

## **CABINET**

**Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 24th April, 2014 at 5.00 p.m. at the AFC Telford Learning Centre, Haybridge Road, Wellington, Telford**

**PUBLISHED ON TUESDAY, 29<sup>TH</sup> APRIL, 2014**

**(DEADLINE FOR CALL-IN: FRIDAY, 2<sup>ND</sup> MAY, 2014)**

**PRESENT:** Councillors R.A. Overton (Deputy Leader and Chair for the meeting), E.A. Clare, S. Davies, A.R.H. England, W.A.M. McClements, H. Rhodes, C.F. Smith and P.R. Watling

**ALSO PRESENT:** Councillors A.J. Eade (Conservative Group Leader) and W.L. Tomlinson (Liberal Democrat/Independent Group Leader)

### **CB-107      MINUTES**

**RESOLVED** – that the minutes of the meeting held on 27<sup>th</sup> March 2014 be confirmed and signed by the Chair.

### **CB-108      APOLOGIES FOR ABSENCE**

Cllr K.S Sahota (Leader)

### **CB-109      DECLARATIONS OF INTEREST**

None

### **CB-110      SHAPING PLACES – CONSULTATION ON PROPOSED HOUSING AND EMPLOYMENT SITES**

**Key Decision** identified as **Shaping Places Local Plan – Consultation on Potential Housing and Employment Development Sites** in the Notice of Key Decisions published on 26 February 2014.

### **Council Decision – not subject to Call-in**

Councillor C.F. Smith, Cabinet Member: Housing, Development & Borough Towns, presented the report of the Assistant Director: Planning Specialist, regarding the next stage in the Local Plan process to consult on proposed housing and employment sites in the Borough. A copy of the proposed consultation document was appended to the report. There was a minor omission from one of the housing site maps, and an amended page 58 of the document was tabled.

Following public consultation in 2013 on the Shaping Places Local Plan Strategy & Options document, comments received had been used to inform the emerging Local Plan including the identification of proposed sites for future housing and employment development. The proposed sites balanced growth with the protection of green space, and were distributed across both the urban and rural areas of the Borough. The Plan would protect and enhance the green open space and landscape features to ensure that Telford & Wrekin continued to be an attractive place in which to live, work and invest. The proposed consultation document included the following sections:

- Growth Strategy – proposal for c20,000 additional homes to be built over the Plan period (2011-2031) of which 11,885 were already committed or had been identified in an adopted development plan. A detailed target had yet to be confirmed for the quantity of employment land required.
- Location of Development – previous consultation showed there was broad support for Option 3 – ‘Growth Hub’, which proposed a focus for development in the urban area with some development on the urban fringe and a low level in the rural area.
- Selection of Housing Sites – the starting point for assessment of housing sites was the Strategic Housing Number Assessment (SHNA) and the Strategic Housing Land Availability Assessment (SHLAA). The sites were assessed against a list of criteria and in consultation with Council Officers. The process had been assisted by the availability of a substantial number of developable sites within the Borough, many of which were brownfield and in public ownership.
- Selection of Employment Sites – this had been based on an assessment of sites identified in the Employment Land Review. In addition five potential Strategic Employment Areas had been identified to satisfy the requirement in the National Planning Policy Framework for strategic sites for attracting local and inward investment.

The proposals would address the delivery of local priorities and opportunities, and provide greater certainty to developers and investors enabling the delivery of growth which was key to the Council’s overall strategy for prosperity and providing a supply of new homes. Subject to ratification by Council, the document would be available for comment during a six week consultation period from 6 May 2014. There would be engagement with Scrutiny members, Parish & Town Councils, Young Persons Forum and via various social media.

Councillor A. Eade (Conservative Group Leader) expressed the view that the timetable for the adoption of the new Local Plan needed to be accelerated because of the current situation of uncontrolled development and the associated threat to the green network. The views of rural communities about whether they wanted further development in their villages also needed to be reflected in the eventual site allocations. The Cabinet Member explained the timetable for the Shaping Places Plan, and that work could not have started earlier than 2012 when the National Planning Policy Framework was produced. The document sought to promote sustainable growth in both urban and rural communities, and suitable sites had been identified for consultation. Members commented that Telford & Wrekin was one of many authorities who

had been affected by Government changes to rules on housing land supply. People wanted to see development and growth of the Borough, with the right balance of development and a mix of housing types available.

Councillor W. Tomlinson (Liberal Democrat/Independent Group Leader) broadly welcomed the proposals, but expressed concern at the impact that some of the larger scale developments might have on the existing highways network. The Cabinet Member advised that Telford's New Town infrastructure was designed for a higher population of over 200,000.

### **RESOLVED –**

- (a) that the “Shaping Places Local Plan – Proposed Housing and Employment Sites” document be approved for public consultation;**
- (b) To RECOMMEND to FULL COUNCIL that the document be approved for public consultation.**

### **CB-111      WEST MERCIA ADOPTION PROJECT**

**Key Decision** identified as **West Mercia Adoption Service** in the Notice of Key Decisions published on 6 December 2013.

Councillor P.R. Watling, Cabinet Member: Children, Young People & Families, presented the report of the Assistant Director: Children's Safeguarding & Specialist Services regarding a project to develop a single West Mercia Adoption Service. A Detailed Business Case for the Project was appended to the report.

Telford & Wrekin currently had a joint adoption service with Shropshire Council, with a similar arrangement between Herefordshire and Worcestershire Councils. Following publication of the Children & Families Bill 2013, all four authorities had recognised that working collaboratively provided a genuine opportunity to respond to the national agenda. It was envisaged that a single service would deliver a more efficient and effective service to a wider range of children, with particular emphasis on improving the timeliness of placing children and young people for adoption. There would also be cost benefits arising from economies of scale. However, it was emphasised that initially each Authority would retain some individual functions at a local level.

The Detailed Business Case set out the options available. The preferred Option 2 would deliver some functions within a single adoption service, hosted by a lead West Mercia authority, with some specific functions continuing to be delivered within the individual local authorities. Under this option, the budgets for the combined functions would be pooled and managed by the West Mercia Adoption Partnership – and the report detailed the likely financial and staffing arrangements for implementing this. It was envisaged that this would be the first phase in moving towards an Option 3 service model by 2016/17 – a single adoption service, incorporating all the adoption services, hosted by a lead West Mercia authority.

Cabinet Members welcomed the proposals for the transformation of adoption services, particularly as they would help to deliver a faster process for adoption while retaining the current safeguards. It was also seen as a good example of joint working to get the best and most efficient service model.

**RESOLVED -**

- (a) that the direction of the proposed future operating model for a West Mercia Adoption Service be approved;**
- (b) that authority be delegated to the Director: Children & Family Services, in consultation with the Cabinet Member: Children, Young People & Families, to take any future decisions on the implementation of the operating model (Option 2) including appointments, key milestones and appropriate legal documentation.**

**CB-112      PRIDE IN YOUR COMMUNITY – COMMUNITY PRIDE FUND**

**Non-Key Decision.**

Councillor S. Davies, Cabinet Member: Neighbourhood Services, Employment & Skills, presented the report of the Managing Director which sought approval for the proposed arrangements for implementing the previously agreed Community Enabling Fund.

In January 2014, Cabinet had agreed the establishment of a Community Enabling Fund to support the delivery of the Pride in Your Community programme. The Fund was a two year £1m grant programme administered by the Council to support the delivery of capital projects and schemes within the Borough. It would be launched as the 'Community Pride Fund' in May 2014 and would be open to applications from public, private and voluntary sector organisations within the Borough. The funding would be divided into two 'pots' - £500k for small to medium grants (£2,000 to £50,000) and £500k for medium to large grants (£50,001 to £100,000).

It was proposed that the grant funding process would involve the completion of a funding application form, which would be assessed against a number of criteria. The criteria would include the project's contribution to delivering the Council's priorities, value for money, sustainability and the level of community engagement and support for the project. Applications meeting the criteria would be submitted to a Funding Advisory Panel who would make recommendations on the approval of grants to Cabinet. The Advisory Panel would consist of five Councillors (politically balanced) and five members of the Co-operative Commission (including the Chair). Ward Members would be able to support local applications for funding, and their endorsement would be part of the criteria against which applications would be considered.

During the ensuing debate, it was suggested that decisions on applications for smaller amounts of £2-10,000 could be delegated to Officers. A question was

also raised as to what help and support would be available to applicants to submit their application. The Cabinet Member advised that Officers would be doing much of the work in assessing applications against the criteria etc, but the Advisory Panel would generally retain oversight of the process. The application process would be as simple as possible, and that the Council's Community Participation Team and Telford & Wrekin CVS would be able to provide advice and help to applicants.

**RESOLVED –**

- (a) that the process set out in the report for allocating the Community Pride Fund, including the criteria for the Fund outlined in paragraph 4.2, be approved;
- (b) that the process for agreeing applications, including the establishment of a Funding Advisory Panel who will evaluate applications and make recommendations on grant applications to Cabinet for a decision, be approved;
- (c) that the Funding Advisory Panel comprise of 5 cross party Elected Members from Telford & Wrekin Council and 5 representatives from the Co-operative Commission;
- (d) that authority be delegated to the Managing Director to implement the funding decisions made by Cabinet.

The meeting ended at 5.34 pm.

**Signed for the purposes of the Decision Notices**

**Jonathan Eatough**  
**Assistant Director: Law, Democracy & People Services**  
**Date: 29 April 2014**

**Signed:** .....

**Date:** .....

# **HOUSING, ECONOMY & INFRASTRUCTURE SCRUTINY COMMITTEE**

## **REVIEW OF EMPTY PROPERTIES AND PRIVATE LANDLORDS**

**MAY 2014**



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## **1. Chair's Foreword**

The challenge of bringing empty properties back to use and tackling rogue landlords to help address housing shortages has received much attention nationally.

With around 400 empty properties in the borough, empties represent a significant waste of housing opportunity when we have seen an increase in the number of homelessness applications and a growing shortage of some types of housing from the welfare benefit changes. Left to deteriorate, empty properties can blight local neighbourhoods and be a focus for anti-social behaviour. They also represent a potential loss of income to the Council from New Homes Bonus, now a key element of local authority funding. Concerned about these issues, the Housing, Economy & Infrastructure Scrutiny Committee decided to carry out an in-depth review to look at how to bring empties back to use.

We took evidence from the Cabinet Member for Housing, Development & Borough Towns Development, Council officers and the Chairs and Clerks from Madeley and Ketley Town and Parish Councils. In particular we would like to thank the Senior Property Intervention Officer from Sandwell Metropolitan Borough Council for sharing his expertise which so greatly helped shape the recommendations in this report.

Over recent months the Council has had a concerted focus on the issue of empty properties and overall we found much to welcome in the approach and have been satisfied that things are moving in the right direction.

We have however made several recommendations which are intended to be constructive suggestions as how things could be improved. We spent much time looking at what other authorities were doing to tackle issues and have drawn in particular on examples of work in Sandwell and Stockton that could make a difference in Telford and Wrekin.

This report summarises our work, findings and recommendations which we hope you find both informative and constructive and I commend to you.

Cllr. Chris Turley  
Chair, Housing, Economy & Infrastructure Scrutiny Committee

## 2. Aim of the review

There are an estimated 400 empty properties in Telford & Wrekin. This is:

- A waste of housing opportunity when there are a significant number of people on the waiting list and there has been an increase in homeless applications since 2010/11
- A cause of blight or focus for antisocial behaviour in neighbourhoods
- A potential loss of New Homes Bonus income for the Council.

The committee's aim was to carry out an in-depth review of issues related to empty properties with a view to making recommendations to the Council's Cabinet.

In scoping the review the committee received a briefing on the work being undertaken by the Council on empty properties which culminated in the Cabinet report *Bringing Empty Properties Back into Use and Tackling Rogue Landlords*. This provided contextual information and set out a number of formative proposals which provided a steer to areas where the scrutiny review could add value.

The committee agreed two key lines of enquiry:

1. **How to identify empty properties as early possible** – the less time a property is empty, the easier it is to prevent deterioration and bring back to occupation.
2. **How to address issues of poor practice by private landlords** – around 97% of empty properties are in private ownership.

The committee's work centred around two main approaches:

- To research what was happening in other authorities and look for good ideas that could be considered locally
- For members to use their knowledge of local networks to identify ways that the Council could work with partners to increase the early reporting of empties.

## 3. Background Information

### 3.1 The national picture

According to sources in the Local Government Association (LGA) report *Empty Homes*, in July 2013 there were 709,426 empty properties in England. About one third of these, around 260,000, had been empty for six months or more. Bringing these properties back into use would meet approximately one year of the government's estimate of housing need, or would equate to two years of new builds at current rates (July 2013). Using Department of Communities and Local Government (DCLG) housing statistics, the LGA estimated that long term empty (6 months+) properties in the West Midlands equated to 14% of housing waiting lists in 2011-2012.

The private rented sector is an increasingly important part of the housing market in England and Wales. Using Office of National Statistics (ONS) figures, the Local Government Information Unit (LGIU) in *House Proud* estimates the number of people renting privately nearly doubled between 2001 and 2011, reaching 3.6 million at the time of the last census. The vast majority of the empty properties in England are in the private sector, with just under 10% being local authority owned.

### 3.2 Why local authorities work to bring empties back to use

There are a number of reasons why councils take action to bring empties back to use:

- Long term they have a negative impact on local neighbourhoods
- To make better use of existing housing stock in the private rented sector for the discharge of housing and homeless duties
- To raise standards in the private rented sector
- To generate New Homes Bonus income
- To provide opportunities for local suppliers in the property and construction trades, and on a larger scale to support training and employment
- To work with voluntary sector partners to create opportunities for local people

### 3.3 Local authority enforcement powers

Local authorities have a range of statutory powers in relation to private property owners. These are set out in the September 2013 Cabinet report *Bringing Empty Properties Back into Use and Tackling Rogue Landlords* as:

- **Enforcement Action** – where an owner refuses to engage and a property becomes dilapidated or starts impacting on surrounding properties or communities, statutory action may be taken. There are a number of potential enforcement routes depending on circumstances. These should only be used as a last resort and financial implications considered before taking on these actions.
- **Enforced Sale** – the Law & Property Act 1925 allows local authorities to recover charges through the sale of the property. This option can only be used where there is a debt to the local authority registered as a charge on the property. A minimum debt of £1,000 can be registered on the property to start enforced sales proceedings.
- **Empty Dwelling Management Order (EDMO)** - an EDMO can be made where an owner leaves a property empty and has no intention of securing its voluntary reoccupation. This involves applying to the Residential Property Tribunal for authorisation to gain an Interim EDMO and supplying supporting evidence, including that the property has been long term empty and that proactive engagement with the landlord has been sought.

- **Compulsory Purchase Order (CPO)** - CPOs can be made under S17 of the Housing Act 1985 or under S226 (as amended by Planning and Compulsory Purchase Act 2004) of the Town and Country Planning Act 1990, for the provision of housing accommodation or to make an improvement to existing housing. However, undertaking a CPO can be a lengthy and complex process and should be used as a last resort.

A full list of enforcement powers is attached as Appendix 1.

### 3.4 The local picture

#### The scale of challenge

The local picture in Telford and Wrekin as of September 2013 is described in the Cabinet report *Bringing Empty Properties Back into Use and Tackling Rogue Landlords*. The full report can be accessed via the link below.

<http://apps.telford.gov.uk/demservice/DisplayDocument.asp?type=pdf&ref=15811>

We do not propose to repeat the information in the Cabinet report here but would like to highlight the following points:

- The number of long term (6 months+) empty properties in the borough was estimated at 400 with high concentrations in Cuckoo Oak (Sutton Hill), Ketley and Oakengates.
- 97% of the empties were privately owned.
- The majority of landlords in the borough are reputable and responsible but reports pooled from Council services – environmental health, revenues and benefits, housing needs, trading standards, social services etc. – have identified poor practice amongst a minority of landlords.
- There are significant numbers on the Choose Your Home waiting list (around 17,747 in 2012/13) with only around 1,300 affordable properties becoming vacant each year and 275 affordable new homes built in 2011/12.
- Empties therefore represent a significant loss of housing opportunity for the borough.
- The removal of some classes of Council Tax discount for empty properties from April 2013 has made the identification of empties more difficult as owners no longer have a reason to notify the authority that the property is empty. In extreme cases, landlords have deliberately rendered the property uninhabitable from neglect or interference to qualify for exemption from Council Tax.
- For each eligible empty property brought back to occupation the Council receives the New Homes Bonus. Each increase in the number of empties results in a reduction in the New Homes Bonus over the six year period in which it is received.
- There are many reasons why properties become empty and working with owners to bring them back to use may require sensitive handling and can take a long time even when the owner is willing to engage. If owners are not willing to engage, the use of enforcement powers can be very expensive.

#### How the challenges are being addressed

The Council's Home Improvement Agency (HIA) has been established to lead on actions to bring empty properties back into use. The team is relatively new and the Council has made additional investment in the service with the creation of an Empty Property Officer post in July 2013. The HIA's role is to identify empty properties, encourage reporting of empties and to engage with owners to advise, support or co-ordinate targeted action across the council to bring the property back to use. The range of support and a flow-chart showing the routes for targeted action from reporting to resolution are set out in the Cabinet report. In September 2013 Cabinet agreed a number of recommendations aimed at tackling issues with empties and rogue landlords as follows:

- The allocation and expenditure of £150,000 funded from capital receipts from disposals in Sutton Hill to reduce the number of empty homes in Sutton Hill
- The implementation of a Landlord Accreditation Scheme
- Authority delegated to the Home Improvement Agency (in consultation with the Cabinet member) to serve Empty Dwelling Management Orders, Compulsory Purchase Orders and/or instigate Enforced Sales procedures
- To approve Enforced Sales Procedures on empty properties with over £1,000 of outstanding debt against the property.

## 4. Key findings and recommendations

The committee was primarily concerned with identifying ideas, or good practice from other authorities, that could be considered to add value locally. As a starting point, members considered the Council's approach, progress to date and planned work.

In this the committee found much to welcome:

- ✓ Members welcomed the Council's focus on empty properties, the expansion of the Home Improvement Agency's role in leading work on empties and the additional investment in the creation of the Empty Property Officer post. Although early days, the committee is satisfied that things are moving in the right direction.
- ✓ The committee welcomes the allocation of the £150k capital receipt for the loan scheme to help bring empties in Sutton Hill back to use but recognise the need for robust monitoring and evaluation before rolling out to other areas.
- ✓ The committee supports the more proactive approach to the exercise of legislative powers in extreme cases and have made a recommendation about this.
- ✓ Members welcome the pro-active work of the Housing and Revenues teams in visiting properties previously exempt from Council Tax to verify that they are still empty and the fact that the exercise will be repeated 6 monthly to keep records up to date.
- ✓ The pro-active approach of the Home Improvement Agency in contacting all known owners of empty properties to offer help, and the signs of response, is a positive start.
- ✓ The committee was pleased to hear that a suggestion from scrutiny to contact the student accommodation service at Harper Adams with a view to linking students to rented accommodation with responsible landlords was acted on straightaway.

Although pleased with the overall direction of travel, the review identified some areas which members feel could be strengthened. This section summarises the key issues identified and recommendations to address the issues.

### 4.1 Raising awareness to increase early reporting of empty properties

**There is a need to raise awareness to improve the early identification and reporting of empty properties. Awareness raising activity must be balanced with the need to manage public expectations – the Council should not create false expectations about what it can do.**

The removal of Council Tax exemptions for Class A and C empty properties from April 2013 means the Council can no longer rely on owners notifying the Council when a property becomes empty. The longer a property remains empty, the longer the loss of opportunity for the housing market, the greater the risk of deterioration and blight to the neighbourhood and the more difficult it is to bring back to occupation. A neglected property may also be a sign of a safeguarding issue if the occupier has become too frail to cope with the property.

In the summer of 2013, the Revenues Service began a review of all properties previously entitled to a Class A or C exemption to establish whether they were still empty. This information is vitally important for the calculation of New Homes Bonus. The review was carried out by sending out paper review forms, and then working in conjunction with the Housing Department to visit all properties where the review form was not returned or there

were queries regarding the property to check whether they were occupied or not. The review will be repeated every six months.

For the reasons stated above, it is important for the Council to identify as early as possible when and where properties become empty. The work of the Revenues team, while undoubtedly making a significant contribution, provides only part of the solution and there remains the need to find other ways to increase the early reporting of newly empty properties.

Members pooled their knowledge and came up with a list of suggested organisations with a presence in local communities that the Council could work with to help raise awareness, plus other ideas for getting the message out to the public. The role that elected members could play was discussed, and the need to increase the awareness of ward members and town and parish councillors alike was agreed.

The committee noted in the Cabinet report the high concentration of empties in Cuckoo Oak, Ketley and Oakengates and met the Chairs and Clerks of Ketley Parish Council and Madeley Town Council to explore in more detail the level of awareness and ways in which the Town and Parish Councils could work with the Council to promote the issue. It was evident from these meetings that there were low levels of awareness about the extent of the issue, where the empty properties are, the role of the Home Improvement Agency, the reasons why it is important to report empties and how to report them. The response from both Councils was very positive with offers to help promote the issues in respective newsletters and at meetings. Members are indebted to the Chairs and Clerks for their time and their willingness to help and will monitor how the actions discussed are followed up.

Members also heard from Sandwell Metropolitan Borough Council and Stockton-on-Tees Borough Council that press releases featuring success stories (where properties had been brought back to use, or there had been a successful prosecution) were a good way of promoting the work of the Council, raising awareness with the public or of sending messages to poorly performing landlords.

As a result of this work the Committee has made the recommendations set out below. The committee accepts that resources are limited and that the Council cannot do everything or at once. There is a balance to be struck between raising public awareness and raising public expectations beyond realistic capacity to deliver and the recommendations may be phased to manage that balance. The committee would however like the work with Ketley and Madeley councils progressed as quickly as possible if agreed.

## **RECOMMENDATIONS**

### **1. Hold an empty properties Members' Information Seminar**

This should be promoted to Town & Parish Councils

### **2. Develop a campaign to raise awareness of empty property issues, the importance of early reporting and how to report them.**

This should include:

- a) An article in The Voice
- b) Distributing information to Town & Parish Councils, including:
  - Details of empty properties in their area
  - The role of the Home Improvement Agency (HIA) and how it can help
  - How to report empty properties – a single point of contact
  - The limits of the council's powers and resources to manage expectations

This should be provided to Madeley Town Council and Ketley Parish Council for publication in their next newsletters.

- c) Raising awareness with other organisations with a street presence e.g. Police, CSOs, Parish Environmental Teams, the Post Office to encourage early reporting.

**3. Depending on data protection issues, contact utility companies to explore sharing information about empty properties.**

For example Severn Trent Water employs people to identify empty properties and there is an existing relationship with the Council e.g. on the Strategic Flood Management Board.

**4. Take all opportunities to issue press releases when a property has been brought back to use or there is a successful prosecution.**

This will publicise what the Council is doing to address issues and send a message to poor performing landlords that the Council will take action where necessary.

## **4.2 Prioritising resources and measuring impact**

### **Capacity is limited and there is a need to prioritise how resources will be allocated and targeted to maximise impact.**

There are an estimated 400 long term (6 months+) empty properties in the borough and only one Empty Property Officer in the Home Improvement Agency team to deal with empties. The first and preferred approach to working with owners and landlords is to advise, support and hand-hold – this can take time and be resource intensive.

There is clearly insufficient capacity to deal with all empty properties all at once. Resources will need to be targeted towards achieving the outcomes which are a priority for the Council - be that bringing as many properties as possible back to use, using the private rented sector to discharge the Council's duty for homelessness and housing more people on the waiting list, tackling difficult cases of long-term empties, addressing the worst cases of neighbourhood blight or generating New Homes Bonus – or to achieve a balance between the priorities.

Equally, there needs to be an agreed process for selecting properties for action that is consistent with meeting the desired outcomes and transparent for elected members, other stakeholders or members of the public who may have reported or be affected by empty properties. This will be critical in supporting the work of the Empty Property Officer as they move ahead and come under pressure from ward members and the public. The committee is suggesting that the Council should prioritise properties which are easier to bring back to use in order to maximise New Homes Bonus income to support further work and to increase the availability of housing stock. However, this should be balanced with work on properties which cause the most blight. The priority scoring assessment used by Stockton-on-Tees Borough Council has been provided as an example of a score card to be considered for use by Telford & Wrekin.

One of the issues explored at the meeting with the officer from Sandwell Council was how properties are prioritised for action. There, work is divided between reactive work (responding to reports) and proactive campaigns. The empty property database can be broken down by geographic or other criteria to select properties for targeted campaigns – these have included street-by-street, town-by-town, small or large landlords, properties empty over 2 years, properties under probate, properties where the owner is in a care home....etc. so that batches of properties can be selected for targeted campaigns using an appropriate approach, often door-knocking. This can be mapped against requests for action, reports from police or Anti-social Behaviour reports, again to identify hotspots for targeted action. The committee has suggested the Telford & Wrekin database could be broken down in a similar way to help prioritise the allocation of resources.

The empty property service is relatively new and does not have historic data for trend analysis to inform planning, projections and performance targets and these need to be developed over time. An internal audit in respect to minimising empty properties was undertaken recently and was finalised in February 2014. This reviewed governance arrangements, management information, reporting mechanisms, policies, processes and controls and will be reported to the Audit Committee in June 2014. Notwithstanding the findings, members of the scrutiny committee have recommended that a target for the number of empties brought back to use should be set. The committee heard examples of some of the complexities involved in dealing with different types of property owners or landlords, and accept that bringing a property back to use is not always a straightforward or quick process. Nevertheless, the committee feels that a target would give a clear goal and provide a benchmark for measuring impact. The experience in Sandwell was that setting a target had helped in bringing down the number of empties each year - "The team knows that every property brought back to use counts and generates income, and if they reach the target of 200 properties per year they know they are doing their stuff."

## **RECOMMENDATIONS**

### **5. Develop a score card to prioritise properties for action.**

The Stockton score card is provided separately as an example. Properties selected for action should balance properties eligible for the New Homes Bonus that can be brought back to use sooner and properties which cause the most blight or anti-social behaviour.

### **6. The data base of empties should be broken down into categories to prioritise properties for targeted work.**

e.g. properties empty over 6 months, over 2 years, properties under probate, and other existing intelligence used to inform priorities.

### **7. Set a target for bringing empties back to use and develop performance measures.**

Monitoring reports should be brought to the scrutiny committee annually.

## **4.3 Discharging the Council's duty for homelessness**

### **There is a need to consider ways of using the private rented sector to discharge the Council's statutory duty for homelessness.**

The Council has a statutory duty to:

- Provide advice and guidance to all
- Prevent homelessness where possible.
- Provide help to homeless households who are in priority need. This includes providing interim and temporary accommodation for households until they are able to move into sustainable accommodation.

Figures in the Homelessness Strategy show the number of homeless applications since 2010/11 has continued to increase, particularly in the 16-24 age group. The strategy aims to extend support beyond the statutorily homeless to provide services for the non-statutory homeless.

The strategy also notes that:

- Whilst Telford & Wrekin Council is no longer a social landlord, it has an important strategic housing role, working with partners to meet the housing needs of local people and to help to balance the local housing market.

- Between 2001 and 2011 there was a 7.7% shift to private renting tenure and a move away from owner-occupation of 4.5%. This shift in tenure reflects national changes, which are closely associated with population growth.
- Total housing association stock has fallen slightly in last decade.
- New social housing vacancies (re-lets) has remained stable, however the number of households registered seeking housing (Choose Your Home) has risen significantly to around 17,747 in 2012/13.
- There is an estimated net shortfall of 1,240 affordable homes for local people every year. The majority of these should be for rent. The cost of entry level housing is on average eight times greater than household incomes, although this varies across the borough (2009).
- There is a shortage of all property types (apart from one bed room flats) in the borough.
- Early indications are that housing providers are seeking to develop smaller house types including two bed room houses and one bed roomed flats. However, new supply will continue to represent a very small proportion of the borough's overall housing stock.
- The expected delivery of specialist housing, including extra care housing, has the potential to increase the supply of social housing vacancies.
- In 2011, 615 mortgage and landlord possession claims were made. In addition, 470 mortgage and landlord possession claims led to orders. These figures are slightly higher than the national figure (source: Ministry of Justice).

The strategy also states that the number of long term empty homes in the borough is comparatively low, but one of the priority actions in the strategy is the establishment of the Home Improvement Agency to work with private landlords to bring empty homes back to use.

The committee looked at the private sector lease scheme in operation in Sandwell to see how this was working. Under the scheme, the Council leases properties from landlords on a long term let (currently 2 years, extendable). The Council manages the property and guarantees the rent to the landlord. Landlords are charged a registration / management fee and must be prepared to lease the property at below Local Housing Allowance rates. This does not work of all landlords but there are some who prefer to accept a lower rent which is guaranteed and a reduced burden for managing tenants and the take up has been good. The Landlords' Forum and Steering Group were involved in drafting the lease, the tenancy agreement and information pack (the lease is non-repairing because landlords are able to negotiate cheaper repairs, and breakable). The scheme was launched in January 2011 at a Landlords' Forum meeting – the first property was leased within 2 weeks and on average one new property is leased per week.

The scheme has been used to prevent homelessness and one of the main benefits is that properties can be targeted to meet demand. The benefits are that someone is housed, the landlord receives a guaranteed rent and properties which were an eyesore are eradicated.

The committee explored the cost model which was said to be holding, although at the time of the meeting none of the properties had reached the end of the 2 year lease and the costs would need to be considered over the whole 2 year lease cycle.

The committee is recommending that the scheme is explored in more detail as an option for Telford & Wrekin.

Members heard how the Home Improvement Agency links to the Housing Action Team to bring together the property and people aspects of the work and the committee is recommending that links are made to all relevant Council services to ensure people in need can be matched or have access to advice and properties let by reputable landlords.

## RECOMMENDATION

8. **Consider the viability of a private sector lease scheme for Telford and Wrekin.** The Sandwell model could be explored as an example. , e.g.:
  - Working with landlords to develop the information pack and lease agreement
  - Consider the option of a non-repair lease
  - How to select properties for the scheme which meet the demand for different types of property
  - Explore the financial model
9. **Ensure there are good links between the Home Improvement Agency and all relevant Council services** dealing with vulnerable people (e.g. Strengthening Families, Housing Action Team) so people can be supported where housing is an issue and tenants linked to suitable properties let by accredited landlords
10. **Choice Based Lettings** – the Committee did not look at Choose Your Home but recommend exploring the potential to advertise accredited landlord properties on Choose Your Home.

### 4.4 Landlord Accreditation Scheme

#### **The Landlord Accreditation Scheme should be developed to help increase the supply of good quality private rented accommodation.**

The September Cabinet report set out that since 2001, the proportion of privately rented households in Telford & Wrekin has doubled from 7.1% to 14.9%, with the proportion in social rented properties falling slightly to 11.6%. Changes to housing benefit for people in the social rented sector (the spare room subsidy) has added pressure for one and two bed-roomed properties and with insufficient social housing stock to meet the demand more residents may turn to renting through private landlords. The majority of landlords in the borough are reputable and act responsibly but there are a small number whose practices are poor and may be having a detrimental impact on the welfare of their tenants and/or communities.

Cabinet agreed that given the anticipated increase in demand for private rented accommodation, the Council should introduce a Landlord Accreditation Scheme and take coordinated action to address poor landlord practices.

The committee agreed with the need to develop a scheme and explored in some detail the model used in Sandwell to see what lessons could be applied locally. One of the key areas explored was how landlords could be incentivised to join the scheme. Based on this, a number of recommendations are set out below that the committee would like to see considered in Telford & Wrekin. Documents referred to in the recommendations are available from the scrutiny team.

Further, the committee would like to highlight the recommendations in the Local Government Information Unit report *House Proud* that local authorities:

- **Show strong political leadership** by setting out a clear vision. Local political leaders have an important role to play in articulating their willingness to work with responsible landlords, as well as demonstrating that they are prepared to enforce standards in the worst properties.

- **Empower tenants** by using a range of communication channels to disseminate information about the rights and responsibilities of tenants and landlords. This may involve publicising information about good landlords who have been accredited, or poor ones who have been recently prosecuted.

The committee would also like to draw attention to the government's response to the Communities & Local Government Select Committee report on the Private Rented Sector to develop a Tenants' Charter and model tenancy agreement developed in conjunction with landlords.

## RECOMMENDATIONS

11. **Consider the Sandwell Landlord Forum model, e.g.:**
  - Establish a Landlord Forum Steering Group – a landlord/officer group with landlords having the veto. The Steering Group should be act as a consultee and to set the agendas for the Landlord Form meetings. In Sandwell the Forum meetings are workshop based and include legislation updates.
  - Consider producing a regular newsletter to e-mail to landlords e.g. The Bugle (PDF)
  - Promote the Forum as a route to information and business opportunities e.g. landlords can advertise properties for sale to other accredited landlords to avoid estate agents fees. (See Plymouth Council case study of Empty Property Sale Procedure to connect owners of empty property with developers though a sealed bid process taking 2-3 weeks and requiring no fees.)
  - Set up a hot line for accredited landlords to Revenues and Benefits for advice
  - Consider the benefits of joining Midland Landlord Accreditation Scheme (MILAS) and Homestamp (useful guides)
12. **Target recruitment activity for the landlord accreditation scheme on middle ground landlords** i.e. those who may be falling short because they are not aware of their responsibilities but would improve their practice with support and accreditation. Take a hard line with landlords who genuinely have no intention of improving in terms of prosecuting.
13. **Take opportunities to reinforce the message to poor performing owners that the Council will prosecute** and when the Council serves notice it is seen as intention to prosecute – this must be balanced against projecting a negative message about landlords.
14. **Assign a designated officer to each landlord** to avoid officers being played off against one another and to ensure a consistent message.
15. **Produce “Looking for a Property?” guide** to publish on the website and promote through all possible channels to help tenants avoid taking on poor quality properties with poor landlords.
16. **The Empty Property Officer should consider joining the West Midlands Empty Property Officers' Group** if they have not already done so.

### 4.5 Exercise of legislative powers

The exercise of legislative powers such as CPO, EDMOs and Enforced Sale may be desirable but can be draconian and very expensive.

There are many reasons why properties are left empty – some common ones are listed in the Cabinet report – and many different types of owner or landlord. The committee heard about some of the circumstances that can lead to a property becoming empty – for example a bereavement or a person going into a care home – and that these situations can require sensitive handling and Members agree that encouragement should be the first and foremost approach. However, there is a world of difference between an owner who has inherited an empty property but needs some support to bring it back to use and an irresponsible owner of a property which has fallen into disrepair and who refuses to comply with their responsibilities or engage with the Council, or who cost the Council money.

Local authority legislative powers are set out in section 4 of this report (Enforced Sales, Empty Dwelling Management Orders (EDMO) and Compulsory Purchase Orders (CPO)). The committee received case studies from Stockton Borough Council on how enforcement power had been exercised - enforced sales and EDMOs - which showed some of the huge complexities involved and the length of time it can take, but also some of the potential benefits in terms of recouping costs and housing people. The Council had done a detailed break down of different type of enforcement action to quantify costs which was provided to the committee. On the use of CPO, Sandwell Council agreed it was a last resort and should be used when it is the best and only course of action. There, it is used to target properties which are the greatest financial liability to the Council and CPO'd properties are sold as leasehold so the property cannot become unoccupied again.

Telford & Wrekin Council has never pursued an EDMO due to the cost, length and complexity of the process but in September 2013 Cabinet agreed to delegate authority to the Home Improvement Agency in consultation with the Cabinet member to undertake the process where appropriate and to initiate Enforced Sales against properties with £1,000 or more debt outstanding against the property.

The committee supports the Council taking a firmer stance on enforcement where all other forms of dialogue and negotiation have been exhausted to send a strong signal to irresponsible landlords that the Council is ready and will take action.

## **RECOMMENDATION**

### **17. A cost-benefit analysis of cases where legal action has been taken and completed should be carried out and reported back to the committee at a future meeting.**

Members support the approach to working with owners of providing support and encouragement, but recognise that as a last resort enforcement is the only option. The Committee supports the more pro-active approach to the exercise of legislative powers (CPO, EDMOs, Enforced Sales) but recognises the potential financial impact on the Council.

## **4.6 Working with the voluntary sector to benefit local people**

### **Opportunities to involve the voluntary sector with work on empties should be considered to ensure resources are maximised and that wider benefits are realised.**

One of the reasons why local authorities take action on empty properties is the opportunity to work with the voluntary sector to deliver wider community gains. The committee did not look at how opportunities could be developed locally, but would like to draw attention to a number of case studies in the Local Government Association *Empty Properties* report which the service may wish to consider. Some of these have been highlighted in the recommendation below.

## RECOMMENDATION

### 18. Consider how links can be made to the voluntary sector to deliver wider benefits

e.g.

- Refer suitable empty properties to the voluntary sector who may be able to use them
- Involvement of the voluntary sector in property renovations to and repairs to bring back to market
- Consider opportunities to set up social enterprise for refurbishment of empty properties e.g. using local trades people, creating work placements, training and apprenticeships (see Croydon and Redcar & Cleveland case studies)
- Explore Homes & Communities Agency willingness to contribute project funding (in Exeter the HCA had provided funding to bring 15 properties back to use working with a housing association and a partner providing training/volunteering opportunities to homeless people).
- Support community or voluntary organisations to access any sources of funding which may support the work

## Final remarks

During the course of the review the committee gathered a significant body of information from national reports and case studies. A summary of the information was collated and is attached to this report as Appendix 2. The committee's final recommendation is that this is considered by the service to identify other ideas which may be useful but not included in this report.

## RECOMMENDATION

### 19. The summary of case studies provided by the Committee should be considered for any other ideas not referred to in these recommendations but which may be good ideas for Telford & Wrekin.

## 5. Summary of recommendations

Issue	Recommendations
<p>Need to raise awareness to improve the early identification and reporting of empty properties. Awareness raising activity must be balanced with the need to manage public expectations – the Council should not create false expectations about what it can do.</p>	<ol style="list-style-type: none"> <li>1. Hold a Members' Information Seminar about empty properties and promote to Town &amp; Parish Councils</li> <li>2. Develop an awareness raising campaign to increase awareness of the issue, the importance of reporting empties as early as possible and how to report them. This should include:               <ol style="list-style-type: none"> <li>a) An article in The Voice</li> <li>b) Distributing information to Town &amp; Parish Councils, including:                   <ul style="list-style-type: none"> <li>– Details of empty properties in their area</li> <li>– The role of the Home Improvement Agency (HIA) and how it can help</li> <li>– How to report empty properties – a single point of contact</li> <li>– The limits of the council's powers and resources to manage expectations</li> <li>– This should be provided to Madeley Town Council and Ketley Parish Council for publication in their next newsletters.</li> </ul> </li> <li>c) Raising awareness with other organisations with a street presence e.g. Police, CSOs, Parish Environmental Teams, the Post Office to encourage early reporting.</li> </ol> </li> <li>3. Depending on data protection issues, contact utility companies to explore sharing information about empty properties e.g. Severn Trent Water employs people to identify empties and are also a partner of the Council on the Strategic Flood Management Board.</li> <li>4. Take all opportunities to issue press releases when a property has been brought back to use or there is a successful prosecution. This will publicise what the Council is doing to address issues and send a message to poor performing landlords that the Council will take action where necessary.</li> </ol>
<p>Resources are limited and there is a need to prioritise how resources will be allocated and targeted to maximise impact.</p>	<ol style="list-style-type: none"> <li>5. <b>Develop a score card to prioritise properties for action.</b> The Stockton score card is provided separately as an example. Properties selected for action should balance properties eligible for the New Homes Bonus that can be brought back to use sooner and properties which cause the most blight or anti-social behaviour.</li> <li>6. <b>The data base of empties should be broken</b></li> </ol>

	<p><b>down into categories to prioritise properties for targeted work.</b> e.g. properties empty over 6 months, over 2 years, properties under probate, and existing intelligence used to inform priorities.</p> <p><b>7. Set a target for bringing empties back to use and develop performance measures.</b> Monitoring reports should be brought to the scrutiny committee annually.</p>
<p>Need to consider ways of using the private rented sector to discharge the Council's statutory duty for homelessness.</p>	<p>8. Consider the viability of a private sector lease scheme for Telford and Wrekin. The Sandwell model could be explored as an example, e.g.:</p> <ul style="list-style-type: none"> <li>– Working with landlords to develop the information pack and lease agreement</li> <li>– Consider the option of a non-repair lease</li> <li>– How to select properties for the scheme which meet the demand for different types of property</li> <li>– Explore the financial model</li> </ul> <p>9. Ensure there are good links between relevant Council services (e.g. Strengthening Families, Housing Action Team) so people can be supported where housing is an issue and tenants linked to suitable properties let by accredited landlords</p> <p>10. Choice Based Letting system – the Committee has not looked at Choose Your Home but recommend exploring the potential to advertise accredited landlord properties on CYH</p>
<p>Need to develop the Landlord Accreditation Scheme to improve access to and availability of good quality private rented accommodation.</p>	<p>11. Consider the Sandwell Landlord Forum model, e.g.:</p> <ul style="list-style-type: none"> <li>– Establish a Landlord Forum Steering Group – a landlord/officer group with landlords having the veto. The Steering Group should be act as a consultee and to set the agendas for the Landlord Form meetings. In Sandwell the Forum meetings are workshop based and include legislation updates.</li> <li>– Consider producing a regular newsletter to e-mail to landlords e.g. The Bugle (PDF)</li> <li>– Promote the Forum as a route to information and business opportunities e.g. landlords can advertise properties for sale to other accredited landlords to avoid estate agents fees. (See Plymouth Council case study of Empty Property Sale Procedure to connect owners of empty property with developers though a sealed bid process taking 2-3 weeks and requiring no fees.)</li> <li>– Set up a hot line for accredited landlords to</li> </ul>

	<ul style="list-style-type: none"> <li>Revenues and Benefits for advice <ul style="list-style-type: none"> <li>– Consider the benefits of joining MILAS and Homestamp (useful guides)</li> </ul> </li> </ul> <p>12. Target recruitment activity for the landlord accreditation scheme on middle ground landlords i.e. those who may be falling short because they are not aware of their responsibilities but would improve their practice with support and accreditation. Take a hard line with landlords who genuinely have no intention of improving in terms of prosecuting.</p> <p>13. Reinforce the message to poor performing landlords that the Council will prosecute and when the Council serves notice it is seen as intention to prosecute – this must be balanced against projecting a negative message about landlords.</p> <p>14. Assign a designated officer to each landlord to avoid officers being played off against one another and to ensure a consistent message.</p> <p>15. Produce “Looking for a Property?” guide to publish on the website and promote through all possible channels to help tenants avoid taking on poor quality properties with bad landlords.</p> <p>16. The Empty Property Officer should consider joining the West Midlands Empty Property Officers Group if they have not already done so.</p>
<p>The exercise of legislative powers such as CPO, EDMOs and Enforced Sale may be desirable but can be draconian and very expensive.</p>	<p>17. A cost-benefit analysis of cases where legal action has been taken and completed should be carried out and reported back to the committee at a future meeting. Members support the approach to working with owners of providing support and encouragement, but recognise that as a last resort enforcement is the only option. The Committee supports the more pro-active approach to the exercise of legislative powers (CPO, EDMOs, Enforced Sales) but recognises the potential financial impact on the Council.</p>
<p>Opportunities to involve the voluntary sector with work on empties should be considered to ensure resources are maximised and that wider benefits are realised.</p>	<p>18. Consider how links can be made to the voluntary sector to deliver wider benefits e.g.</p> <ul style="list-style-type: none"> <li>– Refer landlords with properties to let to the voluntary sector who may be able to use them</li> <li>– Involvement of the voluntary sector in property renovations to and repairs to bring back to market</li> <li>– Consider opportunities to set up social enterprise for refurbishment of empty properties e.g. using local trades people,</li> </ul>

	<p>creating work placements, training and apprenticeships (see Croydon and Redcar &amp; Cleveland case studies)</p> <ul style="list-style-type: none"> <li>– Explore HCA willingness to contribute funding (in Exeter the HCA had provided funding to bring 15 properties back to use working with a housing association and a partner providing training/volunteering opportunities to homeless people).</li> <li>– Support community or voluntary organisations to access any sources of funding which may support the work</li> </ul>
General	19. The summary of case studies provided by the Committee should be considered for any other ideas not referred to in these recommendations but which may be good ideas for Telford & Wrekin.

## 6. Members of the Committee

Cllr. Chris Turley (Chair)  
 Cllr. Stephen Bentley  
 Cllr. Eric Carter  
 Cllr. Clive Mason  
 Cllr. Clive Mollett  
 Cllr. Rob Sloan  
 Cllr. John Thompson  
 Cllr. Karen Tomlinson  
 Mr. Stephen Reynolds, Town & Parish Council Co-optee  
 Mr. Dave Johnson, Town & Parish Council Co-optee

## 7. Acknowledgements

**The Committee would like to thank all those who provided evidence during the review:**

- Cllr. Charles Smith, Cabinet Member Housing, Development & Borough Towns Development
- Katherine Kynaston, Business & Development Planning Manager, Telford & Wrekin Council
- Toni Keever, Home Improvement Agency, Team Leader, Telford & Wrekin Council
- Phil Edwards, Inward Investment & Housing Group Manager, Telford & Wrekin Council
- Bob Ferris, Senior Property Intervention Officer, Sandwell Metropolitan Borough Council
- Cllr. Anil Saini, Chair Ketley Parish Council
- Alison Hinks, Clerk Ketley Parish Council
- Cllr. Peter Taylor, Chair Madeley Town Council
- Kath Petty, Clerk Madeley Town Council

**Other contributors:**

- Graham Birtle, Scrutiny Officer, Stockton-on-Tees Borough Council

- Melanie Howard, Private Rented Sector Manager, Stockton-on-Tees Borough Council (retired)
- Rachael Jones, Community Participation Service Deliver Manager, Telford & Wrekin Council
- Wendy Tonge, Priority Action / Parish Liaison Officer. Telford & Wrekin Council

**Key written evidence:**

- Regeneration and Transport Select Committee, Stockton-on-Tees Borough Council, Scrutiny Report on Empty and Abandoned Properties and supplementary documents
- Sandwell Metropolitan Borough Council Housing Stock Policy, Housing Strategy 2012-2022, and newsletter for landlords “The Bugle”
- LGA Empty Homes guide, July 2013
- LGIU “House Proud” report
- Empty Homes Network – Good Practice Standard for Local Authorities
- Shelter’s recommended minimum standards for landlord accreditation schemes
- Communities & Local Government Select Committee report The Private Rented Sector, July 2013 and the government’s response to the Select Committee report
- Welsh Assembly Communities and Culture Committee report Making the Most of the Private Rented Sector in Wales, February 2011
- Conference material from presenters at the Shelter Conference on Tackling Rogue Landlords on 3<sup>rd</sup> September 2013.

## Appendix 1 - Enforcement Powers

Action Against	Legislation	Action Available	Explanation
Unsatisfactory housing conditions. (e.g. where a category 1 or 2 hazard has been identified under the Housing Health and Safety Rating System).	Housing Act 2004	Serve an Improvement Notice. Declare a clearance area. Emergency Remedial Action. Emergency Prohibition Order.	Council have a duty to eliminate Category 1 hazards and a power to reduce category 2 hazards to an acceptable level. This is done by the service of various notices.
Property to be in such a state as to be a nuisance. (e.g. leaking roof or gutters causing dampness to neighbouring property).	Environmental Protection Act 1990	Serve an abatement notice	The Council has a duty to take steps to abate a statutory nuisance.
Property open for unauthorised access or likely to suffer from vandalism, arson or similar.	Local Government Miscellaneous Provisions Act 1982.	Serve Notice	Requirement for the owner to secure the property or allows the Council to secure in an emergency.
Accumulations of rubbish deemed to be a statutory nuisance.	Environmental Protection Act 1990	Serve an abatement notice	The Council has a duty to take steps to abate a statutory nuisance.
Buildings or structures that are dangerous, seriously detrimental to the neighbourhood because of their ruinous and dilapidated nature.	Building Act 1984	Serve Notice	Requirement for the owner to undertake works to make safe, to repair or works of restoration or demolition. In an emergency the Council can make safe.
Long-term vacant properties where the owner is unwilling to cooperate in bringing the property back in to use or where the owner is absent.	Housing Act 1985	Compulsory Purchase Order	Allows the Council to acquire the property so that the property can be returned to use.
	Housing Act 2004	Empty Dwelling Management Order	Allows the Council to take over the management of the property so that it can be returned to use.

<b>Action Against</b>	<b>Legislation</b>	<b>Action Available</b>	<b>Explanation</b>
Long-term vacant properties where the owner is unwilling to cooperate in bringing the property back in to use or where the owner is absent.	Law of Property Act 1925		Allows the Council to enforce the sale of a property to recover costs placed as charges against a property.
Unightly land or property adversely affecting the amenity of the area.	Town & Country Planning Act 1990	Serve Notice	Requirement for the owner to take action against the unsightly external appearance of the property or the land.
	Building Act 1984	Serve Notice	Requirement for the owner to undertake works of restoration or demolition.
Vermin present or there is a risk of the attracting of vermin which may detrimentally affect peoples health.	Prevention of Damage by Pests Act 1949	Serve Notice	Requirement for the owner to take steps in respect of the prevention and eradication of vermin and works to prevent vermin harbourage where there is evidence of infestations.
Blocked or defective drains or sewers.	Building Act 1984	Serve Notice	Requirement for the owner to remedy blocked or defective drains.
	Public Health Act 1961	Serve Notice	Requirement for the owner to remedy defective drains or private sewers.
	Local Government Miscellaneous Provisions Act 1976.	Serve Notice	Requirement for the owner to remedy blocked private sewers.

## Appendix 2 - Summary of case study information gathered

### A. BRINGING EMPTY PROPERTIES BACK INTO USE

1. **Kent Count Council (KCC presentation)** - “No Use Empty” loan scheme for owners for properties sold or let on completion. Application fee charged.

#### 2. **LGA “Empty Homes”**

The report makes a number of recommendations to central government about reducing bureaucracy around enforcement and devolving more powers to local level.

#### Case studies – bringing empties back into use

Ipswich	<ul style="list-style-type: none"> <li>• Council Tax levers i.e. removing discounts (TWC has done this)</li> <li>• Empty Homes Toolkit including grants for landlords, and First Time Buyers Empty Homes Grant to fund works on properties empty for 12 months or more.</li> <li>• Estate Agency Discount Scheme, offering reduced fees for empty home owners and free submission to auction.</li> </ul>
Cornwall/Leeds	Council Tax levers (removal of discounts)
Birmingham	CPO
Reading	Example of using advice & guidance (empty inherited house brought to sale)
York	Empty property loan conditional on letting for 5 years through Council social lettings agency
Kent	No Use Empty (see 1. above)
Enfield	Up to £25k renovation grants funded through NHB for properties let for 5 years through approved housing association
Sheffield	Leasing and purchasing options for empty property owners
Stoke	Regeneration scheme funded by council and government to revamp empty council-owned properties in disrepair – sale to local residents for £1 with repayment of costs over time.

#### Case Studies - working with housing associations and voluntary sector

Croydon	Social enterprise for refurbishment of empties by local tradesmen with work placements for people living in disadvantaged areas.
Rochdale	Groundwork housing refurbishment programme – skills, training, qualifications for trainees
Exeter	HCA funding to bring 15 properties back into use, working with a housing association and a partner providing training/volunteering opportunities to homeless people.
Redcar & Cleveland	Social enterprise to turn empties into affordable housing. Provide training/apprenticeships for young unemployed.
Plymouth	Empty Property Sale Procedure – process to connect empty property owners with developers. Sealed bid process, 2-3 weeks, owner pays no fee.

#### Case studies – enforcement

Report includes recommendations to government to streamline legislation and devolve more powers to local level.

Enfield	CPO – 27 approved, most returned to use without running full course of CPO. 8 went through to the end, 7 of which now occupied.
Swansea	Example of enforced sale
Swale	Example of EDMO (only 43 authorised nationally from 2006-11). This was before the change requiring a property to be empty for 2 years

	(from 6 months) for EDMO.
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Case studies – **resources**

Main sources of funding are Empty Homes Premium (Council Tax), use of New Homes Bonus and Empty Homes funding (mainly allocated via HCA but issue with length of time to secure).

Derby	Twin track approach – a) focus on empties that attract NHB b) empties that cause most blight/ASB but not eligible for NHB. NHB top sliced to support empties work to generate more NHB and debt recovery.
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**3. Stockton Scrutiny Review of Empty / Abandoned properties** – recommendations:

- Invest to save business case to increase staff resources
- Prioritisation of empties (over 6 months) to focus use of resources (score card)
- Increased publicity of successes
- Business case for contingency fund to cover cost of work in default – recovered costs recycled through contingency pot.
- Use of Enforced Sales procedure to recover debts in excess of £1000

**4. Stockton Housing supplementary documents**

- a) 4 case studies of bringing empties back to use including EDMOs – show use of different powers and interventions, complexities/problems, time scales etc.
- b) Process for dealing with empties (flow chart)
- c) Costs of dealing with empties (composite)
- d) Cost of empties to Council
- e) Priority Scoring Assessment (to prioritise empties for action/resources – top 15 on database)
- f) Summary of enforcement powers
- g) Costs of empty homes scheme
- h) List of interventions and outcomes (reporting/monitoring?)

**5. Empty Homes Network** – Good Practice Standard for Local Authorities

**B. TACKLING ROGUE LANDLORDS / LANDLORD ACCREDITATION SCHEMES**

**6. Shelter** - recommended minimum standards for landlord accreditation schemes.

**7. LGIU “House Proud”**

The report makes recommendations to central government:

- reduce red tape to give local authorities more flexibility on selective licensing, recouping enforcement costs and compulsory accreditation
  - improve data and sharing best practice
- and to Councils:
- Encourage self-regulation by landlords
  - Empowering tenants
  - Using local business and community networks to increase reporting of criminality
  - Strong political leadership

Case studies

Newham	Compulsory PRS licensing. Scheme cost £7m, aims to be self-funding.
Southend-on-Sea	SEAL – landlord/agent-led voluntary accreditation scheme. PRS work together to self-regulate and raise standards to avoid compulsory licensing. Window sticker campaign. SEAL reports directly to scrutiny committee.
York City	Two tiered accreditation process to address property condition

	especially electrical safety (YorProperty Plus)
Liverpool	Ten Point Pledge for PRS. Includes “Liverpool Standard”, voluntary registration, incentives, access to funding for accredited landlords, web-based “Know Your Landlord”, landlords advisory panel, rogue landlords hit squad.
Lewisham	Private Sector Housing Agency – brings teams from Housing Rights, Temporary Accommodation and Environmental Health together – single point of contact.
Bristol City	Regional approach to PRS – landlord panel to advise on strategy Selective licensing in specific geographical area (can only be used on strong evidence of ASB)
Leeds	Created Housing Regulation Team. Successful prosecutions. Did use selective licensing, but now take neighbourhood approach street by street.
Norwich	Working group with landlords, Shelter, ARLA and University – focus on specific issues to inform Council policy Also campaign to improve tenants’ rights
Mayor of London	London Rental Standard – single badge of accreditation conditional on training/monitoring etc.
Identifying empties	Newham – Local Land & Property Gazetteer, CT, housing benefit, complaints about overflowing bins. Bristol – cross reference CT, housing benefit and complaints about ASB Norwich – Stock Condition Survey (expensive labour intensive!)

## 8. Regional Scrutiny Chairs’ meeting

Sandwell	<ul style="list-style-type: none"> <li>• Landlords Forum with accreditation scheme</li> <li>• Private sector leasing scheme – landlord leases long-term to Council in return for lower rent (below LHA rate). Landlords charged a registration and management fee.</li> <li>• Naming and shaming bad landlords</li> <li>• Registration scheme pilot</li> </ul> <p>Also:</p> <ul style="list-style-type: none"> <li>• Mortgage lending scheme</li> <li>• 5 year residency test for Choice Based Letting</li> <li>• Private lets on CBL</li> <li>• Priority groups taken out of CBL and offered property direct</li> </ul>
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## C. GENERAL

### 9. Communities & Local Government Select Committee report on the PRS

Committee calls on government for:

- Simplification of legislation for landlords and tenants to understand
- Consultation on Housing Health & Safety Rating and quality standards
- Promotion of landlord and tenant rights & responsibilities
- Key fact sheet for landlords & tenants
- LGA mechanisms to share best practice
- Financial burden for enforcement should be on landlords who flout responsibilities
- Consult on LA power to issue fixed penalties for minor breaches without court action
- Power to LAs to recoup benefit/rent from landlord convicted of sub-standard letting
- Share best practice on tackling illegal evictions, but no statutory duty
- Increase police awareness of role in prevention of illegal evictions

- Give greater flexibility and encourage LAs to use existing powers and accreditation
- Greater flexibility over selective licensing
- Give LAs power to require landlords to become members of accreditation scheme
- As far as possible, burden of payment for accreditation/licensing/neighbourhood schemes to fall on unscrupulous landlords (penalties/fines etc.)
- Review mandatory licensing of HMOs
- LAs continue to limit HMOs via Article 4 planning directions
- Universities to work with LAs to ensure students don't have detrimental impact
- Develop electrical safety standards for private rented properties with industry
- Require rented properties to have smoke alarm
- Review of redress against letting agents to include deposit protection and penalties
- Subject letting/management agents to same legislation as sales agents (OFT) and same professional standards
- Code of Practice for letting agents
- Change culture to long-term tenancies
- Proposals to speed up evictions for non-payment of rent
- Council of Mortgage Lenders encourage lenders to relax restrictions on longterm lets
- Letting agent Code of Conduct to include explaining all tenancy options
- Longer term lets encourage tenants to ask for improvements and complain
- Increase supply of housing to control rents – no statutory rent control
- No rent control – should increase supply
- Encourage discussion and agreement of rent increases on long term lets
- LAs to ensure homeless families placed in suitable accommodation and in local area
- Share best practice on social letting agencies, PRS access schemes
- Allow LAs to apply for variation on rental market area boundaries
- Review LHA and scope for local flexibilities
- Task Group to consider better data collection on PRS
- Review tax regulation for PRS with regulators
- Support development of Build to Rent Fund and monitor applications and delivery
- Build to let task force to continue but must not become quango and results reported
- Review impact of Build-to-let in 12 months and change strategy if not working
- Revisit report on Financing of new Housing Supply

**10. Making the most of the PRS in Wales – 10 recommendations to Welsh Government**

**TELFORD & WREKIN COUNCIL**

**CABINET - 15 MAY 2014**

**RESPONSE TO SCRUTINY REPORT: EMPTY PROPERTIES and PRIVATE LANDLORDS**

**REPORT OF ASSISTANT DIRECTOR: DEVELOPMENT, BUSINESS & EMPLOYMENT**

**LEAD CABINET MEMBER: CLLR CHARLES SMITH**

**PART A – SUMMARY REPORT**

**1 SUMMARY OF MAIN PROPOSALS**

That the Council implements a number of recommendations as identified by the Housing, Economy & Infrastructure Scrutiny Committee in relation to dealing with empty properties and supporting private landlords as well as tackling those who aren't fulfilling their duties as a good landlord.

**2 RECOMMENDATIONS**

**2.1 That the recommendations made by the Housing, Economy & Infrastructure Scrutiny Committee and the responses included at Appendix 1 of this report are noted**

**3 SUMMARY IMPACT ASSESSMENT**

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	Bringing empty properties back into use and using good landlords directly contributes towards the following priorities: <ul style="list-style-type: none"><li>• Protecting and creating jobs as part of a 'Business Supporting, Business Winning Council' through the use of local contractors to carry out work on empty properties</li><li>• Regenerating those neighbourhoods in need and working to ensure that local people have access to suitable housing</li><li>• Ensuring neighbourhoods are safe, clean and well maintained through improving problem empty properties and promoting good landlords</li></ul>
	Will the proposals impact on specific groups of people?	
	Yes	Residents in the borough in need of housing options and communities affected by empty properties and rogue or problem landlords
<b>TARGET COMPLETION/ DELIVERY DATE</b>	Initiatives will commence immediately following and subject to Cabinet Approval.	
<b>FINANCIAL/ VALUE FOR MONEY IMPACT</b>	Yes	Any financial implications of adopting the recommendations as detailed within this report and Appendix 1 will be contained within existing service budgets and resources. JAC 150414
<b>LEGAL ISSUES</b>	Yes	Legal Services will continue to provide advice to officers as required in the adoption and implementation of the measures

		outlined within this report, in addition to assisting where necessary the ongoing enforcement work of the Housing Action Team.
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	Yes	Risks include; further deterioration of empty properties resulting in possible anti-social behaviour; blight and lost revenue to the authority and an increase in rogue landlords or poor landlord practices, resulting in worsening housing conditions.
<b>IMPACT ON SPECIFIC WARDS</b>	Yes	Impacts will be greatest in those wards where there is a high level of empty properties (Cuckoo Oak & Ketley and Oakengates) and problem landlord properties and where the owners are on board with bringing the property back into use.

## **4.0 INFORMATION**

### **4.1 Background**

In September 2013, Cabinet approved a series of recommendations focussed on tackling rogue landlords and bringing empty properties back into use. The Housing, Economy & Infrastructure Scrutiny Committee subsequently identified this as a work stream which justified in depth review on the basis that empty properties and rogue landlords have direct financial and environmental implications for the council and the Borough. An early report by officers, to the scrutiny committee provided contextual information on the issues and set out a number of formative proposals which provided a steer to areas where the scrutiny review could add value. The committee agreed two key lines of enquiry:

- 1. How to identify empty properties as early possible**
- 2. How to address issues of poor practice by private landlords**

The committee's work centred around two main approaches:

- To research what was happening in other authorities and look for good ideas that could be considered locally
- For members to use their knowledge of local networks to identify ways that the Council could work with partners to increase the early reporting of empties.

### **4.2 Response to Recommendations of the Scrutiny Report**

Members of the Scrutiny Committee agreed a number of recommendations which are summarised in Appendix 1. The majority of recommendations have or are in the process of implementation following the input of additional resource from the Cabinet decision in September 2013. Considerable progress has been made over the past 6 months to assist property owners to either bring their property back into use. Several empty properties are now occupied and many others are currently for sale or to let. Where the owners have not been willing to engage, section 215 Town and Planning Act Notices have been served and through intervention and support many properties have been cleared successfully, reducing blight on the neighbourhood. Intervention and support has been carried out to clean up several challenging properties in the Borough. Substantial work has also been carried out with landlords to ensure that they are complying with their responsibilities and a working group meets regularly to discuss landlords that are causing issues across the authority and ways in how we can engage with them to improve the quality of

the offer.

With considerable positive action completed and underway, the Scrutiny Committee recommendations provide some valuable new ideas and advice on which to develop the service further. Each of the recommendations made has been responded to in detail in Appendix 1.

## **5. PREVIOUS MINUTES**

Cabinet Report – 19 September 2013.

## **6. BACKGROUND PAPERS**

Scrutiny Report

**Report prepared by Toni Keever, Home Improvement Team Leader, 01952  
381860**

Appendix 1

Cabinet Response to Scrutiny Report

<p><b>Scrutiny Committee: Housing, Economy &amp; Infrastructure</b></p> <p><b>Report: Empty Properties and Rogue Landlords</b></p> <p><b>Lead Scrutiny Member: Cllr. Chris Turley</b>  <b>Lead Scrutiny Officer: Stephanie Jones</b></p>		<p><b>Cabinet Member: Cllr Charles Smith</b></p> <p><b>Response prepared by: Toni Keever (Home Improvement Agency Team Leader)</b></p> <p><b>Date of Cabinet meeting: 15 May 2014</b></p>	
Scrutiny Recommendation	Response and summary of action being taken to implement, or reason for rejection	Date by which action will be taken	Person responsible for action
<p>1. Hold a Members' Information Seminar about empty properties and promote to Town &amp; Parish Councils</p>	<p><b>Wholly Accepted</b> – This is a positive action which will enable us to promote the empty property and landlord services to all members and town and parish councils and encourage their support including reporting any local concerns.</p>	<p>October 2014</p>	<p>Toni Keever – Home Improvement Team Leader</p>
<p>2. Develop an awareness raising campaign to increase awareness of the issue, the importance of reporting empties as early as possible and how to report them. This should include:</p> <ul style="list-style-type: none"> <li>a) An article in The Voice</li> <li>b) Distributing information to Town &amp; Parish Councils, including: <ul style="list-style-type: none"> <li>– Details of empty properties in their area</li> <li>– The role of the Home Improvement Agency (HIA) and how it can help</li> <li>– How to report empty properties – a single point of contact</li> <li>– The limits of the council's powers and resources to manage expectations</li> <li>– This should be provided to Madeley Town Council and Ketley Parish Council for publication in their next newsletters.</li> </ul> </li> <li>c) Raising awareness with other organisations with a street presence e.g. Police, CSOs, Parish</li> </ul>	<p><b>Wholly Accepted</b> – The Empty Property Officer will provide a single point of contact for reporting concerns and seeking advice. We will develop an awareness campaign to ensure effective engagement with internal services, partners, PC and TC and the public. By providing details around what we can achieve and what we cannot achieve, we can effectively manage expectations.</p>	<p>September 2014</p>	<p>Loren Parrish – Empty Property Officer</p>

<p>Environmental Teams, the Post Office to encourage early reporting.</p>			
<p>3. Depending on data protection issues, contact utility companies to explore sharing information about empty properties e.g. Severn Trent Water employs people to identify empties and are also a partner of the Council on the Strategic Flood Management Board.</p>	<p><b>Partly Accepted</b> – we will make contact with utility companies to investigate whether they will share this detail with us. However implementation of this recommendation will be dependent upon the utility companies own data protection policies</p>	<p>July 2014</p>	<p>Loren Parrish – Empty Property Officer.</p>
<p>4. Take all opportunities to issue press releases when a property has been brought back to use or there is a successful prosecution. This will publicise what the Council is doing to address issues and send a message to poor performing landlords that the Council will take action where necessary.</p>	<p><b>Wholly Accepted</b> – We will work with the Corporate Communications Team in developing the Awareness Raising Campaign and to ensure that we maximise on opportunities to promote positive outcomes including, where appropriate, in relation to prosecutions. We will need to be selective in the cases that we use and ensure the case studies effectively portray the benefits of engaging with the Home Improvement Agency and care will need to be taken to avoid attracting negative publicity to particular neighbourhoods and in relation to specific cases.</p>	<p>Ongoing</p>	<p>Toni Keever – Home Improvement Agency Team Leader</p>
<p>5. Develop a score card to prioritise properties for action. The Stockton score card is provided separately as an example. Properties selected for action should balance properties eligible for the New Homes Bonus that can be brought back to use sooner and properties which cause the most blight or anti-social behaviour.</p>	<p><b>Wholly Accepted</b> To develop a scoring card that enables the Home Improvement Agency to prioritise action will enable us to identify and promote the properties that we need to focus on initially. This will help to manage expectations to all regarding how we are able to help and those properties that we will try to engage with the owner, but where our concentrations may be gathered more around certain properties. The prioritisation process needs to acknowledge that drivers for intervention may be different (financial versus environmental – see point 7 below). This will ensure transparency around why action has been taken, enable resources to be prioritised.</p>	<p>August 2014</p>	<p>Toni Keever – Home Improvement Agency Team Leader</p>
<p>6. The data base of empties should be broken down into categories to prioritise properties for targeted work. e.g. properties empty over 6 months, over 2 years,</p>	<p><b>Wholly Accepted</b> – this is already carried out to enable us to effectively target properties. This also assists in providing information regarding why some properties e.g. those in probate</p>	<p>April 2014</p>	<p>Loren Parrish – Empty Property Officer</p>

<p>properties under probate, and existing intelligence used to inform priorities.</p>	<p>are not subject to immediate action.</p>		
<p>7. Set a target for bringing empties back to use and develop performance measures. Monitoring reports should be brought to the scrutiny committee annually.</p>	<p><b>Partly Accepted</b> –If targets are to be established then there needs to be clear guidance on the drivers for bringing empty properties into use. Intervention is currently driven by financial incentives through receipt of New Homes Bonus (NHB) and the desire to address unoccupied properties which are falling into disrepair and blighting neighbourhoods. If NHB is the priority then the focus should be on those properties where least intervention is required but these are unlikely to be the ones which have the most severe environmental impact. Targets setting may therefore not be straightforward. However it is recognised that it is vital to review the success of the suite of interventions available to ensure the most appropriate course of action is being pursued and the team Home Improvement Team will ensure this is implemented. It is therefore proposed that targets focus around the number of interventions undertaken and their success in bringing properties back into use.</p>	<p>August 2014</p>	<p>Toni Keever – Home Improvement Agency Team Leader</p>
<p>8. Consider the viability of a private sector lease scheme for Telford and Wrekin. The Sandwell model could be explored as an example, e.g.:</p> <ul style="list-style-type: none"> <li>– Working with landlords to develop the information pack and lease agreement</li> <li>– Consider the option of a non-repair lease</li> <li>– How to select properties for the scheme which meet the demand for different types of property</li> <li>– Explore the financial model</li> </ul>	<p><b>Rejected</b> – We do lease in a number of properties that we use for temporary accommodation. We intend to move away from leasing properties and discharging our housing duty through the private sector with direct tenancies with the client and the landlord. This is done through a “Bond” scheme which is a guarantee to the private landlords that we will pay the equivalent of a month deposit should the tenant fall into rent arrears or damage the property.</p>		
<p>9. Ensure there are good links between relevant Council services (e.g. Strengthening Families, Housing Action Team) so people can be supported where housing is an issue and tenants linked to suitable properties let by</p>	<p><b>Wholly Accepted</b> – we are currently working with other service areas to promote the use of approved landlords and the services of the Home Improvement Agency in sourcing properties in the private sector</p>	<p>April 2014</p>	<p>Toni Keever – Home Improvement Team Leader</p>

accredited landlords			
10. Choice Based Letting system – the Committee has not looked at Choose Your Home but recommend exploring the potential to advertise accredited landlord properties on CYH	<b>Partly Accepted</b> – we are looking at developing our own system that will advertise accredited landlords. A further report will be brought to cabinet later in the year	September 2014	Toni Keever – Home Improvement Agency Team Leader
11. Consider the Sandwell Landlord Forum model, e.g.: <ul style="list-style-type: none"> <li>– Establish a Landlord Forum Steering Group – a landlord/officer group with landlords having the veto. The Steering Group should be act as a consultee and to set the agendas for the Landlord Form meetings. In Sandwell the Forum meetings are workshop based and include legislation updates.</li> <li>– Consider producing a regular newsletter to e-mail to landlords e.g. The Bugle (PDF)</li> <li>– Promote the Forum as a route to information and business opportunities e.g. landlords can advertise properties for sale to other accredited landlords to avoid estate agents fees. (See Plymouth Council case study of Empty Property Sale Procedure to connect owners of empty property with developers though a sealed bid process taking 2-3 weeks and requiring no fees.)</li> <li>– Set up a hot line for accredited landlords to Revenues and Benefits for advice</li> <li>– Consider the benefits of joining MILAS and Homestamp (useful guides)</li> </ul>	<p><b>Partly Accepted</b> – Revenues and Benefits already have a dedicated line for landlords to contact for advice, meet regularly as a landlord forum and produce a regular landlord newsletter that the Home Improvement Agency supply articles to. The Home Improvement Agency also has Tenancy Relations Officers that provide advice to landlords and tenants on their rights and responsibilities.</p> <p>However we will review the Sandwell Landlord Forum model for good practice that we can deliver locally through our own landlord accreditation scheme.</p> <p>We are developing useful guides that collate all good practice for tenants and landlords that we will provide as part of the landlord accreditation scheme.</p>	September 2014	Toni Keever – Home Improvement Team Leader
12. Target recruitment activity for the landlord accreditation scheme on middle ground landlords i.e. those who may be falling short because they are not aware of their responsibilities but would improve their practice with support and accreditation. Take a hard line with landlords	<b>Wholly Accepted</b> –This is a positive way forward to encourage and support landlords that need guidance to ensure they are aware of and are carrying out their responsibilities fully. Where we are unable to improve performance through information and advice and we have the evidence to take	Ongoing	Toni Keever – Home Improvement Team Leader

who genuinely have no intention of improving in terms of prosecuting.	forward a prosecution route will be pursued.		
13. Reinforce the message to poor performing landlords that the Council will prosecute and when the Council serves notice it is seen as intention to prosecute – this must be balanced against projecting a negative message about landlords.	<b>Partly Accepted</b> – Where we have sufficient evidence and all other avenues have been exhausted we will then move to prosecute. This will follow consideration by the Housing Action Team and be lead by the appropriate service depending upon the nature of the issue. Through Tenancy Relations Officers we will provide support to the tenant throughout this process. All correspondence sent to the landlord will make clear the implications of failing to comply with their legal responsibilities and the potential for prosecution.	Ongoing	Toni Keever – Home Improvement Team Leader.
14. Assign a designated officer to each landlord to avoid officers being played off against one another and to ensure a consistent message.	<b>Rejected</b> – The Home Improvement Agency working with the Housing Action Team will coordinate contact with landlords providing advice to other services regarding actions being taken against specific landlords. Where action is being taken in relation to a landlord this will be lead by an Officer from the appropriate service, identified by the Housing Action Team, depending on the issue of concern. The landlord accreditation scheme will be lead by the Home Improvement Agency. The Empty Property Officer will lead on providing advice/information to landlords generally around empty properties. All interventions with a landlord is recorded on a database system which is accessed by Environmental Health and the Home Improvement Agency and regular meetings are held with all relevant services including revenues and benefits to discuss landlord issues. We will ensure that officers within the Home Improvement Agency works closely together to ensure a consistent message is provided.		
15. Produce “Looking for a Property?” guide to publish on the website and promote through all possible channels to help tenants avoid taking on poor quality properties with bad	<b>Wholly Accepted</b> – we feel that this is a positive action and we will publish a guide onto the Telford & Wrekin Council website.	October 2014	Toni Keever – Home Improvement Agency Team Leader

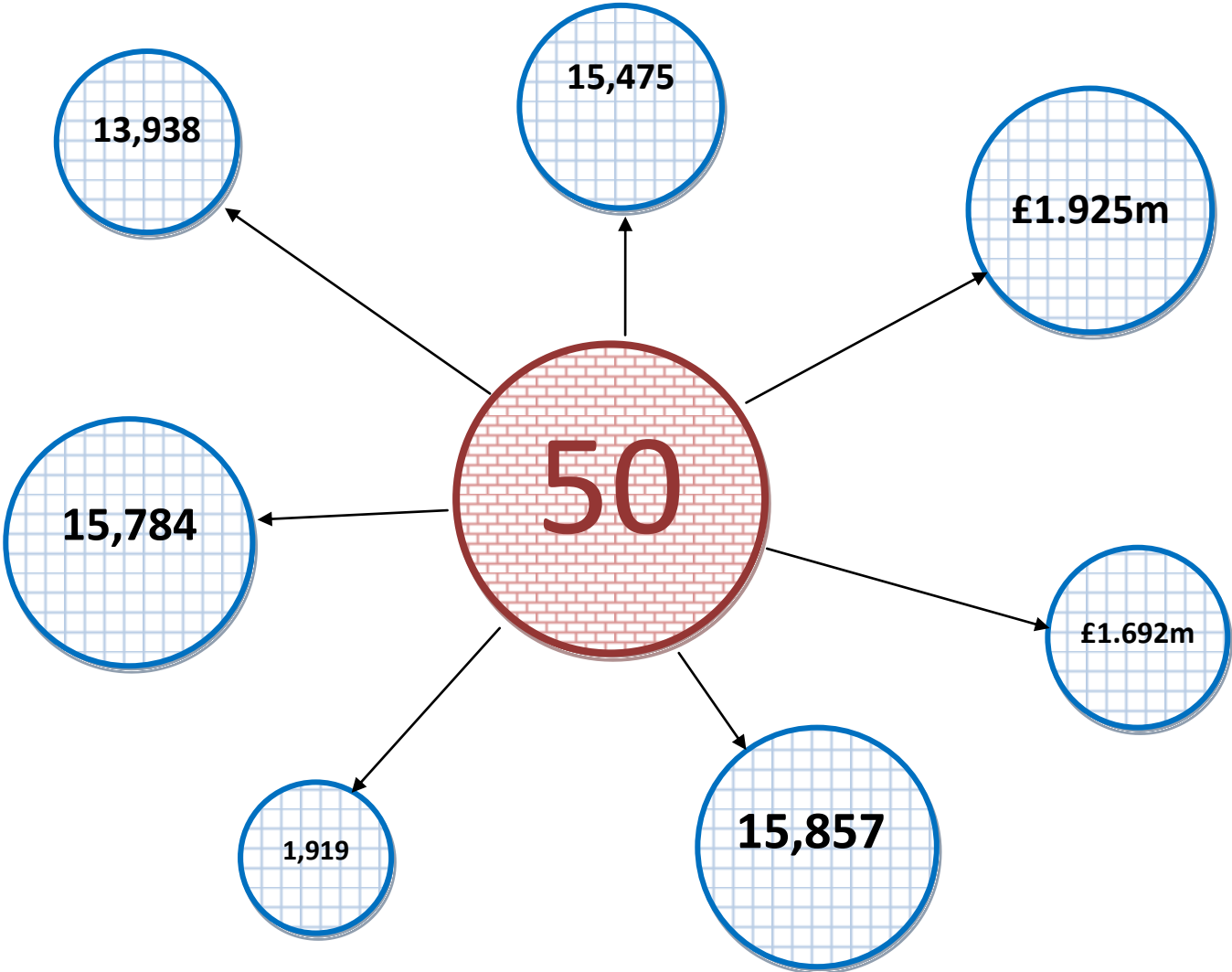


<p>– Support community or voluntary organisations to access any sources of funding which may support the work</p>	<p>We will explore with our training providers opportunities to take on volunteers who want to develop their skills or use of current students to complete work. This would deliver training in a real environment and help develop skills. Further work needs to be done to check out how skills funding for adults could be drawn down.</p>		
<p>19. The summary of case studies provided by the Committee should be considered for any other ideas not referred to in these recommendations but which may be good ideas for Telford &amp; Wrekin.</p>	<p><b>Wholly Accepted</b> – we will review all case studies for future good practice.</p>	<p>September</p>	<p>Toni Keever – Home Improvement Team Leader.</p>

# Children & Young People Scrutiny Committee

## Review of local arrangements for the planning and provision of primary school places in the borough of Telford and Wrekin

“It’s not just about the numbers”





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## Chair's Foreword

This report details information on the demand and projections for primary school places in the borough. Telford & Wrekin LA has a statutory duty to ensure that all school age children have a school place. In order for this provision to be available projections for future demand are calculated using various sources of information such as live birth data, GP registrations and historic applications to schools. This information then informs us as to how many school expansions or additional schools are needed.

As you will read, the committee has come to the conclusion that demand for primary school places in the borough for the next 5-10 years will not necessitate a need for additional schools to be built but as planned housing developments in the borough grow and expand pressure will be placed on existing provision. Council officers have a clear grasp of the challenges facing the borough in this important area and the committee is confident that the regular tracking and monitoring of the related data that is undertaken by senior officers is of high quality.

The concern the committee has is that due to central government's reduction in capital funding for schools the borough will become increasingly reliant on S106 monies for funding school capital programmes associated with planned housing growth and as such the method and outcome of these negotiations needs to be coherent and accessible. The committee accepted that the means by which S106 contributions are negotiated and approved is transparent but felt that it would be beneficial if there was one place where this information is brought together in a coherent and accessible way to promote and encourage greater scrutiny and accountability.

Members are particularly concerned about the lack of clarity regarding S106 payments, in particular:

- How much funding for education provision has been agreed from S106 agreements in the recent past;
- The total amount of S106 funds for education agreed as part of approved planning applications in the past few years but subsequently relinquished and the potential impact on loss of infrastructure in relation to primary school places;
- How much money from S106 agreements allocated to education has been spent and on what?

To this end the committee was unanimous in its view that Telford & Wrekin should publish an annual S106 report.

As always I would like to place on record the committee's thanks to the many colleagues that gave up their time to meet with us and have helped to steer us in the right direction.

Cllr Mike Ion  
Chair CYP Scrutiny Committee

## Executive summary and recommendations

The Committee carried out an in-depth review of the local arrangements for the planning and provision of primary school places between April 2013 and February 2014.

With the rising birth rate and the scale of housing development in the borough, the committee's main concern was whether there would be sufficient capacity in Telford & Wrekin primary schools to meet the growing demand. The review considered the methodology for projecting pupil places, how additional capacity is planned and the role of head teachers and governors in the process, and the link between the expansion of places and the quality of provision.

The committee took evidence from the Cabinet Member Children, Young People & Families and officers from School Organisation and Research & Intelligence, but we would particularly like to thank members of the Telford and Wrekin Primary Heads' Forum, school governors and an expert adviser from the National Governors' Association whose insights greatly helped in shaping the conclusions and recommendations in this report.

The complexities of projecting pupil numbers and planning and funding school places in the right place at the right time quickly became clear.

**The committee's main conclusion is that, in spite of some challenging local pressures, enough capacity is being planned to meet the demand from growing pupil numbers across the borough as a whole.**

The committee did however identify a number of areas of concern:

- Whilst information on S106 negotiations and agreements was available in relation to individual developments, the cumulative impact of these agreements in terms of funding for additional school places and education facilities did not appear to be brought together in one document or report in a coherent manner.
- Attendance at admissions appeals hearings, raised as an issue by local head teachers.

It was felt that the approach in these areas needs to be strengthened and we have made the following recommendations in the table below:

Issue	Recommendations
The committee is satisfied that there will be sufficient capacity in primary schools at borough level although acknowledge that there are pressures in some areas.	1. The findings of the review of primary catchment areas in the north of the borough should be published as soon as possible and the LA should give serious consideration to the views of local parents, headteachers and governing bodies.
Information about the cumulative impact of S106 contribution negotiations, agreements and spending including for school	2. The Council should publish a S106 Annual Report which should set out: <ul style="list-style-type: none"> <li>• how much funding has been agreed from S106 agreements in the period covered by the report</li> </ul>

<p>places /education facilities needs to be clearer and more readily available in a coherent form.</p>	<p>and for what;</p> <ul style="list-style-type: none"> <li>• the total amount of S106 funds previously agreed but subsequently reduced or rescinded for reasons of non-viability and the potential impact on loss of infrastructure in relation to schools;</li> <li>• how much has been received from developers in the period covered by the report;</li> <li>• how much has been spent and on what;</li> <li>• any unspent money paid back to developers or money at risk of repayment.</li> </ul> <p>3. The S106 Annual Report should be presented to Budget &amp; Finance Scrutiny Committee.</p> <p>4. The Council should develop a S106 policy and protocols to ensure decision making is transparent, accountable and aligned with priorities. This should be included in the work programme of the Housing, Economy &amp; Infrastructure Scrutiny Committee.</p>
<p>Headteachers and GB Chairs reported inconsistent practice with other authorities in being able to attend appeals hearings.</p>	<p>5. That the Council adopts a more flexible approach to allowing head teachers to attend appeals hearings.</p>
<p>Headteachers and officers highlighted the fact that academies can set their own admissions without consulting the local authority and this can impact on place planning and other local schools.</p>	<p>6. The Council should develop an ‘Academies Protocol’ to set out the Council’s position on how it will fulfil its statutory duty on education performance to challenge and monitor the quality of education in academies and what it will do if it is found wanting. The Staffordshire Protocol should be considered as a model.</p>
<p>The Children &amp; Families Population Profile</p>	<p>7. The data in the Children &amp; Families Population Profile should be developed to inform school place planning and children and family service delivery.</p> <p>8. The Population Profile should be shared on an annual basis with head teachers.</p>

## Objectives of the review

Like other parts of the country Telford and Wrekin has seen an increase in birth rates over recent years. Added to this, demand from new housing development in the borough has created additional pressure on primary school places which will continue for some years.

Concerns have been raised nationally about a shortage of primary school capacity in some parts of the country. The Children & Young People Scrutiny Committee wanted to review local arrangements for the planning and provision of primary places to find out the scale of the challenge in the borough and how demand will be met. The key question was whether there would be enough places to meet demand over the coming years.

The review had the following lines of enquiry:

1. How does the borough plan for additional places in the primary phase?
2. How does the local admissions policy work and how are primary school governing bodies involved?
3. How is the provision of places (capacity) linked to improving educational outcomes (quality of provision)?

## Background information

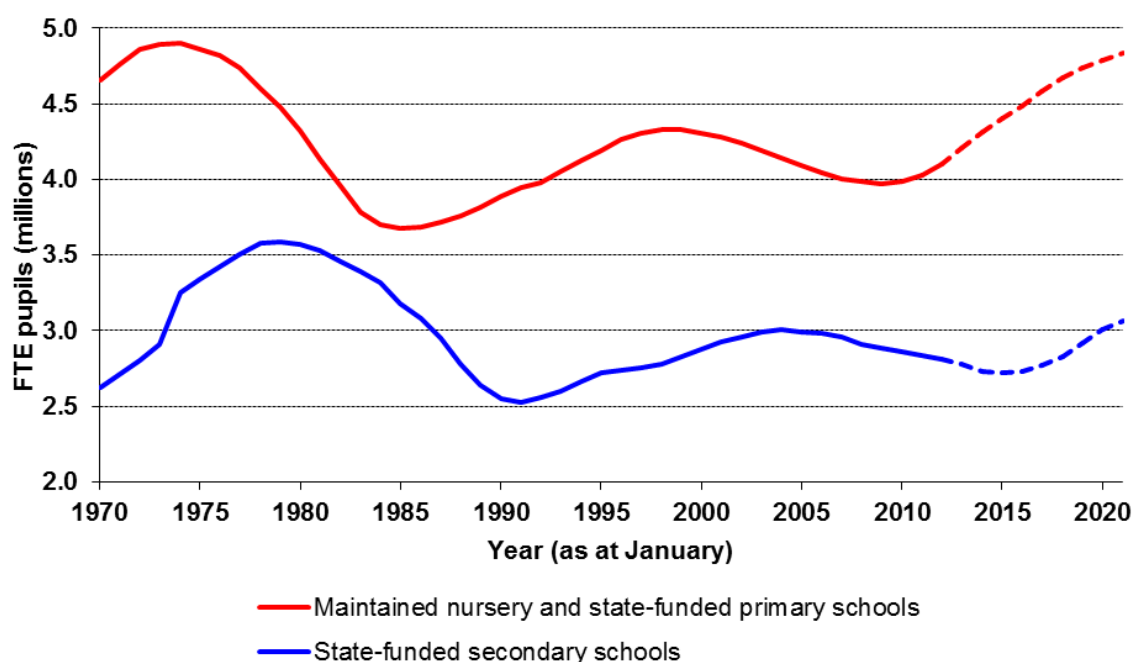
### National pupil projections

The Department of Education's *National Pupil Projections: Future Trends in Pupil Numbers* published in March 2013 projected a 9% increase in pupil numbers in maintained nursery and state funded primary schools between 2012 and 2016. By 2021, numbers are projected to be 18% higher than in 2012, reaching levels last seen in the 1970s.

The full-time equivalent number of pupils of all ages in state-funded primary schools peaked in 1999 at 4.301 million and began to fall in 2000, reaching a low of 3.947 million in 2009, due to the downward trend in birth rates during the late 1990s.

Births in England have been broadly rising since 2002 and are projected to continue to rise until 2014. In 2010, the number of pupils in primary schools began to increase. By 2016, there are projected to be 4.462 million pupils in state-funded primary schools, an increase of 9% from 2012. By 2021, the number is projected to increase to 4.808 million, 18% higher than in 2012.

The table below shows actual (1970-2012) and projected (2013-2021) numbers of pupils in maintained nursery and state funded primary schools.

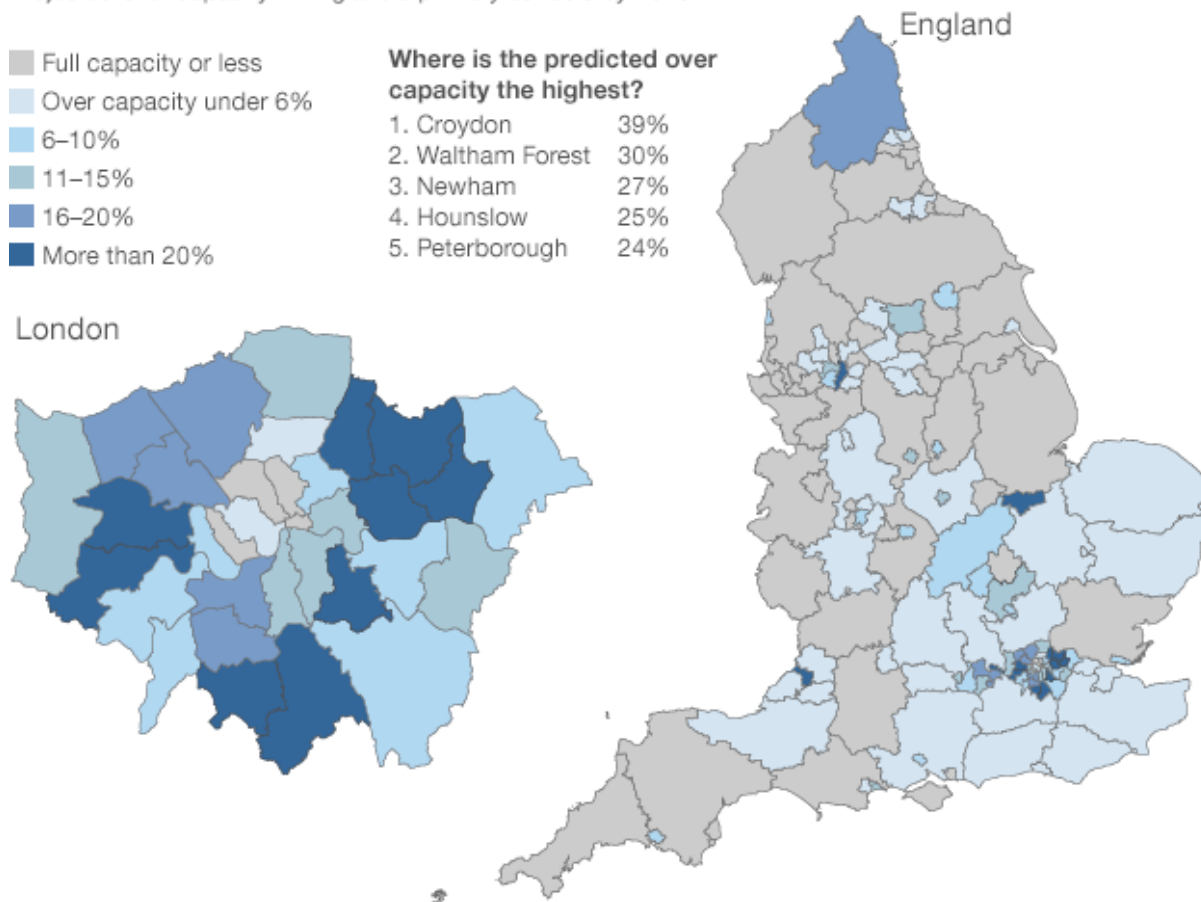


Source: *School Census, School Level Annual School Census and Pupil Referral Unit Census (actuals); DfE PupilProjection Model - PT284 (projections)*

A Local Government Association (LGA) analysis of local authority data on school-place needs suggested about 1,000 of the 2,277 local school planning districts will be over capacity by 2015-16. This shows Telford & Wrekin projecting at full capacity or less.

## Primary school places squeeze

Projected over capacity in England's primary schools by 2016-17



Source: LGA using official DFE data (2012-13)

## Local pupil projections

A key document for the Committee was the School Organisation Services report *Planning of Primary School Places 2013-2018*.

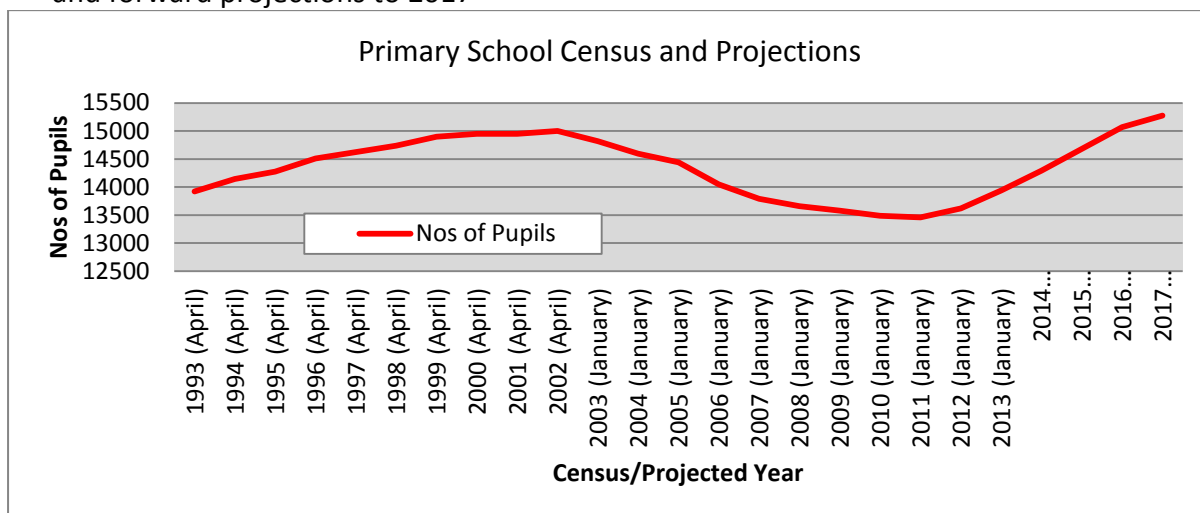
This comprehensive document sets out the overall pupil projections for the borough against capacity. The overall projections are broken down into detailed projections for the 50 primary schools (49 maintained by the authority and one primary academy) across seven sub-planning areas. The impact of additional demand created by housing development is factored into projections. The report also sets out the key data sources, the main sources of funding for primary expansion, the schools capital programme and funded/un-funded schemes.

Headline data shows:

- The number of primary pupils has declined in recent years since 2002 due to lower birth rates lower than expected housing completions.
- The trend will reverse in the next 5 years as the increased in birth rate from 2007 and more housing completions feed through.
- The primary population in 2002 was 15,000; as of 2011 the figure was 13,500.

- The overall number of primary pupils is projected to increase by 1900 between 2013 and 2018.

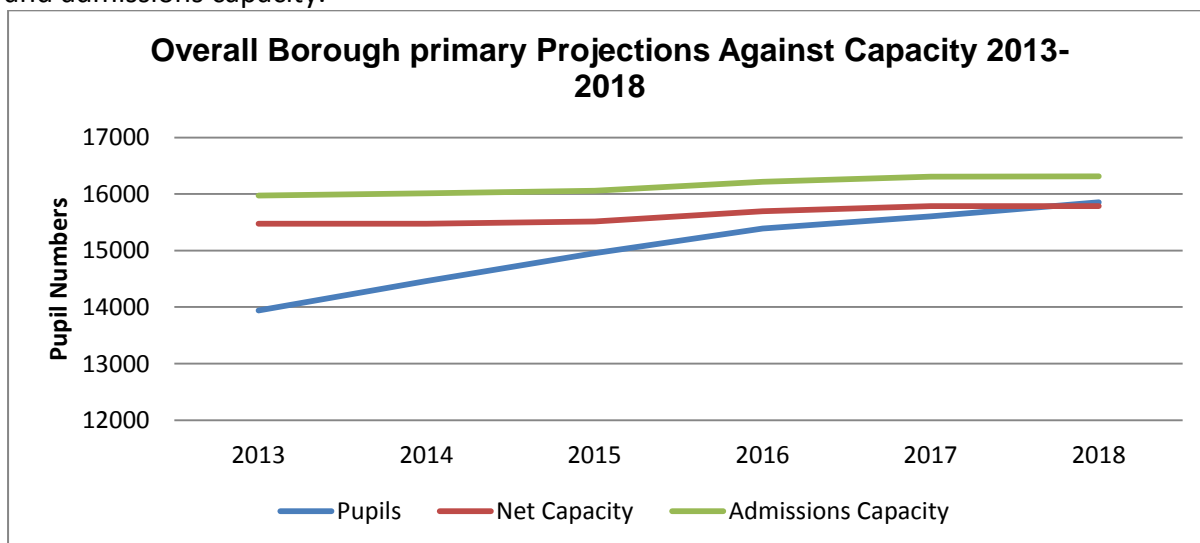
The graph below shows the trend in pupil numbers from school census records to 2011 and forward projections to 2017



The table below shows the projected total number of primary pupils against net capacity and the % surplus capacity to 2018.

Census Yr	Rec	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	Total	Net Capacity	% Surplus
<b>2013</b>	2109	2139	2001	1986	1955	1858	1890	<b>13938</b>	15475	10
<b>2014</b>	2172	2153	2182	2035	2019	1998	1902	<b>14460</b>	15475	7
<b>2015</b>	2174	2213	2200	2201	2068	2059	2039	<b>14953</b>	15514	4
<b>2016</b>	2267	2216	2253	2212	2231	2108	2100	<b>15387</b>	15694	2
<b>2017</b>	2120	2308	2254	2258	2243	2271	2149	<b>15603</b>	15784	1
<b>2018</b>	2182	2164	2347	2276	2288	2288	2312	<b>15857</b>	15784	0

The graph below shows the overall projections for the borough compared to net capacity and admissions capacity.



## Local authority responsibilities

Councils have a statutory duty to ensure there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in the area, promote diversity, and increase parental choice.

In addition Telford & Wrekin Council also seeks to:

- Improve educational outcomes by ensuring access to high quality provision;
- Ensure cost effective provision through removal of surplus places, by developing links to other initiatives such as early years provision, developing formal collaborations with partner organisations and actively seek developer contributions where available;
- Provide or assist in procuring local schools for local children by promoting community cohesion, and ensure the provision of new schools are in the right place to serve their communities;
- Facilitate the diversity of school provision by offering a range of provision to promote choice to parents;
- Maintain the sustainability of schools in terms of financial, social and environmental impacts;
- Consult with stakeholders over school organisation proposals and as part of the commissioning process.

## Projection and place planning processes

The committee spent a significant amount of time drilling down into the methodology for projecting pupil numbers (including how demand from new housing developments is built in) and the process for planning how and where additional places will be created.

Members were provided with detailed information and specific examples to explain some of the complex planning considerations. We have tried to summarise key processes in the section below.

### Projecting pupil numbers

Place planning is based on complicated projections down to school level. Telford & Wrekin uses an agreed formula for projecting numbers similar to those used by other authorities and approved by DfE. There is a 13 stage process which includes:

- Step 1 is to calculate the number of pre-school children in each year group (0-3). Data is collected from birth records and health authorities and updated annually. Information from nurseries and pre-school providers is added in. This builds a picture of how many children there are in each area. Data can be broken down by school or planning area (there are 7 planning areas).
- Step 2 is to record the number on roll at each school over the last 5 years. There is a school census three times a year and the information is normally taken from the January or May census.

- Step 3 calculates the “survival ratio” i.e. the number of children who moved from one year group to the next (e.g. reception to year 1) and the number who dropped out to project the number who are likely to stay until the following year. Some schools start below the full in-take but fill up during the year. Others start with a full intake but children drop out. Some wards (e.g. Newport, Apley) have relatively stable populations while others (e.g. Malinslee/Hadley) have more mobile populations. The stability or instability of cohorts can produce significant variations in the survival ratio. The average over 5 years is taken for each age group, and the trend is weighted to the most recent years. Work is being done to track where children dropping out go to, especially between primary and secondary level.
- Steps 4/5/6 calculate the forecast pupil numbers from birth and health records with survival ratios factored in, including through to secondary level.
- Steps 7-12 build in forecasts from housing yield. A formula is used to forecast additional numbers from housing development (0.24 per home for primary, 0.16 per home for secondary). The numbers are factored into projections when planning consent is granted. One of the issues is knowing when a developer will build houses following planning approval so projections are split over a 5 year period. The final stage is to calculate the cumulative effect of housing development year on year.
- Step 13 arrives at the total number of pupils projected to be in each school split down into Key Stages. These totals are used as part of the evidence in basic needs bids.

### **Planning and creating additional places**

- There are seven planning areas in the borough. Schools are grouped together based on proximity and influence on each others pupil numbers and admissions and, where they exist, on geographical boundaries such as main roads and railway lines. The areas are Newport, Wellington, North Central, North East, South West, South East and South Queensway.
- Planning is based on the Net Capacity of schools and tailored to the Planned Admission Number (PAN). All local authority maintained schools have a Net Capacity Assessment to determine the maximum and minimum number of notional work spaces based on the size and usage of space in the school. The PAN is set within the Net Capacity range depending on a number of factors such as class size limits, the capacity of the school, to accommodate growth from housing developments or to ensure standards can be maintained.
- Schools cannot admit pupil numbers above the PAN at Key Stage 1 except in exceptional circumstances and where individual schools show projected numbers over and above the PAN at KS1 the projection is limited to the PAN. In 2001, legislation was passed which stipulated a maximum class size of 30 for infant (KS1) classes and 32 for primary (KS2) classes. The current government changed the parameters by introducing 5 exceptional circumstances under which infant class size limits can be exceeded, for example the admission of a child in care. If children are admitted under exceptional circumstances, the class can remain at over 30 for the rest of the key stage and there has been an increase in the number of infant classes with over 30 children. There is no equivalent maximum size set for junior classes so there is more flexibility and if a child moves into the catchment area it is possible for the school to go above the PAN in order

to admit them. Guidance allows a 5% surplus of school places to be built in to allow for parental preference.

- Pupil projections are computed at borough, planning area and individual school level. If a school is projecting above Net Capacity it is looked at in relation to its geography and relative isolation. For schools in town areas projections are computed at planning area level to look at capacity in other schools and the potential for expansion within the area. If there are no other schools around, the school is looked at individually to see if an expansion will be necessary. Regulations on travel to school state that primary aged pupils can walk up to 2 miles to school and secondary aged pupils up to 3 miles, if the nearest school is beyond that distance then the local authority should provide transport.
- There are three ways of expanding primary places:
  - Reclaiming existing accommodation designated for other activity when numbers dipped (this depends on the current designation - space used as a nursery would be difficult to reclaim, space used as community room would be easier)
  - Extending existing schools
  - Building new schools
- There are three main sources of funding for school places:
  - Capital receipt - from disposals identified as part of a school reorganisation (used in the BSF programme)
  - DfE Formulaic Basic Need – a bi-annual allocation made to local authorities to target pupil place priorities in their area. Capital allocations have reduced in recent years. The 2013/14-14/15 allocation was £1.26m (2 years); for 2014/15-16/17 £1.925m (3 years).
  - Section 106 contributions – a formula is applied to project the number of additional pupils a housing development will generate. The Council can command contributions from the developer towards extra places under Section 106 agreements if it is shown the local schools cannot accommodate the expected number of new pupils.

## Key findings and recommendations

This section sets out the Committee's main findings and recommendations

### Capacity issues

**The Committee is satisfied that there will be sufficient capacity in primary schools at borough level although acknowledge that there are pressures in some areas.**

The main question the committee wanted to address was whether sufficient places are being planned at the primary phase across the borough.

Members explored how data is gathered and fed into projections. The School Organisation Services report *Planning of Primary School Places 2013-2018* was considered which shows detailed projections by school for each year group from Reception to Year 6, the total number of projected pupils, the net capacity of the school and the % surplus (under or over), weighted for housing developments and the totals projected across each planning area to identify net capacity pressures.

The upward trend in the birth rate within the borough since 2007 and the development of new housing has generated a need for more school places. The increased demand has been met by bringing existing accommodation back into use, extending some existing primary schools (for example at Lawley Primary) and where there is substantial new development in an area without an existing school providing a new one (for example at Lightmoor).

At the time of the Committee's meeting in April 2013, extensions were being built at Muxton Primary School, Newport Infant School and Newdale Primary School. At each of these schools there would be a net gain of two class bases. Further extensions were being planned at Meadows and Teagues Bridge Primary Schools. A new primary school was also planned to serve the Ironstone development in Lawley as the number of houses to be built there will produce more children than can be accommodated solely by the extension of the existing schools in that area.

A key concern for members was the impact of new housing developments and the process for factoring in increased demand was explored in some detail. For new developments, additional pupil numbers are built into projections at a rate of 0.28 primary pupils and 0.16 secondary pupils per house - a formula examined and approved by the DfE. The projections are built in when planning consent is granted. One of the difficulties is matching the planning of school places with the lead in times for new developments - it may take several years from planning consent to occupation of the new houses. If new places are built in too soon, pupils may leave other local schools to fill the new provision leaving no space for children from the new development when it comes on stream. If the places are built in too late, schools in the area surrounding the development may become oversubscribed with a knock-on effect on local families. Members were shown how schools with a development with planning permission in their catchment area are given a weighting for housing so that the expected increases are factored into projections. Projections are split over a five year period to take account of the time between planning consent being granted and occupation

of the properties. In new schools, the PAN can be adjusted to match the rate of occupation of new developments, for example Lightmoor Primary, built to create capacity for new houses in Lightmoor Village, opened with a PAN of 20 when its capacity was for 30 and was gradually increased to match the rate of occupation in the development. This mechanism allows the number of places to increase over time as new houses are occupied. The Committee was satisfied with the information provided and concluded that place planning takes adequate account of the impact of housing development.

In addition to the written information, the Committee sought verbal assurances from School Organisation officers that there would be enough capacity to accommodate the growth in numbers across the borough as a whole and members received assurance that the team looks at the numbers at school, planning area and borough level and that enough places could be provided across the borough for the known children born in the last 4 years.

On the basis of the information provided the Committee concluded that enough places are being planned across the borough. However, the Committee was made aware of pressures in the north of the borough particularly around HLC Primary which had resulted in a review of the catchment areas and the Committee has made the following recommendation:

#### **RECOMMENDATION**

**The findings of the review of primary catchment areas in the north of the borough should be published as soon as possible and the LA should give serious consideration to the views of local parents, head teachers and governing bodies.**

#### **Section 106 contributions to fund school places**

**There is a need for greater clarity, coherence and access to the plethora of information about S106 contribution negotiations, agreements and spending including for school places /education facilities.**

The cost of providing additional places is met from a combination of government funding and negotiating contributions from developers through section 106 agreements. Capital allocations for Basic Need have reduced in recent years. The 2013/14-14/15 allocation was £1.26m (2 years). Allocations were released in December for 2014/15-16/17. Telford and Wrekin was allocated £1.925m (3 years) – a small sum against the metropolitan authorities and less than Shropshire – which puts more focus on securing planning gain from Section 106 money.

Section 106 (S106) contributions for school places can be requested from developers where the expected increase in demand created from the development cannot be accommodated within existing capacity. In relation to how education contributions are requested, the starting point is for the planning officer to consult the schools organisation specialist on the specific proposed application at a pre-application stage. For major sites a pre-application workshop is held with the developers and the schools organisation specialist attends to give pre-application advice on the likely education contributions which will be requested.

The figure for S106 contributions is produced by reference to a specific formulae (based on bed spaces) to work out the anticipated demand for education places generated by the proposed development. They then assess whether there are sufficient places to accommodate this demand before requesting a financial contribution to be paid by the owner towards educational facilities within the vicinity of the development site. If there are adequate school places available to accommodate the demand then no contribution can be requested.

Any request is received by the planning case officer and forwarded to the applicant. It will normally be accompanied by similar requests for affordable housing, recreation equipment, open space maintenance, highways works and drainage maintenance depending on the impact of the proposed development. For smaller developments of over 10 units written pre-application advice will be given which will include advice on potential S106 contributions.

The applicants then determine whether the proposed development can provide sufficient value to be viable when meeting the Councils S106 requirements. In the current climate the viability of developments normally shows that there is a shortfall compared to the required contributions and the Council then asks for a full viability assessment to be submitted for evaluation as part of the planning application. These submissions are based on certain models and are evaluated by the Councils own viability officer. It is ultimately the role of the Service Delivery Manager Development Management to determine the most acceptable suite of S106 contributions, in the context of the specific circumstances of the development in question. In the majority of cases the applicants are usually prepared to pay education contribution requests and it is normally the levels of affordable housing provision and play provision requirements that are reduced. The proposed package of financial contributions is then reported to the Planning Committee as part of the plans board report with a recommendation to delegate authority to Service Delivery Manager Development Management to issue consent once the S106 has been signed and sealed. Members of the Planning Committee are expected to review the proposed package of S106 contributions and do question them. They can decline to support the recommended package and refuse applications or request that they are renegotiated. Any refusal of permission is likely to result in an appeal to the Planning Inspectorate who will make the final decision on whether to approve or refuse the proposal. If they allow the appeal they also have the ability to vary the S106 contributions requested or to say that they are not warranted at all as has happened at Newport, with the Council challenging the Inspector's decision in both the High Court and Court of Appeal. It is therefore vital that officers are cognisant of this risk when negotiating a package with developers.

The dip in property values and housing completions through the recession has meant that some developers have asked for S106 contributions to be reduced or rescinded as they were no longer affordable based on a viability assessment. Developers principally seek to renegotiate the level of affordable housing provision as this has the greatest impact on viability. S106 contributions are not generally levied on affordable homes which nevertheless generate children who will need school places. S106 money is usually triggered by occupation of the new houses so it can take a long time for the income to come in after the S106 has been agreed and it may never actually come in if the development

does not come to fruition. All of which makes it difficult for the Council to rely on the developer contribution.

The Committee wanted to quantify the net loss of funding for education and school facilities arising from S106 contributions reduced for reasons of non-viability and requested data for the last 5 years on the total amount of S106 contributions, how much had been designated as a specific contribution to schools or education, the number of requests from developers to lift S106 agreements relating to schools, the number of requests granted and the value of reductions in terms of loss of capital funding for schools or other education contributions.

Members were provided with the total income received from S106 from 2009/10-2013/14 and the proportion of which was education contribution.

	Total Income received	Education contribution
2009-10	£458,600.33	£80,318.00
2010-11	£1,609,818.90	£310,926.89
2011-12	£2,973,702.72	£758,168.63
2012-13	£2,397,451.97	£444,024.87
2013-14 to date	£1,469,319.26	£98,389.38

The Committee was assured that no S106 contributions had been renegotiated for education contributions. However, there were a number of sites where initial requests for education contributions had not been met in full due to viability assessments. If applications are received to amend the figures agreed by Planning Committee, the applications are always taken back to the Committee for reconsideration by Members.

Examples of school places funded by S106 money were the new school at Lightmoor built using 71% of S106 monies and the 3 class base extension at Teagues Bridge which would be funded using the contribution from the Capewell Works.

Further information was requested to quantify how many initial requests were not met because of viability assessments and how many applications asking for an amendment had gone back to the Planning Committee in the past 5 years. In the last 5 years a total of 11 applications had gone to Planning Committee for amendments based on viability assessments and detailed information was provided in relation to these cases which demonstrated the complex factors around negotiating, agreeing and enforcing S106 obligations.

The Committee recognises that all planning applications that are subject to S106 agreements are determined by members of the Planning Committee, that variations to agreements must go back to the Planning Committee and that meetings are public and the minutes of meetings are on public record – and to this extent the process is transparent. However, members were concerned that there should be one place where information is brought together in a coherent and accessible way to promote and encourage greater scrutiny and accountability and the Committee is making three recommendations about this.

## **RECOMMENDATIONS**

- **The Council should publish a S106 Annual Report which should set out:**
  - **how much funding has been agreed from S106 agreements in the period covered by the report and for what;**
  - **the total amount of S106 funds previously agreed but subsequently reduced or rescinded for reasons of non-viability and the potential impact on loss of infrastructure in relation to schools;**
  - **how much has been received from developers in the period covered by the report;**
  - **how much has been spent and on what;**
  - **any unspent money paid back to developers or money at risk of repayment.**
- **The S106 Annual Report should be presented to Budget & Finance Scrutiny Committee**
- **The Council should develop a S106 policy and protocols to ensure decision making is transparent, accountable and aligned with priorities.** This should be included in the work programme of the Housing, Economy & Infrastructure Scrutiny Committee.

This recommendation is strongly supported by the Primary Heads Forum Executive who were concerned that money which could be used to fund education facilities or school places may be relinquished and agreed that clarity about these decisions was important.

## **Head teacher attendance at appeals hearings**

### **Head teachers reported inconsistent practice with other authorities in being able to attend appeals hearings.**

The Committee took evidence from Primary Head teachers during the review. The Primary Heads Forum Executive Committee arranged workshops to be held at a full Primary Heads Forum meeting to identify issues for primary schools with the planning and admissions process. Stephanie Gaskell, Head Teacher St Lawrence CE Primary School and Mandie Haywood, Head of Old Park Primary School were nominated by the Forum to attend a scrutiny committee meeting to represent the views of the primary heads and present the feedback from the workshop. Lisa Howells, Chair of Board of Governors, St Lawrence CE Primary School also attended the meeting.

The feedback raised a number of issues:

- Sudden admissions resulting from the introduction of the spare room subsidy (“bedroom tax”) as families in social housing move to smaller properties in other areas
- A lack of clarity about how the PAN is calculated and a lack of consultation with heads (the authority calculates the PAN based on the size of the school buildings and makes recommendations to the governing bodies to agree)
- Concern about how catchment areas boundary lines are drawn up, consulted on and agreed especially in terms of splitting up communities
- Lack of involvement of practitioners in the design of new building and a loss of transferred experience
- The impact of academies and free schools on place planning (see following section)

- Inconsistent practice between authorities in heads attending appeals hearings – heads in Telford and Wrekin are not allowed to attend.

Representation at appeals hearings was cited as one of the top 2 issues for primary head teachers. The Committee explored this further with Council officers and took evidence from Philip Wood, Parliamentary and Advice Officer at the National Governors’ Association.

There are two separate types of admission appeals that are dealt with by the Admission Appeal Code (AAC).

- Appeals by parents against a decision of an admission authority to reject the application for a place at a school; and
- Appeals by governing bodies of community or voluntary controlled schools against a decision by the local authority, as their admission authority, to admit to their school a child who has been permanently excluded from two or more schools.

The admissions authority must organise an independent panel hearing in accordance with the Regulations if a parent chooses to appeal the decision of an admissions authority. The Admissions Code breaks down admissions authorities by type of school as set out in the table below.

<b>Type of School?</b>	<b>Who is the admission authority?</b>	<b>Who deals with complaints about arrangements?</b>	<b>Who is responsible for arranging/providing for an appeal against refusal of a place at a school?</b>
Academies	Academy Trust	Schools Adjudicator	Academy Trust
Community Schools	Local Authority	Schools Adjudicator	Local Authority
Foundation Schools	Governing body	Schools Adjudicator	Governing body
Voluntary aided schools	Governing body	Schools Adjudicator	Governing body
Voluntary controlled schools	Local Authority	Schools Adjudicator	Local Authority

As of February 2014 in Telford and Wrekin the local authority is the admissions authority for all primary schools except Priorslee Primary Academy.

Common reasons for refusing admission are the physical capacity of the school and the class size restrictions at primary level. If there are more applications than places, the admissions authority reverts to the over-subscription criteria. Statutorily, looked after children have to go to the top of the list, and it is then up to the admissions authority to set their criteria. Common criteria are distance from school, siblings in school, baptism for faith schools, results for grammar schools. Parents are not necessarily given the reason for refusal, but may expect to be given that information on appeal.

The Council's position is that an appeal is a formal process which follows a set procedure and there are pragmatic reasons why heads are not allowed to attending meetings, and some of principle. The Admissions Code applies to all schools (except the city technology school). The code sets out what can and cannot be done. The local authority is the Admission Authority for maintained schools and appeals are lodged against the Admissions Authority. (Academies and Free schools are their own admissions authority). For reasons of equity, if a Head attended one Appeals meeting, they would need to attend all Appeals meetings for their school to ensure there is no prejudice. As the Admissions Authority, it is the local authority which holds all the relevant information about how places are allocated, distances from the school etc. The Appeals Panels are held every day over the summer for approximately one month, then once a fortnight. Appeals must be heard within 30 days and a representative of the Admissions Committee is invited to attend for all schools which are their own admission authority. Usually, the representative is a member of the Board of Governors as it is the Governors of these schools which make decisions on admissions. If the Head attended a meeting where the Appeals Panel ruled against the Head, there could be a difficult relationship between the Head and the parent if the child is subsequently admitted to the school.

The view of the National Governors Association is that while there is no requirement for the local authority to allow the head teacher to attend an admissions appeal, the NGA does consider it reasonable to allow them to attend should they want to. In the end it is the head and governors who will have to implement any decision of an admissions appeal and, especially if there are large numbers of appeals, this can have repercussions on classes that would need to be worked out.

The Primary Heads Forum argued that heads should be able to attend any appeals meeting they feel necessary. There can be complex circumstances surrounding an appeal which cannot be conveyed properly in a report and the head should be able to put their case to the appeals panel. Furthermore, allowing heads to attend appeals hearings may over time give them comfort about how they are represented and make this less of an issue.

On balance, the Committee were sympathetic to the Head Teachers and could see no reason why they should not be able to attend appeals meetings and have made a recommendation about this.

#### **RECOMMENDATION**

**That the Council adopts a more flexible approach to allowing head teachers to attend appeals hearings**

#### **Impact of academies on place planning**

**Head teachers and officers highlighted the fact that academies can set their own admissions without consulting the local authority and this can impact on place planning and other local schools.**

The local authority is responsible for ensuring that there are sufficient school places in the area. However, as noted in the section above, academies are their own admissions

authorities and are able to choose to increase their planned admission number and can apply to the Education Funding Agency at DfE for funding to expand – without recourse to the local authority.

A report by the Public Accounts Committee had flagged up the impact of academies and free schools on local authorities' ability to respond to the demand for school places and the reduction in the capital funding – concerns echoed to the Committee by both officers and head teachers.

As of February 2014 in Telford and Wrekin only one of the primary schools - Priorslee Primary Academy – has academy status. Given the discussions are going on about the inclusion of primaries under the Co-operative Learning Community Academy Trusts and the requirement for all new schools to be academies, this will inevitably change over time. In 2013 both Newport High School and Priorslee Primary Academy had availed themselves of this funding and chosen to increase their capacity. Priorslee increased its PAN from 50 to 60 per year group and Newport High from 56 to 84 per year group. This ability of academies to expand without recourse to the local authority raises challenges for school place planning. It is not yet certain whether the DfE will offset places allowed in academies against any request that a local authority makes for basic need places in another part of their area.

In addition to responsibility for planning sufficient places, local authorities also have a statutory duty to promote high educational standards and Telford & Wrekin also seeks to improve educational outcomes by ensuring access to high quality provision. Issues around the lack of local accountability of academies and free schools have been the subject of much debate nationally and the fact that local authorities have no statutory powers of intervention in academies but are still expected to report them to central government if they are failing.

Taking all this into account the Committee is recommending that the Council work with the academies to develop a jointly agreed protocol which the academies can sign up to which will enable the Council to fulfil its statutory duties.

#### **RECOMMENDATION**

**The Council should develop an 'Academies Protocol' to set out the Council's position on how it will fulfil its statutory duty on education performance to challenge and monitor the quality of education in academies and what it will do if it is found wanting. The Staffordshire Protocol should be considered as a model.**

## **Research and Intelligence**

### **The Children & Families Population Profile**

The Information Team in the Council's Delivery & Planning service collects data and intelligence to monitor performance and inform policy development and service planning across Council services. In 2013, the Population Profile for Children & Family Services was produced for the first time. Its purpose is to provide a social, economic and cultural picture of the borough at a point in time to help service areas set priorities and plan services.

The report builds a picture of the children and young people population in the borough as a whole (43,600 aged 0-19, 13,640 aged 0-5) broken down by gender, ethnicity, disability etc. and broken down into 13 SureStart areas with a SureStart children's centre in each area and grouped under 3 Children & Family Areas. The data is used to show the difference between types and level of need across areas, for example Woodside has 14.7% of lone parent households with dependent children compared to Newport with 4.8%.

The Committee agreed that the report provided a useful snapshot of the borough but suggested some areas for development to improve its value:

- Extend the parameters to better inform school place planning as well as the design and provision of children and wider council services
- Include trend data - it is not easy to extrapolate what is good or bad from one set of data and anomalies can distort the picture
- Include a section "implications for the future" to better inform service planning
- Break the data down to sub-ward geographies – there can be huge variations in economic and social indicators street by street

The Committee felt that the information would be useful for school heads to help them understand how the authority targets its resources and to enrich their understanding of the characteristics of their catchment area. The report had been provided to the Early Intervention Locality Boards which included head teachers and may have been shared more widely by them, but had not been systematically shared with individual schools. None of the heads on the Primary Heads Forum Executive were aware of the report but were interested in receiving a copy.

The Committee is making the following recommendations:

#### **RECOMMENDATIONS**

- **The data in the Children & Families Population Profile should be developed to inform school place planning and children and family service delivery.**
- **The Profile should be shared on an annual basis with head teachers.**

### **Linking the provision of places to the improvement of educational outcomes**

#### **It's not just about the numbers.**

Making sure there are enough school places to accommodate all the children in the borough is one question, but the Committee was also interested in the link between planning school expansion and improving educational outcomes.

The Public Accounts Committee report also raised concerns about the risk of rapid expansion of primary places hitting the quality of education – that the rush to find more places may mean poorly performing schools expanding. A school can only be expanded if it has the physical space and staffing levels to accommodate the expansion – St. Peters in Bratton for example no matter how good cannot be expanded because it simply doesn't

have the space. DfE guidelines are that only schools with an Ofsted rating of “Outstanding” or “Good” should be expanded.

Members probed with the head teachers a scenario whereby a thriving school with high standards and parents on the doorstep but with no free spaces and the PAN could not be increased, and the children had to go to a less good school because it has capacity. It was pleasing that the Heads replied by saying that schools work closely with School Improvement and that the team Telford & Wrekin has a good team and a good advisory service and that standards were on the rise. Members also noted that the popularity of a school was not necessarily a good criterion for expanding a school because it could change quite quickly.

The Committee has not made any recommendations on this issue but has scrutinised the educational results for the borough and is now looking in more detail at the School Improvement service and may make separate recommendation.

## **Acknowledgements**

### **Members of the Children & Young People Scrutiny Committee**

Cllr. Mike Ion (Chair)

Cllr. Stephen Burrell

Cllr. Gill Green

Cllr. Tracy Hope

Cllr. Jackie Loveridge

Cllr. Alan Mackenzie

Cllr. Jane Pinter

Cllr. Chris Turley

C-opted members:

Dr. Shaukat Ali, Wolverhampton University Business School, HE representative

Mr. Austin Atkinson, Roman Catholic Diocesan representative

Cllr. Roger Aveley, Town & Parish Council representative

Ms. Sue Harris, Head Teacher Shortwood Primary (until 13<sup>th</sup> February 2014)

Ms. Emma Ofori, Secondary Parent Governor representative

Mr. Stephen Rayner, Anglican Diocesan representative

Ms. Mel Ward, Primary Parent Governor representative

### **Witnesses**

The Committee is grateful to the following people who gave evidence and supported members during the review

Cllr. Paul Watling, Cabinet Member Children, Young People & Families

Jim Collins, Assistant Director Education & Corporate Parenting

Kathy Swallow, School Organisation Manager

Helen Potter, Information Team Leader, Delivery & Planning

Stephanie Gaskell, Head Teacher St Lawrence CE Primary School

Mandie Haywood, Head of Old Park Primary School

Lisa Howells, Chair of Board of Governors, St Lawrence CE Primary School

Philip Wood, Parliamentary and Advice Officer, National Governors' Association

Other members of the Primary Heads Forum Executive and all Primary Heads who attended the Primary Heads Forum workshop

## It's not just about the numbers but...



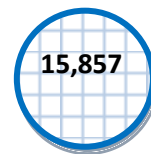
The number of primary schools in Telford and Wrekin



The number of primary school children in 2013



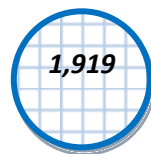
Net capacity in schools 2013



The number of primary children projected 2018



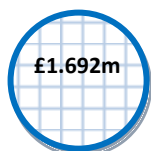
Net capacity in schools 2018



Number of additional pupils in primary phase from 2013 to 2018



Telford & Wrekin's Basic Needs capital allocation 2014-2017



S106 contributions to education provision 2009/10-2013-14

**TELFORD & WREKIN COUNCIL**

**CABINET - 15 MAY 2014**

**SCRUTINY REVIEW OF LOCAL ARRANGEMENTS FOR THE PLANNING AND PROVISION OF PRIMARY SCHOOL PLACES**

**JOINT REPORT OF JIM COLLINS, ASSISTANT DIRECTOR: EDUCATION & CORPORATE PARENTING and  
KATE CALLIS, ASSISTANT DIRECTOR: DEVELOPMENT, BUSINESS & EMPLOYMENT**

**LEAD CABINET MEMBERS – CLLR PAUL WATLING and CLLR CHARLES SMITH**

**PART A – SUMMARY REPORT**

**1. SUMMARY OF MAIN PROPOSALS MADE BY THE CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE**

That the council implements a number of recommendations to provide clarity and further accountability in respect of the local arrangements for the planning and provision of primary school places and in particular regarding:

- a) The way in which primary school attendance areas are reviewed and consulted upon
- b) The publication of an annual report on Section 106 agreements made with developers
- c) The development of a Section 106 policy and protocol overseen by the Housing, Economy & Infrastructure Scrutiny Committee
- d) The conduct of admission appeal hearings and whether head teachers should be invited to attend them
- e) The development of an “Academies Protocol” to set out the council’s relationship with Academies in monitoring the standard of education that they provide
- f) The population profile developed by the council and how it could be made available annually to head teachers

**2. RECOMMENDATIONS**

- 2.1 That recommendations made by the Children and Young People Scrutiny Committee are adopted in respect of paragraphs 1, 2 and 6 of Section 4 of this report and Appendix 1 attached**
- 2.2 That recommendations made by the Children and Young People Scrutiny Committee detailed at paragraphs 3-5 of Section 4 of this report and Appendix 1 are noted and considered further**

### 3. SUMMARY IMPACT ASSESSMENT

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	<ul style="list-style-type: none"> <li>• Putting our children and young people first</li> <li>• Improving local people's prospects through education and skills training</li> </ul>
	Will the proposals impact on specific groups of people?	
	Yes	Children and families throughout the borough
<b>TARGET COMPLETION/ DELIVERY DATE</b>	As this is a policy revision the effects will be ongoing over several years	
<b>FINANCIAL/ VALUE FOR MONEY IMPACT</b>	Yes	Any financial implementation of adopting the recommendations as detailed within this report and Appendix 1 will be contained within existing service budgets and resources. JAC 150414
<b>LEGAL ISSUES</b>	Yes/No	The tests to be applied when requesting financial contributions is set out in the Community Infrastructure Regulations 2010. Any contribution has to meet those tests and policy can provide a framework within which to apply those tests. It is important that the distinctions between Executive and Non Executive functions are retained and planning policy is a non Executive function. The education appeal process must be fair, transparent and impartial. Any proposed head teacher role needs to be clearly defined and the head teacher should be available for every appeal hearing for his or her school.
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	No	
<b>IMPACT ON SPECIFIC WARDS</b>	Yes	Borough-wide impact

### PART B – ADDITIONAL INFORMATION

#### 4. INFORMATION

##### Proposal a) The way in which primary school attendance areas are reviewed and consulted upon

4.1 Primary school attendance (catchment) areas are reviewed as necessary to take into account any new development within them. In each case a proposal is prepared by the local authority after extensive research and forecasting of future pupil numbers. The aim is to ensure that each school can accommodate all

children living within its area if they wish to attend. This is to provide a level of security for both families and schools. Any proposal is open to consultation for a period of 6 weeks during school term time and consultation events are held at schools within the affected area. All schools concerned are formally consulted. The local authority tries hard to accommodate the views expressed during consultation, whilst not losing sight of the original objective, and arrive at a workable solution which is acceptable to as many parties as possible.

**Proposal b) The publication of an annual report on section 106 agreements made with developers and presented to the to Budget & Finance Scrutiny Committee**

**4.2** Whilst it is felt that the s106 process is transparent, well documented and available for public review it is acknowledged that the cumulative effect of these negotiations is not currently held in a central location. Development Management do currently submit to external audit an annual report showing income and expenditure on each individual s106 including how much has been spent and on what. It is proposed that Development Management will investigate how a simplified report could be prepared to cover the information requested within the scrutiny report without duplicating existing work.

**Proposal c) The development of a Section 106 policy and protocol overseen by the Housing, Economy & Infrastructure Scrutiny Committee**

**4.3** It is accepted that the process of s106 negotiation can be complex and needs to respond to planning policy as well as the local needs arising out of any development. As such the planning case officer has a key role in negotiating planning obligations in accordance with the process below:

- Assess, with reference to policy and other material considerations (in particular off-site “harm”), whether obligations as well as conditions are required.
- Discuss in more detail with the beneficiary officers the need arising as a result of the development and establish the detail of the obligations to be inserted in the s106 agreement
- Present the package of required s106 obligations to the developer
- Consider any objections to the proposed contributions made by the Developer on planning grounds and discuss these with the beneficiary officers.
- Consider any objections to the proposed contributions made by the Developer on viability grounds. Consult with the Council’s Inward Investment & Housing Group Manager to review the validity of the viability argument. External advice, for example for the District Valuer, may be sought where required.
  - If the viability argument is invalid, the planning officer will ask for the full s106 package.
  - Where a viability assessment concludes that there is insufficient funding available to meet the s106 package requested by the respective beneficiary officers, it is the planning officer’s job to determine the greatest need in the context of the specific development in question (e.g. whether the Education need is greater

than the Affordable Housing need or the leisure need is greater than the highways need). In this scenario, and in the absence of specific planning guidance on this matter, there is a degree of planning judgement required to determine which contributions take precedent.

Whilst a policy basis for these decisions to determine which beneficiary officer has the greatest need and therefore how the available developer contributions are distributed could be considered, it must be acknowledged that an overly prescriptive framework may not be practical in real terms due to the contextual factors which shape decision making.

#### **Proposal d) The conduct of admission appeal hearings and whether head teachers should be invited to attend them**

**4.4** For the majority of primary schools within Telford & Wrekin the Local Authority (LA) is the admission authority. Admission appeals are against a decision taken by the admission authority and as such the LA has to provide a presenting officer to explain to the appeal panel how a particular decision was reached. The LA consults with schools and agrees the appeal statement to be presented to the hearing with them. It also invites head teachers to submit supplementary information about how the appeal would affect their school if it was allowed. If head teachers of controlled and community schools did attend appeal panels their role would be limited to answering direct questions from the panel or the parent.

Admission appeals are heard very frequently (every fortnight throughout school term times and every day for approximately 3 weeks during the summer term) it is thought that head teachers might find it hard to attend every hearing. If they were to attend some hearings and not others this might be seen as being discriminatory to some appellants. It might also present difficulties if a head teacher was involved in defending a case and the appeal was allowed by the panel. The subsequent relationship between the family and the head teacher might be strained.

Schools which are their own admission authority do send their own presenting officer to appeal hearings. This may be the head teachers but may be another representative such as a governor or the registrar who administers admissions for the school.

#### **Proposal e) The development of an “Academies Protocol” to set out the council’s relationship with Academies in monitoring the standard of education that they provide**

**4.5** Currently the council has a productive and reasonable relationship with the academies within its area. This co-operation is evident in the formation and operation of the Secondary Heads and principles group (SHAP), the Telford & Wrekin Learning Partnership (TWLP) and the Primary Heads Forum. The School Improvement Team will explore the development of a formal academies protocol.

**Proposal f) The population profile developed by the council and how it could be made available annually to head teachers**

4.6 The Council's Delivery and Planning Team will create a Population Profile on an annual basis during the autumn term. This information will be made available to Head Teachers as part of the offer which schools subscribing to the School Improvement service are able to access

5. **PREVIOUS MINUTES**

None

6. **BACKGROUND PAPERS**

None

Report prepared by: Kathy Swallow, Service Delivery Manager: School Organisation Services (Telephone 01952 380905)  
David Fletcher, Service Delivery Manager: Development Management (Telephone: 01952 384133)

## Appendix 1: Cabinet Response to Scrutiny Report

Scrutiny Committee: Children & Young People		Cabinet Member: Cllr. Paul Watling ,Cllr Charles Smith	
Report: Local Arrangements for the Planning and Provision of Primary School Places		Response prepared by: Jim Collins AD Education & Corporate Parenting and Kate Callis AD Development, Business & Employment	
Lead Scrutiny Member: Cllr. Mike Ion Lead Scrutiny Officer: Stephanie Jones		Date of Cabinet meeting:24 <sup>th</sup> April 2014	
Scrutiny Recommendation	Response and summary of action being taken to implement, or reason for rejection	Date by which action will be taken	Person responsible for action (name and title)
1. The findings of the review of primary catchment areas in the north of the borough should be published as soon as possible and the LA should give serious consideration to the views of local parents, head teachers and governing bodies.	<b>Accepted:</b> The review of primary catchment areas in north central Telford is now complete and a way forward has been agreed which takes into account the responses received during the consultation period. The revised areas will take effect from September 2015 and they will be published as part of the council's determined admission arrangements for primary schools for entry in 2015/2016.	30 <sup>th</sup> April 2014	K M Swallow Service Delivery Manager: School Organisation Services
2. The Council should publish a s106 Annual Report which sets out: <ul style="list-style-type: none"> <li>• How much funding has been agreed from s106 agreements in the period covered by the report and for what;</li> <li>• the total amount of S106 funds previously agreed but subsequently reduced or rescinded for reasons of non-viability and the potential</li> </ul>	<b>Accepted:</b> Development Management already submit to external audit an annual report in the form of an excel spreadsheet showing income and expenditure on each s106 including how much has been spent. It is proposed that that this is adapted to satisfy the first part of this recommendation. It will be capable of detailing historic as well as future income and expenditure.  Development Management will collate this information from FY2014/15 onwards, however collating information retrospectively will not be possible without revisiting each planning application and as such is not considered practical. The report will identify any s106 which have been negotiated on planning or viability grounds as well	1 <sup>st</sup> July 2014	D W Fletcher Service Delivery Manager: Development Management

<p>impact on loss of infrastructure in relation to schools;</p> <ul style="list-style-type: none"> <li>any unspent money paid back to developers or money at risk of repayment.</li> </ul> <p>The s106 Annual Report should be presented to the Budget &amp; Finance Scrutiny Committee</p>	<p>as those which have been renegotiated on viability grounds following approval from the planning committee. This will show the loss in income to the Council resulting from the renegotiation. Consideration will need to be given to commercial confidentiality of developer information.</p> <p>We will include this information if it does occur but to date this has only been on one occasion.</p> <p>The report will be presented annually to the Budget and Finance Scrutiny Committee for information.</p>		
<p>3. The Council should develop a S106 policy and protocols to ensure decision making aligned with priorities. This should be included in the work programme of the Housing, Economy &amp; Infrastructure Scrutiny Committee.</p>	<p><b>Partly Accepted:</b> Government advice within the Planning Practice Guidance (March 2014) states that “policies for seeking obligations should be set out in the development plan document to enable fair and open testing of the policy at examination. Supplementary documents should not be used to add unnecessarily to the financial burdens on development and should not be used to set rates or charges which have not been established through the development plan policy”.</p> <p>The Council’s existing developer contribution policy is contained within the Core Strategy and the saved policies of the Wrekin Local Plan. The Council is currently preparing the Shaping Places development plan which will ensure that any emerging policies are supported by an up-to-date framework for education contributions.</p> <p>The current process is considered to be robust and transparent with the planning officer managing the interface between the developer and the beneficiary officers with a recommendation then being made to and determined by Members of the Planning Committee.</p>		<p>D W Fletcher Service Delivery Manager: Development Management</p>
<p>4. That the Council adopts a more flexible approach to</p>	<p><b>Partially Accepted:</b> The school admissions team will discuss this further with local community and controlled school head teachers</p>	<p>By end of July 2014</p>	<p>K M Swallow Service</p>

allowing head teachers to attend appeals hearings.	and also with colleagues within the west midlands admission group to arrive at an agreed solution.		Delivery Manager: School Organisation Services
5. The Council should develop an 'Academies Protocol' to set out the Council's position on how it will fulfil its statutory duty on education performance to challenge and monitor the quality of education in academies and what it will do if it is found wanting. The Staffordshire Protocol should be considered as a model. The data in the Children & Families Population Profile should be developed to inform school place planning and children and family service delivery.	<b>Partially Accepted:</b> The School Improvement team will explore with head teachers the development of an academies protocol.	End of July 2014	Jim Collins, Assistant Director: Education & Corporate Parenting
6. The Population Profile should be shared on an annual basis with head teachers.	<b>Accepted:</b> The Delivery & Planning Team are about to commence the process of refreshing the Population Profile to create a 2014 version. We expect this to be completed in the autumn. Once completed we will look to share this with head teachers through one of the regular meetings with School Improvement. It is intended that the Population Profile will be updated annually and shared in this way	Autumn 2014	Helen Potter, Research & Intelligence Manager

**TELFORD & WREKIN COUNCIL**

**CABINET - 15 MAY 2014**

**TELFORD LOYALTY CARD**

**REPORT OF MANAGING DIRECTOR**

**LEAD CABINET MEMBER – CLLR SHAUN DAVIES**

**PART A) – SUMMARY REPORT**

**1. SUMMARY OF MAIN PROPOSALS**

1.1. The Telford Loyalty Card (TLC) has been hugely successful in its first year, promoting leisure facilities and local businesses, offering value for money to residents and forging strong continuous relationships between local businesses and the Council. This report seeks to:

- Highlight the impact of the TLC in its first year in supporting the key objectives to help people to be more physically active and support local trade.
- Identify further opportunities through the TLC scheme to increase awareness, usage and further take-up among borough businesses.
- Develop existing and new ways that the TLC can support member businesses, with the option to generate income for the Council to help offset the scheme's costs.
- To use the TLC to push further footfall into market towns and district centres.
- To link the TLC to the opening of Southwater to support the publicity of the development, make connections with new businesses and offer value for money to residents and visitors.
- To work with the Tourism team to publicise the TLC more widely outside the borough, in particular improving the Attractions and Food and Drink options to help bring more visitors to the area.

**2. RECOMMENDATIONS**

**2.1 Members approve a commitment to further developing the TLC to strengthen Council services such as Leisure, Pride in your Community and Public Health and to include the offer of an enhanced level of support that businesses can buy into.**

**2.2 Members note the success and achievements of the TLC since its launch in April 2013 which has seen the card registered by around one third of borough residents and a take up by more than 230 businesses.**

### 3. SUMMARY IMPACT ASSESSMENT

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	<p>The TLC contributes to the Council's following priorities:</p> <ul style="list-style-type: none"> <li>• Protecting and creating jobs as a business supporting, business winning council</li> <li>• Improving the health and wellbeing of our communities and addressing health inequalities</li> <li>• Regenerating those neighbourhoods in need and work to ensure that local people have access to suitable housing</li> </ul>
	Will the proposals impact on specific groups of people?	
	No	
<b>TARGET COMPLETION/DELIVERY DATE</b>	<p><i>Key Milestones achieved:</i></p> <ul style="list-style-type: none"> <li>• TLC registrations have more than doubled the number of Flex card holders</li> <li>• Almost one in three people in the borough have a registered TLC card (60,600)</li> <li>• 200% increase in businesses involved in the scheme compared with Flex</li> </ul> <p><i>Future milestones to be met:</i> During 2014/15 the Council will explore:</p> <ul style="list-style-type: none"> <li>• Opportunities to link the TLC to further Council services and improve their take up e.g. Pride initiatives such as the bulk collection service, Public Health initiatives and further opportunities for savings at Council leisure facilities</li> <li>• Opportunities to offer businesses an enhanced option to promote themselves via TLC and maximise the income opportunities this will present</li> <li>• Streamline the business offer as part of the TLC e.g. terms of reference for businesses about how they use the TLC point of sale information and web logos and how they help to promote TLC to shoppers and other businesses where applicable.</li> <li>• Encourage the development of TLC</li> </ul>	

		<p>High Streets in the borough's main market towns and district centres, with as many high street traders in these areas as possible agreeing to be part of the discount scheme and publicising this widely to drive footfall into these areas.</p> <ul style="list-style-type: none"> <li>• To significantly increase the number of businesses signed up to the scheme and the relevance and timescales of their offers.</li> <li>• To increase the number of cardholders registered to receive regular updates about the TLC.</li> <li>• To improve the TLC's online presence through a TLC app.</li> </ul>
<p><b>FINANCIAL/VALUE FOR MONEY IMPACT</b></p>	<p>Yes/No</p>	<p>The costs of the TLC card, since its launch to date, are £39.7k with funding of £5k being received towards this from external organisations and further in kind contributions. The cost of the TLC Co-ordinator post was £19.5k for 2013/14.</p> <p>There is no ongoing base budget for the TLC Co-ordinator post (£25k) or for production of TLC cards and publicity going forward. Funding of £37k is available from reserves held by the Co-Operative Council Delivery unit to cover these costs in 2014/15. Income generating initiatives will also contribute to offset future costs.</p>
<p><b>LEGAL ISSUES</b></p>	<p>Yes/No</p>	<p>The General Power of Competence under the Localism Act 2011 provides that councils are specifically empowered to do anything not prohibited by legislation and subject to public law principles and due process. Legal Services' advice will continue to be sought on specific developments of TLC in respect of any necessary legal arrangements such as partnership agreements or any appropriate contract documentation that will need to be put in place.</p>
<p><b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b></p>	<p>Yes</p>	<p>TLC has the potential to offer paid for services to businesses to help offset the scheme's costs, however a no cost option will remain.</p>

<b>IMPACT ON SPECIFIC WARDS</b>	Yes/No	The creation of TLC High Streets in town and district centres in the borough could have a positive impact on encouraging more trade in these TLC zones.
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## **PART B) – ADDITIONAL INFORMATION**

### **4. INFORMATION**

4.1 The TLC was launched in April 2013 with the purpose of helping to get people more active and supporting borough-based traders by encouraging people to shop local. The Council is committed to continuing to take the TLC forwards and increasing it in size, take up and opportunity.

#### **Development of the TLC card**

4.2 Following its initial success the Council will further develop the TLC by:

- Increasing the numbers of businesses who support the scheme and improving the offers to make them work better for cardholders and businesses alike.
- Offering businesses a more comprehensive marketing support which they can buy into.
- Developing a range of new initiatives, including a new smartphone app, that will offer new and exciting ways that TLC holders can access offers and further enhance the card's appeal and value for customers.
- Encouraging greater use of TLC's leisure offer through new communications technology to further improve physical activity in the borough, including a new push notification system highlight TLC, Leisure and Public Health information which people can sign up to and receive information about developments and special offers.
- Improving the offer for visitors to the borough, notably for Attractions and Food and Drink sections. To work with the Tourism team and external tourist providers to promote the TLC in its current format to non-residents and make them aware of the range of offers they can benefit from while in the borough.

#### **Growing the number of TLC businesses**

4.3 Over the next year, the Council will significantly grow the number of TLC businesses further, emphasising the TLC's and the Council's role in supporting and winning business for the borough. We will further develop strong working relationships and help to actively promote local businesses by marketing them and their offers, increasing networking opportunities and creating opportunities for business-to-business TLC sales.

- 4.4 It will achieve this by focusing on two initiatives in particular:
- Creating TLC High Street zones. The Council will proactively target specific high street areas and seek to recruit as many traders as possible to create a number of TLC zones. This will target key centre locations across the borough including Dawley, Ironbridge, Madeley, Newport, Oakengates and Wellington.
  - Developing a clear business-to-business (B2B) TLC offer. Most current TLC offers are business to consumer. However a small number of businesses in the scheme promote a B2B discount for card holders and a number of other businesses have asked the Council to develop a stronger B2B TLC offer. The concept of a TLC for business will be developed further and will require a different marketing focus.

### **Create new opportunities for TLC businesses and income through TLC**

- 4.5 There is no charge for businesses to be part of the TLC scheme provided they offer discounts to cardholders.
- 4.6 The Council has already spoken to a number of TLC businesses who have expressed interest in different levels of marketing support from TLC, which businesses can opt to buy in to. As use and familiarity with TLC continues to grow, the Council will offer enhanced levels of TLC support for businesses to buy into with a series of graded levels offering a variety of options including enhanced web listings and digital marketing. Income from this will help offset costs of maintaining the TLC offer and developing this further. A zero cost option for businesses will remain.
- 4.7 Other additional opportunities that businesses will be able to buy into include:
- A TLC app. Following the successful launch of the Council's Everyday Telford App, by the end of 2014 the Council will develop a TLC App using existing council resources. This will offer a further incentive and push offers to consumers from TLC businesses in the area they are in, and offer time-limited discounts.
  - A Totally Local Market - an opportunity for TLC businesses to come together in a borough town centre to sell their offer with specific TLC discounts
  - A hard copy directory of offers available via the TLC for people who are visiting the area or are not online.

### **Getting people more active**

- 4.8 One of the key drivers behind the TLC is to promote health and wellbeing by encouraging more people to get active through greater participation in sport and leisure activities. The TLC links closely with the Five Ways To Wellbeing - Connect, Be Active, Take Notice, Keep Learning and Give - this will help to address longer-term public health issues such as tackling obesity, cardiovascular disease and a range of other health conditions.

- 4.9 The latest Active People Survey data (measured October 2012 – October 2013) indicates a continued positive trend in respect of Physical Activity Participation in Telford and Wrekin, an increase in physical activity amongst disabled people and some evidence to suggest the gap in participation amongst social groups may be declining.
- 4.10 However, due to the refurbishment programme of the Council's leisure facilities over the last three years, which has closed a number of key facilities for long periods that overlap with the TLC's launch, it is very difficult to produce any accurate like-for-like usage trend data. This will continue to be monitored very closely.
- 4.11 The TLC not only includes leisure discounts but also the Council's leisure concessions scheme which aims to address the financial barriers to participation.
- 4.12 As new products and services are launched, the appeal of the TLC will continue to develop and grow for both residents and non residents, examples include TLC discounts for the Adventure Golf Course in Telford Town Park – in turn bringing more people into the borough

### **Business support – shopping local**

- 4.13 TLC forms part of the Council's role in supporting and winning business and encouraging people to shop within Telford and Wrekin.
- 4.14 TLC businesses' offers are regularly promoted to residents through a range of media including [www.telfordloyaltycard.co.uk](http://www.telfordloyaltycard.co.uk), direct email, social media and Your Voice. The TLC website has become one of the Council's most popular web pages with over 51,000 unique views during the first four months of 2014 alone.
- 4.15 Increasingly businesses are developing special time-limited offers which the Council can assist in promoting. This is done via the TLC website, social media and weekly e-shots to cardholders who have opted to receive information this way. Social media also offers the opportunity for cardholders to share and feedback on offers with their networks.
- 4.16 A further push will take place during 2014/15 to help drive up the numbers registered to receive e-marketing about TLC businesses and services, and to make this a compelling offer for TLC holders.
- 4.17 Examples of time limited offers from TLC businesses, rather than blanket year long discounts, have proven to be a successful option, leading to increases in trade and footfall:
- One business ran a 25% off offer for two weeks and attracted 726 TLC transactions during that period alone.
  - Around 30 businesses contributed to a Totally Local Christmas festive offers initiative resulting in a boost in sales for participants.

- A special TLC offer was created on two days of the Christmas panto at Oakengates Theatre. TLC transactions accounted for 45% of sales over these two days.
- A 2 for 1 TLC offer at Telford Ice Rink in November/December saw 458 people take up this offer.

**Historical information about the success of the TLC to date:**

- 4.18 TLC replaced the Council's Flex card. Flex was a discount card which most users had to pay for and which offered cardholders discounts on council leisure facilities and at around 20 businesses. At the time of the changeover from Flex to TLC, around 23,000 people had a Flex Card. Membership of the scheme had been falling since a charge for Flex was reintroduced in 2010.
- 4.19 The TLC launched in mid April 2013 through the Council's publication Your Voice, leisure centres and First Points. It offered users online registration of cards, which had previously not been possible with Flex.
- 4.20 By the end of April 2014, 60,629 TLC cards have been registered, an increase of 151% compared with the Flex card. Around a third of the borough's population now has a registered TLC. In addition to this, many more cards will be in circulation that are unregistered and used in a "show and go" capacity at businesses that are part of the scheme.
- 4.21 TLC offers discounts at Telford & Wrekin Council leisure facilities (ranging from 10%-25% discounts). Since its launch, more than 230 Telford and Wrekin businesses have joined the scheme offering a wide variety of incentives to cardholders to use their business, compared with around 20 businesses that supported the Flex scheme.
- 4.22 Analysis of cardholders by age groups shows that the TLC has its highest level of registrations among the following age groups
- Five to 19 year olds - over 50% have a TLC
  - 30-44 year olds - 34% to 39% have a TLC, dependent on age banding
- This demonstrates the TLC's appeal to families.

**5. BACKGROUND PAPERS**

Co-Operative Council Update, Cabinet paper 28/02/2013

**Report prepared by Nigel Newman, Communications Manager 01952 382403**

**TELFORD & WREKIN COUNCIL**

**CABINET – 15 MAY 2014**

**REPRESENTATION ON OUTSIDE BODIES 2014/15 – TELFORD TRUST**

**REPORT OF THE ASSISTANT DIRECTOR: LAW, DEMOCRACY &  
PEOPLE SERVICES**

**LEAD CABINET MEMBER – COUNCILLOR KULDIP SAHOTA**

**PART A) – SUMMARY REPORT**

**1. SUMMARY OF MAIN PROPOSALS**

- 1.1 To consider the appointment of up to eight representatives to the Telford Trust for the 2014/15 municipal year.

**2. RECOMMENDATIONS**

- 2.1 That representatives be appointed to the Telford Trust for 2014/15.**

**3. SUMMARY IMPACT ASSESSMENT**

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	Telford Trust works closely with the Council in promoting the health and wellbeing of our communities.
	Will the proposals impact on specific groups of people?	
	No	Not applicable.
<b>TARGET COMPLETION/DELIVERY DATE</b>	<i>Not applicable</i>	
<b>FINANCIAL/VALUE FOR MONEY IMPACT</b>	No	Not applicable.
<b>LEGAL ISSUES</b>	No	The representatives appointed to the Trust take on the role of charitable Trustees.
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	No	Not applicable.
<b>IMPACT ON SPECIFIC WARDS</b>	No	Not applicable.

## **PART B) – ADDITIONAL INFORMATION**

### **4. INFORMATION**

- 4.1 Telford Trust is a long-standing registered charity. Following a review of its purpose, the Trust has decided that it will best meet its charitable objectives by undertaking a strategic, advisory and consultative role on promoting healthy and active lifestyles across the Borough rather than directly managing individual facilities. The current Trust Constitution makes provision for up to eight Council appointed representatives.
- 4.2 The Chair of Telford Trust has requested the Cabinet to appoint the Council's representatives to the Trust for 2014/15 at this meeting rather than at the 26 June meeting (when the annual appointments to outside bodies are made). This will enable the appointees to attend the Trust's Annual General Meeting on 4 June 2014.
- 4.3 The current Council appointed Trustees are Councillors Liz Clare (ex officio as Cabinet Member for Leisure & Culture), Arnold England, Gill Green and Alan Mackenzie. In addition, there are currently four vacancies, and the Trust Chair has requested that these be filled for 2014/15 in order to ensure good governance as the Trust develops its new role.
- 4.4 The political Groups have been asked to submit nominations, and these will be reported at the meeting.

### **5. PREVIOUS MINUTES**

Cabinet – 28 June 2013 (Minute Number CB-18).

### **6. BACKGROUND PAPERS**

None.

**Report prepared by Phil Smith, Democratic Services Team Leader –  
(01952 383211)**



## **CABINET**

**Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 15th May, 2014 at 5.00 p.m. at Dawley Town Hall, Dawley, Telford**

**PUBLISHED ON WEDNESDAY, 21<sup>ST</sup> MAY, 2014**

**(DEADLINE FOR CALL-IN: TUESDAY, 27<sup>TH</sup> MAY, 2014)**

**PRESENT:** Councillors K.S. Sahota (Leader and Chair), E.A. Clare, S. Davies, A.R.H. England, W.A.M. McClements, H. Rhodes, R.A. Overton, C.F. Smith and P.R. Watling

**ALSO PRESENT:** Councillor W.L. Tomlinson (Liberal Democrat/Independent Group Leader), and Councillors C.R. Turley and M.G. Ion

### **CB-113      MINUTES**

**RESOLVED** – that the minutes of the meeting held on 24<sup>th</sup> April 2014 be confirmed and signed by the Chair.

### **CB-114      APOLOGIES FOR ABSENCE**

None

### **CB-115      DECLARATIONS OF INTEREST**

None

### **CB-116      SCRUTINY REVIEW OF EMPTY PROPERTIES AND PRIVATE LANDLORDS**

**Key Decision** identified as **Housing, Economy & Infrastructure Scrutiny Committee Report on Empty Properties and Rogue Landlords** in the Notice of Key Decisions published on 24 March 2014.

Councillor C.R. Turley, Chair of the Housing, Economy & Infrastructure Scrutiny Committee, presented the Committee's report looking at bringing empty properties back into use and tackling rogue landlords to help address shortages in the availability of some types of housing.

The Committee had focussed on two main strands of enquiry:

- How to identify empty properties as early as possible?
- How to address issues of poor practice by private landlords?

There were an estimated 400 empty properties in Telford & Wrekin, around 97% of which were in private ownership. This was a waste of opportunity

when there were significant numbers of people on the waiting list for houses. In addition, empty properties were sometimes a cause of blight or focus of antisocial behaviour as well as a potential loss of New Homes Bonus income for the Council. Evidence was taken from the relevant Cabinet member, Council officers, Madeley and Ketley Town and Parish Councils (in whose areas high concentrations of empty properties had been identified), and from other local authorities who had been successful in bringing empty properties back into use. The Committee had looked at the national picture, local authority enforcement powers, and the local picture as described in a Cabinet report from September 2013.

The Committee had concluded that over recent months the Council was focussed on the issue of empty properties and overall found much to welcome in the overall direction of travel and work being undertaken. However, the review identified some areas it was felt could be strengthened, and the Committee had therefore made a significant number of recommendations which were intended as constructive suggestions as to how things could be improved. This was also based on the experiences in other authorities and examples of good practice that could be used to make a difference in Telford & Wrekin. The recommendations were set out in detail in the Scrutiny report.

Councillor C.F. Smith, Cabinet Member for Housing, Development & Borough Towns, responded to the report on behalf of the Cabinet. He thanked the Committee for the work they had done. The detailed response to each of the Scrutiny Committee's recommendations was appended to the report attached to the agenda. Most of the recommendations had been wholly or partially accepted, and actions identified to implement them. A couple of recommendations had been rejected, as it was not considered to be the right way forward – and the reasons for this were explained in the report. Considerable progress had been made over the past six months to assist owners to bring their property back into use. Where owners had not been willing to engage, intervention and support had been successfully used to clear or clean-up properties. There was also much more going on to identify empty properties at an earlier stage, and a number of the Scrutiny recommendations would enhance this.

Members welcomed the report, and the work being done to tackle these issues. While there were many good landlords, it was important that all landlords were made aware of their responsibilities in terms of keeping their properties maintained and fit for occupation –with action being taken if problems arise. Reference was also made to social landlords, who sometimes took some time to re-let vacant properties.

**RESOLVED – that the recommendations made by the Housing, Economy & Infrastructure Scrutiny Committee be noted, and the response set out in Appendix 1 of the Cabinet Member's report be approved.**

**CB-117**      **SCRUTINY REVIEW OF LOCAL ARRANGEMENTS FOR THE  
PLANNING AND PROVISION OF PRIMARY SCHOOL  
PLACES**

**Key Decision** identified as **Children & Young People Scrutiny Committee Report on the Review of the Planning and Provision of Primary School Places** in the Notice of Key Decisions published on 24 March 2014.

Councillor M.G. Ion, Chair of the Children & Young People Scrutiny Committee, presented the Committee's report looking at the local arrangements for the planning and provision of primary school places between April 2013 and February 2014. He thanked all the people who had been involved in compiling the report and who had provided evidence.

With the rising birth rate and the scale of housing development in the Borough, the Committee's main concern was whether there would be sufficient capacity in primary schools to meet the growing demand. The review considered the methodology for projecting pupil places, how additional capacity was planned and the role of headteachers and governors in the process, and the link between the expansion of places and the quality of provision. Evidence was taken from the relevant Cabinet member, Council officers, members of the Primary Heads' Forum, school governors and an expert advisor from the National Governors Association.

The Committee had concluded that, in spite of some challenging local pressures for particular primary schools in areas where there was a lot of new development, enough capacity was being planned within the existing primary schools to meet the demand from growing pupil numbers across the Borough as a whole over the next 5-10 years. However, the review identified some areas of concern in which it was felt some improvements could be made. The Committee had therefore made a number of recommendations which were detailed in the Scrutiny report. In particular, the Committee felt there was a lack of clarity regarding payments for education provision by developers under Section 106 agreements and how that money was used, and had made a recommendation for the publication of a Section 106 Annual Report.

Councillor P.R. Watling, Cabinet Member for Children, Young People and Families, and Councillor C.F. Smith, Cabinet Member for Housing, Development & Borough Towns, responded to the report on behalf of the Cabinet. They thanked the Committee for their work on the Review, and for the high standard of scrutiny. The detailed response to each of the Scrutiny Committee's recommendations was appended to the report attached to the agenda. Recommendations 1, 2 and 6 had been wholly accepted, with recommendations 3, 4 and 5 being partially accepted for further consideration and investigation. The report set out the rationale regarding the response to these latter recommendations. The Cabinet Member for Children, Young People & Families added that Government education policy in favour of academies and free schools outside the LA was making it increasingly difficult to plan for future provision.

**RESOLVED** – that the recommendations made by the Children & Young People Scrutiny Committee be noted, and the response set out in Appendix 1 of the Cabinet Members’ report be approved.

**CB-118      TELFORD LOYALTY CARD**

**Non-Key Decision.**

Councillor S. Davies, Cabinet Member: Neighbourhood Services, Employment & Skills, presented the report of the Managing Director which updated Members on the uptake of the Telford Loyalty Card (TLC) and plans to further develop the use of the Card to help to actively promote local businesses and to provide value-for-money for residents.

Since its launch in April 2013, around a third of the Borough’s population now had a registered TLC, which was a 151% increase compared with the Flex card it replaced. More than 230 Telford & Wrekin businesses had joined the scheme offering a wide variety of incentives to cardholders to use their business. Examples of the increase in trade and footfall of participating businesses/services were detailed in the report.

It was now intended to build on this success by increasing the numbers of businesses who supported the scheme, developing a smartphone app, encouraging greater use of TLC’s leisure offer, and improving the offer for visitors in relation to attractions and places to eat/drink. In terms of growing the number of TLC businesses, it was proposed to create TLC High Street Zones (particularly in the Borough Towns), and to develop the concept of a TLC that could be used by businesses when purchasing from other local businesses. It was also proposed to offer enhanced levels of support for businesses to buy into a series of graded levels offering a variety of options including enhanced web listings and digital marketing.

Members welcomed the report, and the further extension of the TLC scheme, which aligned with many of the Council’s key priorities. Councillor E.A. Clare, Cabinet Member: Leisure Services & Culture, referred to the role that the TLC was playing in encouraging people to participate in sports and leisure activities, and its usefulness as a marketing tool by the Council’s leisure facilities.

**RESOLVED** –

- (a) that a commitment to further developing the Telford Loyalty Card to strengthen Council services such as Leisure, Pride in Your Community and Public Health, including the offer of an enhanced level of support that businesses can buy into, be approved.**
- (b) that the success and achievements of the Telford Loyalty Card since its launch in April 2013, which has seen the card registered by around one third of Borough residents and a take-up by more than 230 businesses, be noted.**

**CB-119      REPRESENTATION ON OUTSIDE BODIES 2014/15**

**Non-Key Decision**

Councillor K.S. Sahota, Council Leader, presented the report of the Assistant Director: Law, Democracy & People Services regarding the appointment of up to eight representatives to the Telford Trust for the 2014/15 Municipal Year.

Telford Trust was a long-standing local charity, which was now undertaking a more strategic, advisory and consultative role on promoting healthy and active lifestyles across the Borough. The Chair of Telford Trust had requested that Cabinet appoint the Council's representatives to the Trust for 2014/15 at this meeting in order to allow the appointees to attend the Trust's Annual General Meeting on 4 June 2014. The Cabinet Member for Leisure Services and Culture was an ex-officio appointee, and up to seven further appointments could be made. Political Group leaders had been advised to submit nominations, and it was reported that six nominations had been received.

**RESOLVED - that Councillors E.A. Clare (as Cabinet Member for Leisure Services & Culture), A.R.H. England, R.C. Evans, G.M. Green, K.R. Guy, A.A. Mackenzie and P.R. Watling be appointed as the Council's representatives to the Telford Trust for 2014/15.**

The meeting ended at 5.45 pm.

**Signed for the purposes of the Decision Notices**

**Jonathan Eatough  
Assistant Director: Law, Democracy & People Services  
Date: 21 May 2014**

**Signed:** .....

**Date:** .....