Members expressed concern about temporary accommodation, particularly the availability of suitable accommodation and the need to reduce the number of residents that needed to be housed in bed and breakfast accommodation over the longer term. It was requested that up-to-date data on the number of residents currently in Council's temporary accommodation, including the breakdown of the trend over the recent weeks on people housed by each type of temporary accommodation, including bed and breakfast accommodation, be provided to Members. Officers undertook to provide this information.

Members also discussed the importance of social value within procurement and how the Council could look towards other procurement models (Essex / Preston) models with regard to how the Council could promote social value.

On being put to the vote, the recommendations made at the meeting of Budget Scrutiny Working Group of 29<sup>th</sup> November 2023 were endorsed by the Overview and Scrutiny Committee, subject to the slight changes of wording as reflected in the recommendation statement below:

# Overview and Scrutiny Committee

---

Thursday, 30th November, 2023

Recommendation 1: That the Executive Committee ask for an officer report that provides a model of the financial implications of an unusually high demand for emergency housing and temporary accommodation support.

Recommendation 2: That, referring to the Strategic and Operational Performance measures in Appendix F of the Report (subsection Work and Financial Independence), it be recommended to the Executive Committee that they examine the Essex / Preston models that link skills and developments to social value within Procurement

- b) Performance Scrutiny Working Group – Chair, Councillor Holz

Councillor Holz reported that the meeting which was due to take place on 4<sup>th</sup> December 2023 had been cancelled and the next meeting was now due to take place on 8<sup>th</sup> January 2024.

- c) Fly Tipping and Bulky Waste Task Group – Chair, Councillor Khan

Councillor Khan reported that there had been no meetings of the Task Group since the previous meeting of the Overview and Scrutiny Committee. The next meeting was due to take place on 12<sup>th</sup> December 2023 and data and actions requested in preparation for that meeting were being provided by Officers.

## RECOMMENDED

- 1) **That the Executive Committee ask for an officer report that provides a model of the financial implications of an unusually high demand for emergency housing and temporary accommodation support; and**
- 2) **That, referring to the Strategic and Operational Performance measures in Appendix F of the Report (subsection Work and Financial Independence), it be recommended to the Executive Committee that they examine the Essex / Preston models that link skills and developments to social value within Procurement.**

## 53. EXTERNAL SCRUTINY BODIES - UPDATE REPORTS

Councillor Marshall had submitted written reports on the following meetings of external scrutiny bodies she attended:

# Overview and Scrutiny Committee

---

Thursday, 30th November, 2023

- West Midlands Combined Authority Overview and Scrutiny Committee – 19<sup>th</sup> October 2023
- West Midlands Combined Authority Transport Delivery Overview and Scrutiny – 30<sup>th</sup> October 2023
- Worcestershire Health Overview & Scrutiny Committee – 13<sup>th</sup> November 2023.

The Committee thanked Councillor Marshall for providing comprehensive reports from the meetings of these external bodies.

**RESOLVED that**

**the External Scrutiny Bodies updates be noted.**

The Meeting commenced at 6.30 pm  
and closed at 8.02 pm

This page is intentionally left blank

**Executive Committee**  
20249<sup>th</sup> January**Report title: Disposal of land at former Upper Norgrove House, Church Road, Webheath, Redditch**

Relevant Portfolio Holder	Councillor M. Dormer
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton – Head of Legal, Democratic and Property Services Pete Carpenter – Executive Director of Finance and Resources
Report Author	Job Title: Head of Legal, Democratic and Property Services Contact email:c.felton@bromsgroveandredditch.gov.uk
Wards Affected	West
Ward Councillor(s) consulted	Yes – The ward councillors both serve on the Executive Committee
Relevant Strategic Purpose(s)	Finding Somewhere to Live
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	
This report contains exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, as amended	

**1. RECOMMENDATIONS****The Executive Committee is asked to RECOMMEND that:-**

- 1) The Council disposes of the above site to Bloor Homes Ltd on the basis of the offer received as described in Appendix 1 to this report.**
- 2) Authority be delegated to the Head of Legal Democratic and Property Services and the Section 151 Officer to implement the disposal**

**2. BACKGROUND**

- 2.1 The site was allocated for housing in the Redditch Borough Council Local Plan adopted on 30 January 2017 and to deliver 400 - 600 houses within the Plan period to 2030.

In 2019 there was a further report to update Members on proposals for the development of the Council's site at Upper Norgrove House. This

**Executive Committee**  
20249<sup>th</sup> January

---

sought approval for the proposed development of the site in partnership with adjacent landowners, who have expressed interest in developing their sites with the Council and also sought delegated authority to enter into partnership agreements with them to implement the proposal as approved.

Subsequently a report was taken to Executive Committee on 13<sup>th</sup> July 2021, which recommended that the surplus land at the former Upper Norgrove House be disposed of on the open market and that negotiations should commence to consider a joint disposal/development with the neighbouring landowner.

However, the neighbouring landowner was subsequently unwilling to enter into a joint marketing scheme with the Council and, as the Council had formally declared the site surplus, an exercise was undertaken to market the Council's land as a standalone development opportunity.

- 2.3 Accordingly the Council has undertaken two marketing exercises with independent agents to ensure that best value for the land can be achieved. Offers for the site were received in November 2023 via agents Thomas Lister, details of which are included in Appendix 1 (Invitation to Tender – Review of Bids Received) and it is recommended that the Council proceeds with the offer from Bloor Homes Ltd which is unconditional except for planning and is not dependent entering into a deal with the neighbouring landowner.

**3. FINANCIAL IMPLICATIONS**

- 3.1 It should be noted that advice has been obtained from independent agents in order to ensure that the Council can secure best value for money. Further information about this can be found in Appendix 1.
- 3.2 Members are asked to note that any proceeds from the sale will be a capital receipt. This capital receipt will have a General Fund and HRA element. The General Fund element will be allocated to an earmarked reserve which will be used for funding capital changes taking place to the Town Hall. The use of the capital receipt in this way is referenced in the Town Hall Hub report paragraph 4.2 in October 2022.

**4. LEGAL IMPLICATIONS**

- 4.1 The terms of sale have been validated by independent agents Thomas Lister to ensure that the Council meets its requirements under the provisions of Section 123 of the Local Government Act 1972 not to

**Executive Committee**  
20249<sup>th</sup> January

---

dispose of land for a consideration less than can be reasonably obtained.

**5. STRATEGIC PURPOSES - IMPLICATIONS****Relevant Strategic Purpose**

- 5.1 The proposals detailed in this report support the strategic purpose Finding Somewhere to Live, as there is the potential in the long-term that the proposed action will result in much needed housing development within the Borough.

**Climate Change Implications**

- 5.2 None as a direct result of this report

**6. OTHER IMPLICATIONS****Equalities and Diversity Implications**

- 6.1 None as a direct result of this report

**Executive Committee  
2024**9<sup>th</sup> January**Operational Implications**

6.2 None have been identified.

**7. RISK MANAGEMENT**

7.1 Members will be aware that this site has been vacant for some considerable time and that the Local Plan identifies it as being an appropriate development site for the provisions of housing.

**8. APPENDICES and BACKGROUND PAPERS**

Appendix 1 – Invitation to Tender – Review of Bids Received dated 17.11.23 (This advice is exempt as it relates to the financial or business affairs of any particular person (including the authority holding that information)).

**Background Papers:**

Upper Norgrove House – Initial Options Appraisal – report to the Executive Committee considered at a meeting held on 23<sup>rd</sup> July 2008.

Upper Norgrove Site, Webheath – Development of Land – report to the Executive Committee considered at a meeting held on 11<sup>th</sup> June 2019.

Upper Norgrove Site, Webheath – Report to Executive Committee dated 13<sup>th</sup> July 2021.

**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder		
Lead Director / Head of Service		
Financial Services		
Legal Services		



**Executive Committee**  
2024

9<sup>th</sup> January

---

--	--	--

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

REDDITCH BOROUGH COUNCIL**Executive Committee**  
20239<sup>th</sup> January**Planning & Environmental Enforcement Business Case**

Relevant Portfolio Holder	Lucy Harrison/ Brandon Clayton/ Matthew Dormer
Portfolio Holder Consulted	No
Relevant Head of Service	Simon Wilkes, Guy Revans, Ruth Bamford
Report Author	Job Title: Head of Planning, Regeneration and Leisure Services Contact: Ruth Bamford email: r.bamford@bromsgroveandredditch.gov.uk
Wards Affected	All
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	Communities that are safe, well maintained and green
Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	
This report contains exempt information as defined in Paragraph 4 of Part I of Schedule 12A to the Local Government Act 1972, as amended	

**1. RECOMMENDATIONS**

The Executive Committee is asked to **RECOMMEND** that:-

- 1) **The Business case be pursued with the intention to bring together the enforcement functions within Environmental Services and Planning and associated current budget (as identified in Table 6 of Appendix 1) within the Shared Regulatory Service provided by WRS.**
- 2) **An additional £23,400 annually be agreed to fund the service to meet the level of demand in Planning Enforcement.**
- 3) **An additional £15,260 be agreed to fund 1.6 FTE additional (Grade 6) resource to support the work in tackling the backlog of Planning Enforcement cases each year for the next two years only.**
- 4) **An additional £7,537.50 be agreed to fund 0.25 FTE additional (Grade 4) resource for the customer service resource element of fly-tipping, littering and enviro-crime.**

**Executive Committee**9<sup>th</sup> January2023

---

- 5) **An additional £21,650 be agreed to fund 0.5 FTE additional (Grade 6) resource to support the work on enforcement of fly-tipping, littering and enviro-crime.**

**2. BACKGROUND**

- 2.1 A business case [Appendix 1] was prepared to consider the benefit in bringing together enforcement functions from Bromsgrove and Redditch Council services with those already within WRS to deliver a quality service to all customers. The intention was to identify where service delivery could be improved through prioritisation, standardisation and resilience.
- 2.2 Weaknesses were identified in the current delivery model and the business case explores possible alternatives.
- 2.3 This report was previously listed for the October Executive and was deferred for an opportunity for liaison with Bromsgrove District Council and to consider the budget implications alongside other demands.

**3. OPERATIONAL ISSUES**

- 3.1 The Business Case provides an overview of the enforcement activity across all services of Bromsgrove and Redditch Councils, including shared services. Planning, Environmental Services and Housing are the obvious areas with enforcement functions to consider. The difficulties in maintaining a viable enforcement service for each subject area is discussed and identifies that knowledge, skills and wider supporting mechanisms are in general difficult to provide for isolated teams or individuals.
- 3.2 With reference to the relevant priorities of the Councils, the objectives of the business case are to target enforcement using an intelligence led approach with proportionate use of resources and improved service standards. Recognising the risk to the authorities in getting enforcement wrong, both reputationally and financially the business case seeks to deliver a strong service with efficiencies.
- 3.3 Critical success factors have been developed from the objectives to encourage non-offending behaviours, delivery of successful enforcement, a consistent level of service, optimisation of resources and financial efficiency. Four plausible scenarios are considered further: continuing with the existing arrangements; grouping the enforcement roles into one team within the Councils; or alternatively grouping them within WRS; and a fourth scenario with associated call handling also grouped together in WRS. This last option would enable full triaging, together with the ability to resolve at 'first point of contact' and was

**Executive Committee**  
20239<sup>th</sup> January

---

identified as the best following the cost benefit assessment and risk analysis.

- 3.4 The commercial case goes on to identify how the mechanisms of governance could be delivered through the WRS Joint Board, service standards set out in the Statement of Partner Requirements and how the WRS performance indicators could be enhanced to include enforcement activity as a key component.
- 3.5 As this business case involves only two of the WRS partner authorities it is important to minimise cross subsidisation by the wider WRS budget and how that will be achieved is set out in the financial case which also sets out how the wider benefits of utilising WRS support structures could still be realised. It is important to recognise that the business case assumes that both Redditch and Bromsgrove Councils would endorse the approach.
- 3.6 The service areas of 'enviro-crime' and planning enforcement have also been considered in relation to resource allocation. There is a disparity between the current 'allocated' budget for planning enforcement compared with the actual spend on delivery of the service due to backlogs of case work and increased demand and public expectations. This is discussed further in the business case but represents an annual £23,400 shortfall in salary budget (for Redditch) and is set out as an option to invest in the service to meet the current demand as recommendation 2.
- 3.7 Additionally in Environmental Services the customer service element of the service is split amongst numerous roles and cannot easily be extracted from the current service budget. An additional investment would be required to enable the key triaging element to be included in this business case.
- 3.8 The business case benefits as is presented assumes a level of resource to be transferred to WRS includes that required to meet the current level of Planning Enforcement demand (recommendation 2) and an investment in customer service resource (recommendation 4) which cannot easily be transferred to realise the benefits and level of service expected.
- 3.9 Also considered in detail within the business case, for planning enforcement there is a back log of cases which is causing additional delays. The backlog has been caused by barriers to investigation of cases during the last few years but also by the weaknesses identified. Currently there is a caseload of 254 open enforcement cases (across Redditch and Bromsgrove) with 24% waiting for the initial site visit. The

**Executive Committee**  
20239<sup>th</sup> January

---

combined Redditch and Bromsgrove budgeted resource of roughly 3 FTE would not be able to manage this case load, and the currently employed resource of 5.5 FTE is making progress with the cases but understandably there is frustration raised by residents at the delays in the investigation process. An additional resource option is provided as recommendation 3.

- 3.10 Recommendation 3 includes the annual costs associated with an additional 2 officers for a fixed term of two years to reduce the backlog and delays in investigation experienced by residents.
- 3.11 The 'enviro-crimes' of fly-tipping, littering and dog fouling are recognised as key concerns for the Council which are supported by the Strategic Purposes (Communities which are safe, well maintained and green) but also by the Council Priorities of reducing crime and disorder and high-quality services. As such, it is recognised that an emphasis on proactive engagement and promotion of responsible behaviours is essential to compliment the enforcement deterrent. Consequently, an option to provide additional resource to support this work is provided as recommendation 5.
- 3.12 For Enviro-crime work any increase in funding would enable an enhanced proactive approach to be taken to influence behaviour through targeted communication and publicity following tactical and strategic assessment to identify nominals, patterns and trends which would benefit from such an approach. This could be 'boots and posters on the ground' to provide a visual presence in an area with particular littering issues or a proactive digital monitoring campaign to identify possible offenders who are likely to be fly-tipping, as examples.

**4. FINANCIAL IMPLICATIONS**

- 4.1 The business case considers the financial implications of the proposal and includes consideration to fund additional enhancements.
- 4.2 The current salary budget for the enforcement roles covered by the business case in Bromsgrove District Council is £152,230 plus supporting costs (training and supplies). This is included within recommendation 1.
- 4.3 The actual salary spend for the enforcement roles covered by the business case in Bromsgrove District Council is £241,700 plus supporting costs (training and supplies). The business case viability is based on this level of salary budget. Recommendation 2 if agreed would fund this level of service.



**Executive Committee**  
20239<sup>th</sup> January

---

4.4 Recommendation 3 includes costs to fund 2 additional full-time equivalents to resolve the backlog of planning enforcement cases over a two-year period.

4.5 Recommendation 4 includes costs to fund an additional full-time equivalent to provide an increased level of activity on enviro-crime enforcement.

**5. LEGAL IMPLICATIONS**

5.1 There are no significant legal implications other than the ability to provide a consistent and intelligence led approach to tackling enforcement matters by a dedicated trained team.

**6. OTHER - IMPLICATIONS****Relevant Strategic Purpose**

6.1 The proposed action supports the Council's strategic purpose of 'Communities which are safe, well-maintained and green' by providing a service that uses intelligence to prioritise proactive engagement and enforcement where the most significant harm is likely or has been identified in a proportionate and effective way. An effective enforcement function should act as a deterrent to reduce crime and disorder.

**Climate Change Implications**

6.2 The proposal doesn't have any specific climate change impact.

**Equalities and Diversity Implications**

6.3 There are no anticipated equalities implications to the proposal.

**7. RISK MANAGEMENT**

7.1 Recognising the risk to the authority in getting enforcement wrong, both reputationally and financially the business case seeks to deliver a strong service with efficiencies and this report provides options to increase the budget to reduce the harm and reputational damage caused by delayed enforcement.

7.2 The Business case includes a risk assessment of the short-listed options in Table 4.

**8. APPENDICES and BACKGROUND PAPERS**

**Executive Committee**  
2023

9<sup>th</sup> January

---

Appendix 1 – Strategic Outline Business Case: Shared Regulatory Enforcement Service [Exempt item]

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

**REDDITCH BOROUGH COUNCIL****Executive 9<sup>th</sup> January 2024****Appointment of Design Team and Project Managers – Towns Fund Schemes**

Relevant Portfolio Holder	Councillor Dormer
Portfolio Holder Consulted	Yes
Relevant Head of Service	Pete Carpenter – Interim Director of Finance
Report Author Peter Carpenter	Job Title: Interim S151 Officer Contact Pete Carpenter email: peter.carpenter@bromsgroveandredditch.gov.uk Contact Tel:
Wards Affected	All
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	Aspiration, work and financial independence
Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	
This report contains exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, as amended	

**1. SUMMARY**

This report sets out the results of a tender process to appoint contractors to Design and deliver Project Management expertise to the Digital Manufacturing and Innovation Centre (DMIC) and Project Management expertise to the New Town Square Towns Fund Initiatives.

**2. RECOMMENDATIONS**

**Executive is asked to approve:**

- That AHR are approved as the Design contractor for the DMIC following a tender process.
- That Gardiner and Theobald are approved as Project Managers for the DMIC and the New Town Square projects following a tender process.

**3. KEY ISSUES****Background**

3.1 The Council was successful in applying for Towns Funding from DLUHC for regeneration purposes in 2022. Overall the bid contained three projects

- A Digital Manufacturing and Innovation Centre on the existing central Police Station site.

**REDDITCH BOROUGH COUNCIL****Executive 9<sup>th</sup> January 2024**

- A new Town Square on the existing Library site.
- Improvements to Public Realm, delivered by the County Council, around Church walk and next to the Kingfisher Centre.

Total Grant funding of £15.2m has been approved by DLUHC for these purposes and this needs to be spent by 31<sup>st</sup> March 2026.

- 3.2 A report went to Executive on the 28<sup>th</sup> June in respect of Town Centre Regeneration Business Cases. The business cases that had been submitted for the Executive Committee's consideration had been drafted by external consultants, Mott MacDonald. Based on the company's assessment, Members were advised that it was anticipated that the proposals for the Digital Manufacturing and Innovation Centre would be over budget by approximately £2 million. Similarly, the estimated costs for the public realm works were likely to be over budget, although there were actions that could be taken to address this, including through use of funding from other sources to cover the total costs.
- 3.3 Discussions had been held with representatives of the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) and, like other members of the LEP, the Council was eligible to bid for up to £1.5 million to help bridge the financial gap in this instance. There was also the potential for the Council to bid for grant funding from other external sources. In this context, the Interim Section 151 Officer was proposing that the Council should submit a bid to the GBSLEP to help fund the difference. Over the last month access to this funding has been made easier via a MOU across the 8 constituent members.
- 3.4 The meeting concluded that the two business cases, in respect of the Digital Manufacturing and Innovation Centre and the Public Realm works are endorsed and used to present summary information for submission to the Department for Levelling Up, Housing and Communities on the 29th June 2022.
- 3.5 At a further meeting on the 11<sup>th</sup> October, the Executive considered the New Town Square redevelopment. Officers were proposing that there should be a public plaza and a pavilion in Redditch town centre. The pavilion would consist of three floors, comprising a ground floor dedicated to food and beverage and the other two floors used for office space. The proposal was for the library, subject to the outcomes of public consultation and decisions taken by Worcestershire County Council, to be relocated to a community hub, which was subject to consideration as part of the review of the Town Hall Hub.
- 3.6 The meeting resolved that the Redditch TIP Library Redevelopment business case be endorsed and used to present summary information for submission to the Department for Levelling Up Housing and Communities on the 14th October 2022.

**REDDITCH BOROUGH COUNCIL****Executive 9<sup>th</sup> January 2024**

- 3.7 The Council asked for expressions of Interest through the Procure Partnerships Framework for the Multi discipline Design for the DMIC. There were three applicants:
- AHR
  - Austin Smith Lord
  - Ellis Williams
- 3.8 Tenders were evaluated on a ratio of 70% Quality and 30% price. Of the 70% quality evaluation:
- 30% was weighted to the Design Team Selection and Relevent Experience
  - 22% was weighthd to Building Services, Pre- Construction Management, and Cost ManagementAHR had a weightred score of
  - 18% was weighted to Stakeholder Management, Environmental Sustainability, and Social Value
- 3.9 The results of the tender process and assocaiated comments are set out in Appendix A. Overall, AHR had a weighted score of 79.90%, Ellis Williams 76.00%, and Austin Smith Lord 74.39%. The cost ranges were £658k up to 758k
- 3.10 A similar process was run through Procure Partnerships for Project Management. Again, there were three applicants: Gardiner & Theobold, Ridge and Partners, and Currie and Brown. The scores were split
- 30% was on costs.
  - 40% was weighted to the Project Managment Team Selection and Relevent Experience.
  - 20% was weighted to Pre- Construction Management, and Cost Management.
  - 10% was weighted to Stakeholder Management.
- 3.11 The results of the tender process and assocaiated comments are set out in Appendix A. Overall, Gardiner and Theobold had a weighted score of 79.06%, Currie and Brown 79.00%, and Ridge and Partners 74.39%. The cost ranges were £155k up to £186k

**4. Legal Implications**

- 4.1 Legal and procurement have been involved in the re-procurement of the Contract.

**5. Financial Implications**

- 5.1 The tender sums are within the estimated budgets for the design and build of the project.

**6. Strategic Purpose Implications**

**REDDITCH BOROUGH COUNCIL****Executive 9<sup>th</sup> January 2024****Relevant Strategic Purpose**

- 6.1 The Strategic purposes are included in the Council's Corporate Plan and guides the Council's approach to budget making ensuring we focus on the issues and what are most important for the borough and our communities. Our Financial monitoring and strategies are integrated within all our Strategic Purposes.

**Climate Change Implications**

- 6.2 The green thread runs through the Council plan. This includes risks linked to activities and actions that link to our climate.

**7. Other Implications****Customer / Equalities and Diversity Implications**

- 7.1 There are no direct equalities implications arising as a result of this report.

**Operational Implications**

- 7.2 Operational implications have been dealt with as part of the 2023/24 MTFP, quarterly monitoring and the Closedown process.

**8. RISK MANAGEMENT**

- 8.1 The financial stability and sustainability of the Council is a core underlying theme of the Council's Risk Management Strategy. This includes the delivery of these key projects. Each project has its own risk registers.

**9. APPENDENCES**

Appendix A – Tender Evaluation Results

**10. BACKGROUND PAPERS**

Redditch Town Centre Regeneration Business Cases - Executive June 2022  
Redditch TIP Library Redevelopment business case – Executive October 2022

**AUTHOR OF REPORT**

Name: Pete Carpenter– Interim Director of Finance  
E Mail: [Peter.Carpenter@bromsgroveandredditchbc.gov.uk](mailto:Peter.Carpenter@bromsgroveandredditchbc.gov.uk)



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank