



## **BROMSGROVE DISTRICT COUNCIL**

**YOU ARE HEREBY SUMMONED to attend a MEETING of BROMSGROVE DISTRICT COUNCIL to be held in the Council Chamber at Parkside Suite - Parkside at 6.00 p.m. on Wednesday 20th September 2017, when the business referred to below will be brought under consideration:-**

**The formal business will be preceded by a prayer.**

**1. To receive apologies for absence**

**2. Declarations of Interest**

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

**3. To confirm the accuracy of the minutes of the meeting of the Council held on 19th July 2017 (Pages 1 - 10)**

**4. To receive any announcements from the Chairman and/or Head of Paid Service**

**5. To receive any announcements from the Leader**

**6. To receive comments, questions or petitions from members of the public**

A period of up to 15 minutes is allowed for members of the public to make a comment, ask questions or present petitions. Each member of the public has up to 3 minutes to do this. A councillor may also present a petition on behalf of a member of the public.

**7. Audit Findings and Statement of Accounts 2016/17 (To Follow)**

To receive the recommendation from the Audit, Standards and Governance Committee held on 14th September 2017 on the Audit Findings and Statement of Accounts

***(The reports have previously been circulated please bring them to the Council Meeting)***

8. **Recommendation from the Licensing Committee** (Pages 11 - 18)

To receive recommendations from the Licensing Committee held on 11th September 2017 on the Designation of Streets for the purposes of Street Trading.

9. **Business Rates Pooling Pilot (To Follow)**

10. **To receive the Annual Report of the Overview and Scrutiny Board** (Pages 19 - 42)

11. **Recommendations from the Cabinet** (Pages 43 - 46)

To consider the recommendations from the meeting of the Cabinet held on 6th September 2017

12. **To receive the minutes of the meeting of the Cabinet held on 6th September 2017** (Pages 47 - 56)

13. **To receive and consider a report from the Portfolio Holder for Finance and Enabling** (Pages 57 - 62)

Up to 30 minutes is allowed for this item; no longer than 10 minutes for presentation of the report and then up to 3 minutes for each question to be put and answered.

14. **Questions on Notice (To be tabled if any)**

A period of up to 15 minutes is allocated for the asking and answering of questions. This may be extended at the discretion of the Chairman with the agreement of the majority of those present.

To deal with any questions on notice from Members of the Council, in the order in which they have been received.

15. **Motions on Notice (To follow if any)**

A period of up to one hour is allocated to consider the motions on notice. This may only be extended with the agreement of the Council.

16. **Background Reports to the Recommendations from Cabinet (Pages 63 - 106)**

- Response of Bromsgrove District Council to Consultation on Wyre Forest Local Plan Review Preferred Option and Draft Worcestershire Rail investment Strategy.
- The Operation by Bromsgrove District Council of a Garden Waste Service on behalf of Redditch Borough Council.
- Acquisition and Investment Strategy
- Treasury Management – Updated Borrowing Limits 2017/18 to 2020/21
- Finance Monitoring Quarter 1 2017/18

17. **To consider, and if considered appropriate, to pass the following resolution to exclude the public from the meeting during the consideration of item of business containing exempt information:-**

**"RESOLVED:** that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraph of that part, in each case, being as set out below, and that it is in the public interest to do so:-

<u>Item No.</u>	<u>Paragraph(s)</u>	
18	3	"

18. **To receive the Exempt Minutes of the meeting of the Cabinet held on 6th September 2017 (Pages 107 - 108)**

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

TO ALL MEMBERS OF THE BROMSGROVE DISTRICT COUNCIL

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## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE COUNCIL**

**19TH JULY 2017, AT 6.00 P.M.**

PRESENT: Councillors H. J. Jones (Chairman), C. J. Spencer (Vice-Chairman), S. J. Baxter, C. J. Bloore, M. T. Buxton, S. R. Colella, B. T. Cooper, R. J. Deeming, G. N. Denaro, R. L. Dent, M. Glass, J. M. L. A. Griffiths, C.A. Hotham, R. J. Laight, K.J. May, C. M. McDonald, P. M. McDonald, S. P. Shannon, M. A. Sherrey, C. B. Taylor, P.L. Thomas, M. Thompson, L. J. Turner, K. J. Plank, M. J. A. Webb, S. A. Webb and P. J. Whittaker

27\17 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors C. Allen-Jones, L. C. R. Mallett and S. R. Peters.

28\17 **DECLARATIONS OF INTEREST**

Councillor B. T. Cooper declared an Other Disclosable Interest in item 12 – Notice of Motion relating to Hospital Car Parking Charges and stated he would leave the room whilst the matter was discussed.

Councillor M. A. Sherrey declared a Pecuniary Disclosable Interest in item 12 – Emergency Notice of Motion relating to the Consultation by the West Mercia Police and Crime Commissioner on the Hereford and Worcester Fire and Rescue Service Governance arrangements. Councillor Sherrey stated she would leave the room whilst the matter was discussed.

Councillor C. A. Hotham and Councillor C. B. Taylor declared an Other Disclosable Interest in item 12 – Emergency Notice of Motion relating to the Consultation by the West Mercia Police and Crime Commissioner on the Hereford and Worcester Fire and Rescue Service Governance arrangements.

29\17 **MINUTES**

The minutes of the meeting of the Council held on 21st June 2017 were submitted. The Chairman drew attention to the slightly amended set of Minutes which had been circulated separately to Members and which was on the Council website. It was noted that Councillor C. J. Spencer should be shown as the Vice Chairman and not Councillor M. Glass.

In relation to Minute 15/17 Councillor Denaro stated that as requested he had invited the local M. P. to attend a future meeting of the Council.

**RESOLVED** that subject to the designation of Councillor C. J. Spencer as Vice-Chairman of the Council, the minutes of the meeting of the Council held on 21st June 2017 be approved.

30\17

## **TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman referred to the following:

- The Bromsgrove Food Festival held on 25th June in the High Street which had been a great success and was very well attended;
- The Fun Run in Sanders Park on 15th July organised by the Bromsgrove and Redditch Welcomes Refugees which had been a wonderful event which it was hoped would take place annually;
- Certificates of Achievement had been presented to Bromsgrove Sporting Football Club and to Alvechurch Football Club to mark the very successful seasons for both Clubs.

Councillor M. Thompson welcomed Councillor J. M. L. A. Griffiths to the Council meeting following her recent illness. Councillor Thompson also expressed thanks for the good wishes of Members following his daughter's recent accident.

31\17

## **TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER**

The Leader had no announcements.

32\17

## **COMMENTS, QUESTIONS OR PETITIONS FROM MEMBERS OF THE PUBLIC**

There were no public comments, questions or petitions on this occasion.

33\17

## **APPOINTMENT OF COMMITTEES 2017/18**

The Leader stated that following the previous meeting of the Council, the Leaders of the Independent Alliance and the Labour Group had now reached agreement in respect of the four previously unallocated places referred to in the report. Details of the nominations had been notified to the Head of Legal, Equalities and Democratic Services.

The Labour Group to take the extra places on the Overview and Scrutiny Board and the Licensing Committee and the Independent Alliance to take the extra places on the Planning Committee and the Electoral matters Committee.

## **RESOLVED:**

- (a) that for the ensuing Municipal Year, the Committees set out in the table in Appendix 1 of the report (amended as indicated above) be appointed and that the representation of the different political groups on the Council be as set out in that amended table until the next Annual Meeting of the Council, or until the next review of political representation under Section 15 of the Local Government and Housing Act 1989, whichever is the earlier; and
- (b) that Members be appointed to the Committees and as Substitute Members in accordance with the nominations made by Group Leaders and as set out in Appendix 1 to these minutes.

34\17

## **RECOMMENDATIONS FROM THE CABINET**

### **Financial Outturn 2016/17 and Reserves**

The recommendations from Cabinet in respect of the Financial Outturn 2016/17 and Reserves was proposed by Councillor B. T. Cooper and seconded by Councillor G. N. Denaro.

In proposing the recommendations Councillor Cooper referred to the revenue underspend of £671k which comprised both savings and additional income generated. It was proposed to return £238k to balances bringing these to £4.314m. Councillor Cooper also referred to the sum of £899k proposed to be transferred to create new reserves to be used to support the Council's priorities such as economic regeneration and the implementation of housing schemes across the District.

Councillor Cooper felt that officers were to be commended for delivering the surplus with no reduction of services. In the forthcoming years the situation may be different particularly given the future loss of government funding. This included the potential reduction in the New Homes Bonus and the requirement to make payments to Central Government.

Councillor Cooper stated that he was aware that concerns had been expressed by Members regarding budget forecasting. Whilst improvements in processes had been made there was still a need for a further review of these together with strategic purposes and potentially changes may be required. Senior officers were already considering how this could be addressed.

During the debate a number of issues were highlighted including:

- Serious concern was expressed regarding the significant level of underspend of £1.137m and in particular the fact that this was not forecast at the end of Quarter 3;

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- Concerns that this was an indication that there was a potential lack of fiscal control and of sufficient information to enable Members to make properly informed decisions;
- The reduction in the opportunity for Members to question figures prior to the final outturn position becoming available;
- The impact on the Efficiency Plan which had been compiled to show how savings would be made;
- The process by which the proposed specific reserves such as for economic regeneration had been determined and how these would be used;
- Decisions which had been made previously on issues such as increases in the level of Council Tax and Departmental restructures may not have been necessary given the levels of savings now revealed;
- A similar position had occurred over a number of years and had not been sufficiently addressed, this had also been raised by the Council's auditors;

Councillor Denaro agreed that the figures required close examination to understand the levels of savings and income generated and why this had not been accurately forecast. When budgets were being prepared for future years clearly the savings would need to be taken into account.

Councillor Denaro felt that it was encouraging that despite the very difficult financial position officers had been able to achieve the level of savings indicated. There would be reports coming to Cabinet and Council in the near future relating to proposals for use of reserves in respect of appropriate projects to support the Council's priorities.

Some Members felt that the work undertaken by officers in achieving savings should be acknowledged.

Whilst recognising the work undertaken by officers, Councillor Cooper stated that he agreed with many of the points raised in the debate. As Finance Portfolio Holder he would be working closely with officers in order to review and further improve the Council's budget processes.

## **RESOLVED:**

- (a) that the outturn financial position on Revenue and Capital and the transfer to balances of £238k as detailed in the report be noted;
- (b) that the movements of £549k in existing reserves as set out in Appendix 3 to the report, which reflects the approval required for April 2016 – March 2017 be approved;
- (c) that the addition of new reserves of £899k as set out in Appendix 3 to the report, which reflects the approval required for April 2016 – March 2017 be approved.



## **Planning Policy and Conservation Shared Service Business Case**

As it was likely that discussions on this item would involve the exclusion of the public from the meeting it was agreed that it be deferred to the end of the agenda.

35\17

### **MINUTES OF THE MEETING OF THE CABINET HELD ON 12TH JULY 2017**

The minutes of the meeting of the Cabinet held on 12th July 2017 were received for information.

36\17

### **REPORT FROM THE PORTFOLIO HOLDER FOR ECONOMIC DEVELOPMENT AND TOWN CENTRES AND STRATEGIC PARTNERSHIPS**

As Portfolio Holder for Economic Development and Town Centre and Strategic Partnerships, Councillor K. J. May referred to her report and gave a presentation on key challenges and future priorities for Economic Development within Bromsgrove.

The presentation included the strategic context to the position of the District and recent investments such as progress on the Town Centre regeneration, the new Railway station and new business investment. It also covered key opportunities and challenges including the improvement of other centres within the District, infrastructure issues and the affordability of housing.

The presentation stressed that there was an opportunity through partnership working for Bromsgrove to be sustainable and prosperous and to play a major role in driving the success of Worcestershire and the West Midlands Region. The economic agenda should drive future housing requirements and infrastructure planning.

During discussion on the report and presentation Members highlighted a number of items:

- The potential loss of EU grant funding for businesses following “Brexit”;
- The Council is not meeting the priorities set out on page 21;
- Many of the jobs created are low paid retail jobs and people born in Bromsgrove can’t afford to live here, use food banks etc.;
- Traffic issues are created by people leaving the District to work elsewhere;
- Affordable housing is a huge issue – in respect of the recent Cofton Hackett Development only 5% of properties are affordable;
- The need for economic development to support our communities through Business rate retention. This will be a major struggle and

the need for a robust Economic Development strategy is paramount ;

- Areas missing from the report include Wythall and Aston Fields;
- Need for a western distributor road to relieve the A38;
- Lack of employment land available to create good quality jobs and the lack of infrastructure to support;
- The likely pressure to assist with meeting housing requirements of other Authorities;
- The danger of creating dormitory towns and villages;

Councillor May noted the points raised by Members and agreed that the issues needed to be addressed. However it was re-iterated that there was an opportunity through the Economic Theme Group and partners to greatly enhance the Economic prospects of the district as a whole and to ensure improvements for residents and businesses. Councillor May requested that Members support the work being undertaken in various forums.

37\17

## **QUESTIONS ON NOTICE**

### **Question submitted by Councillor M. Thompson**

“Following the catastrophe surrounding the Marlbrook Tip and the illegal tipping on the Rose and Crown car park, is the Leader aware of the significant amount of burying of large amounts of waste from builders on the Norton Farm development and, if he is not, will he do something about it?”

The Leader responded that he was not aware of any problems on the site and neither was the Planning Case Officer. Waste matters such as this were a matter for the County Council and the Environment Agency in respect of any potential groundwater contamination. The Leader therefore invited Councillor Thompson to report to these bodies with any accompanying evidence.

### **Question submitted by Councillor M. T. Buxton**

“In the light of Volvo announcing it will not be producing diesel or petrol only cars from 2019 and France announcing it will ban petrol and diesel cars from 2040 will this Council now start installing electric chargers to encourage clean vehicles, especially with the air quality issues and ever increasing congestion around the town?”

The Leader responded that Bromsgrove District Plan Policy 16 supported the use of low emission vehicles including electric cars through encouraging the provision of charging points in new developments. There would also be consideration of inclusion of charging points within the car park review.

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## **MOTIONS ON NOTICE**

### **Hereford and Worcester Fire and Rescue Service**

Members considered an additional notice of motion submitted by Councillor M. Thompson:

“The Council is requested to resolve the need for an Extraordinary Meeting to agree a response to the consultation on the proposed changes to the governance arrangements for the Hereford and Worcester and Shropshire Fire and Rescue Services.”

The motion was proposed by Councillor M. Thompson and seconded by Councillor P. M. McDonald.

Councillor Thompson referred to the consultation from the West Mercia Police and Crime Commissioner on proposals to change the Governance arrangements for the Hereford and Worcester and the Shropshire Fire and Rescue Services. Comments had been requested by 11th September 2017.

Councillor G. N. Denaro commented that the Council was not being asked to respond as a Statutory Consultee and that this would have been an agenda item if this were the case. Members were being offered the opportunity to “have their say” and he felt it was possible that an agreed position could be reached. Whilst Councillor Denaro did not support a Special Council Meeting to consider a response he proposed a process whereby Group Leaders could meet to formulate their views.

As an amendment it was proposed by Councillor G. N. Denaro and seconded by Councillor K. J. May

That the Council resolves to agree that a cross party group, comprising the three Group Leaders, meet to formulate a response to the proposed changes to the Governance arrangements for the Hereford and Worcester and Shropshire Fire and Rescue Services, to be submitted during the consultation process and that the agreed response be reported to Cabinet on 6th September.

Councillor Thompson indicated he was in support of the amendment and on being put to the vote the amendment was carried.

### **Hospital Car Parking Charges**

Members considered the following notice of motion submitted by Councillor P. M. McDonald:

This Council calls upon all local hospitals to stop charging for parking, that in reality is financially punishing people for receiving treatment or visiting loved ones”.

The motion was proposed by Councillor P. M. McDonald and seconded by Councillor M. Thompson.

In moving the motion Councillor McDonald referred to the punitive costs of parking at local hospitals and the financial hardship this could bring on those receiving treatment or visiting friends and family. Councillor McDonald felt that free parking should be introduced.

During the debate other Members queried whether a cap on charges could be introduced. Some Members felt that the income raised from car parking was utilised to fund patient care and to remove this source of funding would be detrimental to the hospital budgets. Reference was made to existing concessionary schemes which reduced the cost of parking for those using the facilities over a period of time.

Members felt that whilst they did not have sufficient information at present to make a decision, it would be appropriate to consider the matter further as it was an issue which had an impact on local residents.

It was therefore

**RESOLVED** that consideration of the issue of charges made for hospital car parking be deferred and be referred to the Overview and Scrutiny Board for further investigation.

39\17

## **LOCAL GOVERNMENT ACT 1972**

### **RESOLVED**

That under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the item of business the subject of the following minutes on the grounds that it involves the disclosure of "Exempt information" as defined in Part 1 of Schedule 12A to the Act, the relevant part being as set out below and that it is in the public interest to do so.

<u>Minute No</u>	<u>Paragraph</u>
40/17	4

40\17

## **PLANNING POLICY AND CONSERVATION SHARED SERVICES BUSINESS CASE**

The recommendations from Cabinet were proposed by Councillor C. B. Taylor and seconded by Councillor G. N. Denaro.

In proposing the recommendations for a Planning Policy Team Shared Service between Bromsgrove DC and Redditch BC, Councillor Taylor referred to the wide variety of work undertaken by the Planning Policy Team and the Conservation Officer. The arrangements proposed within

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the Business Case would help to deliver additional resilience for the team and a better service to residents. Whilst there were financial savings within the Business Case, this was not the driving force behind the proposals. Approval of the Business Case would allow for the formalisation of the present management arrangements. The proposals had been considered by the Shared Services Board and by the Overview and Scrutiny Board.

Councillor Taylor outlined how the officers would deal with any conflict of interest which may arise between the Authorities at certain times, with separate Teams being formed to deal with those issues. It was also stressed that the arrangements would be reviewed after twelve months.

During the debate Members raised a number of areas from the Business Case:

- Whilst the service would be hosted by Bromsgrove DC whether the officers would be located in Bromsgrove;
- Whether it was best practice to have a single manager;
- Whether the proposals would deliver a good deal for Bromsgrove DC
- The need to be able to demonstrate through an Audit trail any savings made.

## **RESOLVED:**

- (1) that the Shared Service Business Case for Planning Policy including Conservation advice be approved (as set out in Appendix 1 to the report);
- (2) that the new Planning Policy Service be charged to both Councils on the percentage share as defined by the 2016/17 budget allocations:
  - (a) Bromsgrove 60%
  - (b) Redditch 40%  
(with 2(a) and 2(b) to be reviewed in 12 months' time after the introduction of the shared service)
  - (c) the financial split for the Conservation element is proposed as 75% Bromsgrove and 25% Redditch to reflect the greater number of Listed Buildings and Conservation Areas within the administrative area of Bromsgrove
- (3) that the service be hosted by Bromsgrove District Council due to the larger geographical area, complexity of planning issues and the higher number of Listed Buildings and Conservation Areas.

## **Committees Political Balance 2017/18**

The meeting closed at 8.20 p.m.

Chairman

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## LICENSING COMMITTEE – 11th SEPTEMBER 2017

### RECOMMENDATIONS TO THE COUNCIL

#### STREET TRADING- DESIGNATION OF STREETS

At the Licensing Committee meeting held on 12th June 2017, the Licensing Committee approved the advertisement of a proposal to rescind the current street designations and to determine all streets in the District as consent streets for the purposes of controlling street trading.

The rationale behind the proposal change was to allow every application to be considered on its own merits and would enable street trading to be permitted in what were currently the prohibited streets, where it was felt appropriate to allow it. For example to facilitate a short term community event or other similar event where the ability to allow street trading would enhance the event and provide a benefit to the wider community.

There was a detailed legal procedure to follow in order to properly designate streets as consent streets under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982; the process is summarised as follows:-

- Council publishes notice of its intention to pass a resolution to designate streets as consent streets.
- Minimum of 28 days given for people to make representations relating to this intention.
- Any representations received are considered.
- Council passes a resolution to designate streets as consent streets.
- Notices published to advertise the making of the resolution (at least 28 days before resolution takes effect).
- Resolution takes effect.

A public notice was published on 21st June 2017 and provided people with the opportunity to make representations on the proposal by 31st July 2017.

No representations were received during that period.

It is therefore **RECOMMENDED**

- a) that the Council passes the following resolution “**Bromsgrove District Council resolves to rescind all existing designations of streets under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and designates all streets in the District (as existing at the time of the making of the resolution and in the future) as consent streets with effect from 1st December 2017**”, and
- b) that officers be authorised to advertise the passing of the resolution in accordance with the requirements of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

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**STREET TRADING – DESIGNATION OF STREETS**

Relevant Portfolio Holder	Councillor P. J. Whittaker
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

The Licensing Committee has previously approved the advertisement of a proposal to designate all streets in the District as consent streets for the purposes of controlling street trading. The Committee are now asked to note that no responses were received following this advertisement of the proposal and are asked to recommend to Council that the relevant resolution is passed.

**2. RECOMMENDATIONS**

**2.1 That Members RECOMMEND to Council that the following resolution is passed:**

**“Bromsgrove District Council resolves to rescind all existing designations of streets under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and designates all streets in the District (as existing at the time of the making of the resolution and in the future) as consent streets with effect from 1<sup>st</sup> December 2017.”**

**2.2 That Members RECOMMEND to Council that officers be authorised to advertise the passing of the resolution in accordance with the requirements of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.**

**3. KEY ISSUES**

**Financial Implications**

**3.1 The costs associated with publishing the required notices will be met from existing budgets held by Worcestershire Regulatory Services.**

**Legal Implications**

- 3.2 Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 defines street trading as the selling or exposing or offering for sale of any article (including a living thing) in a street.
- 3.3 Schedule 4 also defines street as including:
- (a) any road, footway, beach or other area to which the public have access without payment; and
  - (b) a service area as defined in section 329 of the Highways Act 1980,
- 3.4 Paragraph 2 of Schedule 4 states that a district council may by resolution designate any street in their district as—
- (a) a prohibited street;
  - (b) a licence street; or
  - (c) a consent street.
- 3.5 “Prohibited street” means a street in which street trading is prohibited.
- 3.6 “Licence street” means a street in which street trading is prohibited without a licence granted by the district council.
- 3.7 “Consent street” means a street in which street trading is prohibited without the consent of the district council.

**Service / Operational Implications**

- 3.8 Council’s usually control street trading so that they can decide where to allow street trading and can properly manage the environmental and safety implications that the street trading creates. Controlling street trading also allows Councils to manage the impact street trading has on the local economy.
- 3.9 The control of street trading can also be of benefit to traders who can obtain greater security over their “pitch” if they are the only person who has the Council’s consent to trade there.
- 3.10 Currently the designation of streets is as shown at **Appendix 1**. Under these designations there are a number of named prohibited streets with all other streets in the District being designated by the Council as consent streets.

- 3.11 On 12 June 2017, the Licensing Committee approved the advertisement of a proposal to pass a resolution to rescind the current street designations and to designate all streets in the District as consent streets for the purposes of controlling street trading.
- 3.12 The rationale behind this proposed change is that it would allow every application to be considered on its merits and would enable street trading to be permitted in what are currently the prohibited streets, where it was felt appropriate to allow it. This could be for example to facilitate a short term community event or other similar event where the ability to allow street trading would enhance the event and provide a benefit to the wider community.
- 3.13 There is a detailed legal procedure to follow in order to properly designate streets as consent streets under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. The process to be undertaken can be summarised as follows:
- Council publishes notice of its intention to pass a resolution to designate streets as consent streets
  - Minimum of 28 days given for people to make representations relating to this intention
  - Any representations received are considered
  - Council passes a resolution to designate streets as consent streets
  - Notices published to advertise the making of the resolution (at least 28 days before resolution takes effect).
  - Resolution takes effect
- 3.14 Following the Licensing Committee on 12<sup>th</sup> June 2017, a public notice was published in a local newspaper on 21<sup>st</sup> June 2017. A copy of the notice was also served on the Chief Officer of Police and the Highway Authority (Worcestershire County Council).
- 3.15 The notices gave people until 31<sup>st</sup> July 2017 to make any representations on the proposal to pass the draft resolution. Members are asked to note that no representations have been received from any party about the proposal to pass the draft resolution.
- 3.16 In light of this, Members are asked to recommend to Council that the following resolution is passed:

*“Bromsgrove District Council resolves to rescind all existing designations of streets under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and designates all streets in the District (as existing at the time of the making of the resolution and in the future) as consent streets with effect from 1<sup>st</sup> December 2017.*”

- 3.17 Members are also asked to recommend to Council that officers be authorised to advertise the passing of the resolution in accordance with the requirements of Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.

**RISK MANAGEMENT**

- 4.1 None

**5. APPENDICES**

Appendix 1 – Existing Street Trading Designations

**AUTHOR OF REPORT**

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Worcestershire Regulatory Services

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## EXISTING STREET TRADING DESIGNATIONS

CONSENTED STREETS	PROHIBITED STREETS
<p><b>ALL STREETS WITHIN BROMSGROVE DISTRICT EXCEPT THOSE DESIGNATED AS PROHIBITED STREETS AND STREETS WITHIN THE TOWN CENTRE USED FOR MARKET PURPOSES.</b></p>	<p><b>Worcester Road</b></p> <p><b>Hanover Street</b></p> <p><b>St. John Street</b></p> <p><b>Chapel Street</b></p> <p><b>Mill Lane</b></p> <p><b>Market Street</b></p> <p><b>Church Street</b></p> <p><b>Station Street</b></p> <p><b>High Street</b></p>

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Bromsgrove District Council **Legal, Equalities & Democratic Services**



# Overview and Scrutiny **Annual Report**

**2016-2017**



**Bromsgrove**  
District Council

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

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## **OVERVIEW AND SCRUTINY ANNUAL REPORT 2016-17**

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## **FOREWORD FROM THE CHAIRMAN**

Welcome to the Bromsgrove District Council's Overview and Scrutiny Board's Annual Report for 2016-2017.

Overview and Scrutiny is a key part of the Council's democratic structure and it plays an important role in improving the services that people of the District use and the operation of the Council.

This year has seen a significant change in the operation of the Overview and Scrutiny Board with the establishment of two standing working groups – the Budget and Finance Working Group and the Measures Dashboard Working Group. These groups elected by and accountable to the main board have allowed for a more detailed consideration of financial, budgetary and council performance matters.

The past 12 months has seen a range of activity and discussion at the Overview and Scrutiny Board. The Task Group on Preventing Homelessness in Bromsgrove completed its work and four recommendations were agreed by the Board and endorsed by Cabinet.

The Board has also commenced specific scrutiny examinations of issues including CCTV provision and the use of social media and has launched a joint scrutiny with Redditch BC into continued concerns about some metrics and overall engagement which were highlighted from the latest Staff Survey. My thanks to all who have chaired and contributed to these task groups.

Additionally to the task groups and working groups the Board considered the following specific topics – Planning delegations, CCTV briefing, Economic Priorities, Dolphin Centre work with Displaced groups. The Board has also continued to receive reports on customer experience, sickness absence, enforcement and debt write offs.

As in previous years the Board has scrutinised the North Worcestershire Crime and Disorder Partnership as well as having received regular and thorough updates from our representative on the Health Overview and Scrutiny Committee, Cllr Brian Cooper. In the final months of the municipal year Cllr Cooper was appointed to the Cabinet, my thanks to him for his service over the past two years and more as Bromsgrove's representative on the Health Overview and Scrutiny Committee.

At the end of the term of our Board we were extremely sorry to learn of the passing of one of our Members and former Chairman, Councillor Peter Lammas.

# Agenda Item 10

Finally, I would like to take this opportunity to thank all of the Members of the Board, and those Democratic Services Officers that have supported the Board and without whom we would not have been able to complete a fraction of our work programme.

**Councillor Luke Mallett  
Chairman**

## **INTRODUCTION**

We are pleased to present the Overview and Scrutiny Annual Report which outlines our work during 2016/17 (this covers the municipal year from May 2016 to April 2017) and provides general information on the overview and scrutiny processes at Bromsgrove District Council.

Overview and Scrutiny is a key part of the democratic decision making process in local Councils, where elected Councillors outside of the Cabinet can contribute to shaping Council policy, community well-being and accountability. This is done by reviewing Council services and policies, community issues and key decisions and making recommendations for improvement.

The four key principles of Overview and Scrutiny, as defined by the Centre for Public Scrutiny (CfPS), the lead charitable organisation supporting Overview and Scrutiny in the country, are:

- Provides a 'critical friend' challenge to executive policy makers and decision-makers.
- Enables the voice and concerns of the public to be heard.
- Is carried out by 'independent minded Members' who lead and own the scrutiny role.
- Drives improvement in public services

The Members of the Board consider these principles when selecting topics to investigate whether it is holding the executive to account, reviewing policies, policy development or scrutiny of external bodies.

**MEMBERSHIP** (The Board is made up of 11 Members)



**Cllr Luke Mallett – Chairman**



**Cllr Shirley Webb (Vice Chairman)**



**Cllr Chris Allen-Jones**



**Cllr Sue Baxter  
(until March 2017)**



**Cllr Chris Bloore  
(until Sept 2016)**



**Cllr Steve Colella**



**Cllr Brian Cooper  
(until March 2017)**



**Cllr Malcolm Glass**

# Agenda Item 10



Cllr June Griffiths  
(from March 2017)



Cllr Charles Hotham  
(from March 2017)



Cllr Rod Laight  
(from Sept 2016)



Cllr Roger Smith  
(until August 2016)



Cllr Caroline Spencer



Cllr Phil Thomas



Cllr Michael Thompson  
(from Oct 2016)

## **THE ROLE OF THE OVERVIEW AND SCRUTINY BOARD**

Overview and Scrutiny is a key part of the Council's political structure and it plays a vital role in improving the services that people of the District use, whether as a resident, employed here or just visiting. It does not just look at the way the Council does things, it can look at anything which affects the lives of people within the District and it allows citizens to have a greater say in Council matters.

Overview and Scrutiny allows Councillors to review and scrutinise decisions, look at existing practices and make recommendations to help ensure the residents of Bromsgrove District receive excellent services. The aim is to ensure Overview and Scrutiny adds value to the Council's decision-making process and makes a positive contribution towards policy development.

The detailed terms of reference and procedure rules for the Overview and Scrutiny Board can be found at Part 5 and Part 12 of the Council's Constitution. The Council's Constitution can be accessed by using the following link.

<http://svmodern.gov:9072/ieListMeetings.aspx?CId=329&Year=0> (Please click on the latest date to access the most reason version of the Council's constitution).

### Number of Meetings

The Overview and Scrutiny Board try to meet on a monthly basis, during the 2016-17municipal year a total of 10 meetings were held.



## **REPORTS CONSIDERED BY THE BOARD**

*The Board continues to receive regular updates in order to monitor the progress of recommendations it has made, through the Recommendation Tracker. This contains both recommendations put forward by Task Groups and accepted by the Cabinet, together with recommendations put forward by the Board itself. In respect of Task Groups the Board does, where necessary, receive an update report 12 months following acceptance of its recommendations.*

*During the course of the year the Board received a number of reports and made a number of recommendations. There has been continued support from the relevant Portfolio Holders this year, with regularly attendance from a number of them when a report which relates to their portfolio has been presented to the Board. This has given them an opportunity to hear first-hand the debate and ideas that the Board have put forward. On a number of occasions, whilst the Board has not made any recommendations in respect of an item it has endorsed and supported recommendations which would be considered by Cabinet at its meeting.*

### Staff Survey Update

The Board had previously received the results of the staff survey back in June 2014 and in light of the discussions at that meeting had placed an update report on its Work Programme as the Board was keen to ensure that the actions arising from the survey had been dealt with and received an update in February 2016. The update included details of a further survey which would be sent out in April 2016.

The results of that second survey were received at the Board's meeting held in September 2016 and from those results it was agreed that a Task Group would be formed and Redditch Borough Council would be invited to participate in a joint scrutiny exercise. This would be the first piece of joint scrutiny work carried out between the two Councils but it was felt as the majority of staff was part of a shared service that any recommendations made would potentially impact on both Councils. Further details of the work of this joint scrutiny task group can be found later in the report.

### Dolphin Centre – Work with Displaced Groups

The Board has held a number of meetings where Leisure Services and in particular the replacement of the Dolphin Centre have been discussed at length. In more recent months the Board have been concerned that due to the lack of a Sports Hall facility in the new Leisure Centre (due to open in the Autumn of 2017) there may be a number of community sports groups who would not be able to continue. It was

understood that the Council was in negotiations with BAM at the nearby High School to hire “on block” their sports hall facilities during the evenings and weekends. The purpose of this item was therefore to ensure that the Council’s Sports Development Team was providing sufficient support to those groups to ensure that alternative accommodation was being provided or they were being sign posted to other facilities if they preferred. The Head of Leisure and Cultural Services attended both the February and March meetings of the Board with a comprehensive update and confirmed that he would attend the meeting in September 2017, prior to the opening of the new Leisure facility to ensure that this work had been completed to everyone’s satisfaction.

## Planning – Delegations Briefing

This item had been raised as a Notice of Motion at full Council in September 2016 and it had been suggested that it was an area which the Board could investigate further. The Board chose to receive a briefing from the Head of Planning and Regeneration on the subject before deciding whether it was something which warranted a more in depth investigation. This was received at the December 2016 meeting and following lengthy discussions which covered the background to the Notice of Motion together with delegations and the potential to improve the process in relation to non-material amendments (concerns were expressed about the subjective nature of these). The Board were happy with the outcome of the discussions which led to the Portfolio Holder for Planning Services arranging to speak to the Chairman of the Planning Committee and Planning Officers about how this could be improved.

## CCTV Briefing Paper

This item had been picked up from the Cabinet Work Programme in June 2016 and after a number of months it was in fact removed from the Work Programme. However, the Board agreed that it was something which they would like look into in more detail and understand why the proposed review had been withdrawn. The CCTV and Telecare Manager therefore attended the December 2016 Board meeting and provided an update on some of the work that had been carried out and proposals to improve the CCTV process. At the end of the discussions Members agreed that there was a need to provide greater clarity around the process for applying for new CCTV cameras and how the outcomes of the process were communicated to the applicants. Members therefore agreed that a short sharp review should be carried out – full details of this can be found later in this report.

## Review of the Council’s Economic Priorities

Members were interested in looking at this particular item as it followed on from some of the work that had been suggested in the previous year’s car parking task group. The Portfolio Holder for Economic Development (who had previously been a Member of the Board and chaired the task group) attended the February 2017 meeting and together with the Head of Economic Development and Regeneration for

North Worcestershire delivered a comprehensive presentation on the changing economy in the district. It was clear from the update received that the Council faces a number of challenges which impacted on the local economy. The Board therefore chose to retain this item on its agenda and requested a further update from the Portfolio Holder in April 2017. This has since been put back to the June 2017 meeting as the Portfolio Holder felt that she would be able to provide a more detailed report if given a little bit more time.

## Scrutiny of the North Worcestershire Crime and Disorder Reduction Partnership

The Board has a statutory duty to hold at least one meeting a year which covers the scrutiny of the work of the local Crime and Disorder Reduction (CDRP) partnership. In the case of Bromsgrove District Council this is the North Worcestershire Community Safety Partnership.

At its March 2017 meeting the Board considered a report from the Community Safety Manager which provided a comprehensive update in respect of the work of the North Worcestershire Community Partnership, which covered funding and projects which were being undertaken.

As the Community Safety Partnership had been a shared one, covering Bromsgrove, Redditch and Wyre Forest for a number of years, at the January 2017 meeting the Board considered a report and put forward a proposal for joint scrutiny. It heard that this had taken place in the South of Worcestershire and had been successful. Whilst Bromsgrove Members were in agreement to this proposal, those in Redditch, after consideration of a similar report chose not to take up the option and whilst an approach was made to Wyre Forest, to date the Board does not believe that Wyre Forest's Overview and Scrutiny function has given the matter consideration.

## General – Standing Items

The Board has continued to receive annual updates in respect of Write Off of Debts, Sickness Absence Performance, Making Experiences Count and Environmental Enforcement.

It has also received updates in respect of the Planning Application Backlog data. This was originally being monitored on a quarterly basis, but since improvements have been seen this was reduced to six monthly (agreed at the board meeting held on 31<sup>st</sup> October 2016) and without the need for an Officer to attend, but with the option for an officer and the Portfolio Holder to attend future meetings if any significant changes are noted within the data.

## **WORCESTERSHIRE HEALTH OVERVIEW & SCRUTINY COMMITTEE (HOSC)**

The Council's representative on this Committee must be a Member of the Overview and Scrutiny Board and is required to provide the Board with regular updates on the work being carried out.

Up until March 2017 Councillor Brian Cooper has continued as the Board's representative, providing regular updates on what has been discussed at these meetings. Where appropriate the minutes from a relevant meeting have been provided for Members' consideration.

As the appointment to HOSC is a Council one, at the time of writing a replace for Councillor Cooper had not been made.

During the year Councillor Cooper highlighted the following areas and responded to questions from Members:

- Acute Hospital Services – this has been discussed on a number of occasions due to a significant number of changes, which were originally temporary now being included within a consultation to which the Council responded to.
- The quality of Acute Hospital Services following concerns raised by the CQC Inspection Report in December 2015.
- The local scrutiny approach to the consultation for Worcestershire Acute Hospitals NHS Trust Services
- The Herefordshire and Worcestershire Sustainability and Transformation Plan.
- Adult Mental Health Services
- Paediatric Services
- E-Cigarettes briefing
- Proposals for change in respect of funding for public health.
- Dental Services in Worcestershire
- Pharmacy Services
- Fast Food Outlets
- Stroke Rehabilitation Units
- Re-organisation of Health Visitors
- West midlands Ambulance Services
- A Review of urgent winter plans.
- An update on Sexual Health Services
- CQC's Section 29A Notice for Worcestershire Acute Hospitals NHS Trust.

## **WORKING GROUPS – UPDATE**

Following the review of the work of the Board at the April 2016 meeting, a number of areas of improvement were discussed. One of these was its role in scrutinising the budget and the other the role of performance monitoring. It was agreed that for 2016/17 the Board would set up a Finance and Budget Working Group and a Measures Dashboard Working Group. This would enable a dedicated group of Members to consider these areas in both more detail and a more timely manner, which would in turn allow them to feed through any recommendations to Cabinet more promptly.

The terms of reference for each Working Group were agreed by the Board. As this was the first time such Groups had been set up, those terms of reference also included details of a quorum and stated that Members must be members of the Overview and Scrutiny Board, together with how recommendations could be made and would be fed back into the main Board.

A review of how both these groups had worked took place at the April meeting of the Board, when there was general consensus that these groups had made a constructive contribution to the scrutiny process and it was agreed that both groups would therefore continue to form part of the Council's scrutiny process for 2017/18.

### **Finance & Budget Working Group**

**Membership: Councillors Luke Mallett (Chairman), Sue Baxter (until 3<sup>rd</sup> March 2017), Steve Colella, Brian Cooper (until 10<sup>th</sup> March 2017), Charles Hotham (from March 2017) and Phil Thomas**

This Group have met on 10 occasions and were particularly active in the weeks leading up to the budget setting. The Portfolio Holder for Finance has attended the majority of the meetings, together with the Executive Director, Finance and Resources. On occasions Heads of Service have been invited in to provide information on a variety of reports covering their areas.

The Working Group provided a written report to the Board meeting on 28<sup>th</sup> November, which included 12 recommendations from its first 7 meetings. These covered a variety of areas which the Group had received reports on over those meetings. This included the Efficiency Plan, Earmarked Reserves, Borrowings and the Capital Programme, Virements and the Asset Register (in particular this brought about a separate report on Low Cost Housing). The Group also looked at the fees and charges report in detail and discussed those in respect of Community, Environmental and Leisure services with the relevant Heads of Service.

The recommendations were considered by Cabinet following the Board's approval of them and a written response was presented back to the Board at its December meeting. Ten of the twelve recommendations were approved and were scheduled to be implemented by the start of the new financial year. Further information in respect of the two outstanding recommendations was provided with one of them being referred back to the Working Group for further discussion.

A second written report was presented at the 13<sup>th</sup> February meeting which showed that the Group had held a further 3 meetings and made 5 recommendations. The areas covered by those meetings included Savings and Additional income, Unavoidable Pressures and Capital Bids, together with Cost Recovery Statements for a number of areas within Leisure Services. At its meeting on 30<sup>th</sup> January 2017 the Working Group also considered the Medium Term Financial Plan 2017/18 – 2020/21 in full, prior to its consideration at Cabinet the following day.

Being able to consider a number of reports in more detail than ever before and prior to their consideration by the Cabinet has allowed Members of the Board via the Working Group to play an integral part in the budget setting process.

### **Measures Dashboard Working Group**

**Membership: Councillors Shirley Webb (Chairman), Chris Allen-Jones, Sue Baxter (until December 2016), Rod Laight (from January 2017) and Caroline Spencer**

After a slow start and issues with accessing the Council's Corporate Dashboard on their iPads Members have made the decision to look at the Dashboard at each of its meetings using the Officer's access via a sunray card. This has proved successful and the Group are beginning to look at the measures associated with each of the Council's strategic purposes in more detail, the aim being that in due course the officers responsible for the measures, together with the relevant Portfolio Holder will be asked to attend a meeting in order to discuss those measures and allowing the Group to put forward their ideas and/or recommendations to make improvements.

To date the Group have met on 6 occasions with its initial meeting concentrating on the terms of reference, followed by a meeting at which a detailed presentation of the Dashboard and its workings, which gave Members a good understanding of its purpose and background information. As the Members look at the Dashboard in more detail they are beginning to gain a much better understanding of how it works and how it could support the work of the Overview and Scrutiny Board in one of its key roles, that is of performance scrutiny.

## **TASK GROUP INVESTIGATIONS & SHORT, SHARP REVIEWS CARRIED OUT**

*The detailed final reports of all these investigations can be found on the Council's website within the Overview and Scrutiny section.*

### **Preventing Homelessness in Bromsgrove Task Group**

**Membership: Councillors Chris Bloore (Chairman), Sue Baxter, Helen Jones, Sean Shannon and Roger Smith**

**Deadline: September 2016**

At its meeting held on 18<sup>th</sup> January and following a number of presentations and update reports in respect of the Burcot Lodge Emergency Homeless Unit disposal, the Board agreed that a Short Sharp Review should be established to look further into the effects of both the disposal of this unit and the impending changes to the welfare system imposed by central Government.

The Review Group held its first meeting on 25<sup>th</sup> February and its terms of reference were considered by the Board at its meeting on 29<sup>th</sup> February 2016. Following the initial meetings, it soon became clear to the Group that this was a complex subject and in order to do it justice it was requested at the March 2016 meetings of the Board that the review be extended to a full Task Group exercise. It would then present its findings and any recommendations to the Board meeting to be held in September 2016.

It should be noted that Councillor Jones stood down from the Group following her appointment as Chairman of the Council and Councillor Smith stood down following his appointment to the Cabinet.

After an in depth investigation the Task Group brought forward four recommendations, which were agreed by the Board and endorsed by the Cabinet at its meeting on 5<sup>th</sup> October, with a formal response being presented to the Board at its meeting on 28<sup>th</sup> November 2016.

## **Social Media Task Group**

**Membership:** Councillors Rod Laight (Chairman), Sean Shannon, Michael Thompson and Les Turner

**Deadline:** June 2017

At its meeting held on 19<sup>th</sup> September 2016 Members considered a topic proposal put forward by Councillor Chris Bloore in respect of the Council's use of social media. This was something which had been discussed at the Preventing Homelessness Task Group when the potential for social media to be used more effectively to promote the support available from the Council to vulnerable residents had been discussed. The Council's Communications Team had been consulted and they too were keen for this to be considered. The Board therefore agreed that a Task Group be established.

The Group held its first meeting on 30<sup>th</sup> November 2016 and have held a further five meetings to date. They have looked at a number of areas, interviewed the Council's Communications Manager and a reporter from the local free newspaper. A brief questionnaire was also sent to all Members in order to establish how they used social media, which received an excellent return rate. The Group are on track to complete their investigations and produce a final report for consideration at the Board's June meeting.

## **Strategic Review of CCTV – Short, Sharp, Review**

**Membership:** Councillors Steve Colella (Chairman), Brian Cooper (until 10/03/17) and Cllr Michael Thompson

**Deadline:** TBC

Following receipt of a briefing paper on a recent review of the CCTV process (at the December 2016 meeting) Members agreed that it was an issue which warranted further investigation. A topic proposal was put forward at the January 2017 meeting and the Board agreed that a short sharp review would be carried out. Members were keen to ensure that the work the review carried out did not repeat that previously done and set three main objectives, including understanding and validating the process and monitoring of CCTV cameras and its ongoing review.

Unfortunately, due to Cllr Cooper moving on to the Cabinet, the Review has been left with only 2 Members. Following advice from Officers it was agreed that work of the Review would be suspended until a third Member could be found to replace Councillor Cooper. It was hoped the investigation would restart in the new municipal year.



## **JOINT OVERVIEW AND SCRUTINY INVESTIGATIONS**

### **Increasing Physical Activity Joint Scrutiny Task Group**

**Bromsgrove District Council representative: Councillor June Griffiths (until 13/12/15)**

**Deadline: March 2016**

The Worcestershire County Council's (WCC's) Overview and Scrutiny Performance Board (OSPB) at its meeting on 26th February 2015 discussed the Worcestershire Public Health Annual Report 2014, a theme of which was to increase opportunities for participation in physical activity. This highlighted that "physical activity rates decrease quite steeply after the age of 45"... (although) .. "when comparing with the region and England, Worcestershire participation rates are relatively high". It also noted that "there is fragmentation of responsibility between County, District and national (Sport England) levels."

The County Council was keen to ensure opportunities to access sport and physical activity were available to all, and were interested to find out what impact the 2012 Olympics had had on participation rates.

Following Councillor Griffiths standing down from the Board it was agreed that due to the Task Group's work coming to a conclusion a replacement would not be sought. However, it was requested that the Chairman of the Task Group attend the relevant Board meeting to present the findings of the Group. There had been some delay in the final report being produced, which originally was given as December 2015, and was finally received by the Board at its meeting held on 27<sup>th</sup> June 2016; unfortunately the chairman of the Task Group was unable to attend due to other commitments. Although there were a number of recommendations made, the Board agreed simply to note the report.

## **Staff Survey Joint Scrutiny Task Group**

**BDC Membership: Councillors Steve Colella (Chairman), Caroline Spencer and Shirley Webb.**

**RBC Membership: Councillors Jayne Potter (Vice Chairman), Tom Baker-Price and Jennifer Wheeler**

**Deadline: September 2017**

For the first time, Bromsgrove and Redditch Councils have joined together to carry out a joint scrutiny task group. The Staff Survey was an area which Bromsgrove Members had considered on a number of occasions in previous years. Following receipt of the results of the second survey at its meeting in September 2016 Members agreed, that as little progress appeared to have been made on a number of areas of concern, it was something which needed further investigation and would be suitable for joint scrutiny as the majority of staff were now part of a shared service. A topic proposal and a brief joint scrutiny protocol were considered by the Board at its October 2016 meeting. Following the agreement of the Board the Chairman, Vice Chairman and Cllr Colella attended the Redditch Overview and Scrutiny Committee meeting putting forward its proposals. The Redditch Committee supported the proposal and the joint Scrutiny Task Group was formed.

To date the Group have met on 5 occasions and have alternated these meetings between both Council sites. Similarly, Councillor Potter, the Chair of Redditch Overview and Scrutiny Committee was appointed as Vice Chairman. Part of the protocol which was agreed also stipulated that a Member of each Council should be present at any meeting and the membership be made up of equal number of Members from each Council. As this was the first joint scrutiny venture it was also agreed that the membership should be made up solely of Overview and Scrutiny Board/Committee Members.

It is anticipated that the Task Group will present its findings to the September meeting of both Overview and Scrutiny functions.

## **PLANS FOR THE FUTURE**

At its final meeting on 24th April the Board discussed its key achievements over the year and the work of the task groups and working groups. The Chairman also took the opportunity to thank Members and Officers for their hard work in supporting the scrutiny process.

In line with best practice Members considered actions that could be taken to improve the scrutiny process in future years. The Board were aware that the introduction of the Working Groups has lightened the load of the main Board's Work Programme and allowed them the opportunity to look at just one or two substantive items at those meetings without feeling the pressure of time constraints for each item. However, pre-scrutiny of items within the Cabinet Work Programme has continued to be a challenge, particularly as in many cases insufficient time from an item being added to the Work Programme to its consideration at Cabinet, was allowed so the Board were unable to add it to their own Work Programme in a timely manner. Equally, those timescales were not always adhered to which made it difficult for all those concerned to plan efficiently. Hopefully this will be addressed in 2017/18 following a recommendation from the Board to Cabinet in respect of this.

## **FURTHER INFORMATION**

### Overview and Scrutiny Board Meetings

Overview and Scrutiny Board meetings are open to the public. To find out more visit our website at <http://www.bromsgrove.gov.uk/council/the-council/overview-and-scrutiny.aspx> or telephone 01527 881288 and ask to speak to the Democratic Services Officer.

### Public Involvement

If you would like to have your say on issues being considered by Overview and Scrutiny or to suggest a topic for consideration you can email [scrutiny@bromsgrove.gov.uk](mailto:scrutiny@bromsgrove.gov.uk) or complete the form on the Council's website at <http://www.bromsgrove.gov.uk/council/the-council/overview-and-scrutiny/public-participation.aspx>

### Giving Evidence

Members of the public or organisations with a special interest or knowledge about a particular topic being considered by Overview and Scrutiny can put forward evidence to a Committee or appear as a witness to give evidence for an investigation. If you think you or your organisation might be able to participate in an issue currently under review, please contact us.

If you have a personal issue with a Council service you may find it more useful to contact your local ward Councillor who can help you decide the best way to take it forward.

### Contact Overview and Scrutiny

If you would like to find out more about any aspect of the Overview and Scrutiny Board then you can email [scrutiny@bromsgrove.gov.uk](mailto:scrutiny@bromsgrove.gov.uk) or telephone 01527 881288 and ask to speak to the Democratic Services Officer.

**Overview and Scrutiny  
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"ইংরেজির জন্য সাহায্য চাই ?" 01527 881288 নম্বরে উস্টাশায়ার হাব [HUB] ব্রমসগ্রোভ [Bromsgrove]-এ টেলিফোন করুন

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"انگریزی میں مدد چاہتے ہیں؟" ورسیسٹر شائر ہب [HUB]، برومزگرو [Bromsgrove] میں 01527 881288 پر رابطہ کریں



**Bromsgrove**  
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## CABINET

### RECOMMENDATIONS TO THE COUNCIL

6TH SEPTEMBER 2017

#### **1. ACQUISITION AND INVESTMENT STRATEGY**

The Cabinet has considered a report on a proposed Acquisition and Investment Strategy for the Council.

It is RECOMMENDED that

- (1) the Acquisition and Investment Strategy be approved;
- (2) the Executive Director of Finance and Resources together with the Head of Economic Development and Regeneration (North Worcestershire) be responsible for identifying suitable opportunities and developing the viability appraisal and business case for the Council; and
- (3) the Executive Director of Finance and Resources in consultation with the Leader and the Portfolio Holders for Economic Development and Finance and Resources have delegated powers to approve business cases and complete acquisitions.

#### **2. CONSULTATION RESPONSES TO WYRE FOREST DISTRICT COUNCIL PREFERRED OPTION PLAN AND WORCESTERSHIRE RAIL INVESTMENT STRATEGY**

The Cabinet has considered draft consultation responses to Wyre Forest District Council's Preferred Option Plan and Worcestershire Rail Investment Strategy.

It is RECOMMENDED that

- (1) the draft officer response to Wyre Forest Local Plan Review Preferred Option (as attached at Appendix A to the report) be approved by Council, and submitted to Wyre Forest District Council as the formal consultation response; and
- (2) the draft officer response to Worcestershire Draft Rail Investment Strategy (as attached at Appendix B to the report) be approved by Council, and submitted to Worcestershire County Council as the formal consultation response.

### 3. PROVISION BY BROMSGROVE DISTRICT COUNCIL OF A GARDEN WASTE SERVICE ON BEHALF OF REDDITCH BOROUGH COUNCIL

The Cabinet considered a report outlining proposals for Bromsgrove District Council to deliver a Garden Waste Service on behalf of Redditch Borough Council.

It is RECOMMENDED that

- (1) From March 2018 Bromsgrove District Council will operate a seasonal (March to November inclusive) garden waste service on behalf on Redditch Borough Council as part of the existing shared service agreement; and
- (2) Bromsgrove District Council will recoup operating and overhead costs from Redditch BC at an agreed amount per subscription.

### 4. TREASURY MANAGEMENT – UPDATED BORROWING LIMITS 2017/18 TO 2020/21

The Cabinet received a report in respect of treasury management and proposals to increase the Council’s operational and authorised borrowing limits.

It is RECOMMENDED that

- (1) The Operational Limit for borrowing be increased as follows:-

	2017/18 £m	2018/19 £m	2019/20 £m	2020/21 £m
Operational Limit brought forward	12.0	20.0	23.0	26.0
Add Pension Advance Payment	6.0	-2.0	-2.0	4.0
Add Acquisitions and Investment Strategy	2.0	5.0	5.0	8.0
Revised Operational Limit for approval	20.0	23.0	26.0	38.0

- (2) The Authorised Limit for borrowing be increased as follows:-

	2017/18 £m	2018/19 £m	2019/20 £m	2020/21 £m
Authorised Limit brought forward	15.0	23.0	26.0	29.0
Add Pension Advance Payment	6.0	-2.0	-2.0	4.0
Add Acquisitions and Investment Strategy	2.0	5.0	5.0	8.0
Revised Authorised Limit for approval	23.0	26.0	29.0	41.0



## **5. FINANCE MONITORING 2017/18 QUARTER 1**

The Cabinet considered the first quarterly monitoring update report for 2017/18 in respect of the Council's budget position.

It is RECOMMENDED that the 2017/18 Capital Programme is increased by £414k to include S106 Projects as included in Appendix 2.

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## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE CABINET**

**6TH SEPTEMBER 2017, AT 6.00 P.M.**

PRESENT: Councillors G. N. Denaro (Leader), K.J. May (Deputy Leader),  
B. T. Cooper, C. B. Taylor and P. J. Whittaker

Observers: Councillor S. R. Colella, Councillor R. L. Dent and Councillor  
L. C. R. Mallett

Officers: Mrs. S. Hanley, Ms. J. Pickering, Mrs. C. Felton, Ms. D. Poole,  
Mr. G. Revans, Mr. D. Allen, Mrs B. Talbot, Ms. A. Scarce, Ms. J. Bayley  
and Mr. M. Bough

23/17 **TO RECEIVE APOLOGIES FOR ABSENCE**

An apology for absence was received on behalf of Councillor M. A. Sherrey.

24/17 **DECLARATIONS OF INTEREST**

Councillor G. N. Denaro declared a pecuniary interest in Minute Item No. 27/17 in his capacity as a trustee of the Wythall Community Association which had applied for a New Homes Bonus grant. Consequently he left the room during consideration of the item and he took no part in the discussions or voting thereon.

25/17 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE CABINET HELD ON 12TH JULY 2017**

The minutes of the meeting of the Cabinet held on 12<sup>th</sup> July 2017 were submitted.

**RESOLVED** that the minutes of the meeting of the Cabinet held on 12<sup>th</sup> July 2017 be approved as a correct record.

26/17 **MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 26TH JUNE 2017**

The Chairman of the Overview and Scrutiny Board, Councillor L. C. R. Mallett, confirmed that there were no recommendations arising from the meeting of the Board held on 26<sup>th</sup> June 2017. However, there was a recommendation arising from the Board's pre-scrutiny of the Burcot Lane Site Redevelopment Update, which took place at a meeting on 22<sup>nd</sup> August 2017. This recommendation would be considered alongside the report at Minute Item No. 38/17.

27/17

## **NEW HOMES BONUS COMMUNITY GRANTS SCHEME**

The Deputy Leader welcomed the report from the New Homes Bonus Grants Panel and thanked Members of this group for their hard work.

A significant number of applications had been received from local community groups for grant funding covering a range of areas. The Panel had identified a number of groups that Members felt should be awarded funding and these applicants had been notified in writing that, subject to the agreement of the Cabinet, they would be receiving a grant.

The Deputy Leader drew Members' attention to a grant request for the Bromsgrove Baptist Church in respect of the Youth and Community Hub. Whilst the Panel were supportive of this in principle it had requested that further work be undertaken to ensure that this did not impact on other youth services in Bromsgrove district.

For the first time a checking service had been offered to applicants who were able to submit draft paperwork prior to the deadline. Some applicants had used this service and had found it to be helpful. A number of applicants had had their bids rejected but future bids would be welcomed from these applicants in subsequent years.

**RESOLVED** that the Cabinet agree the grants, as detailed in the Summary of NHB Grants Panel recommendations attached at appendix 1 to the report.

(Prior to the start of this item Councillor G. N. Denaro declared a pecuniary interest in the subject in his capacity as a trustee of the Wythall Community Association which had applied for a New Homes Bonus grant. Consequently he left the room during consideration of the item and he took no part in the discussions or voting thereon. The Deputy Leader therefore chaired the meeting for this item).

28/17

## **ACQUISITION AND INVESTMENT STRATEGY**

The Executive Director of Finance and Corporate Resources presented the Acquisition and Investment Strategy for Members' consideration.

Members were advised that the strategy would form a key part of the Council's work in respect of economic development. Any opportunities for investment would be subject to a business case to ensure that adequate funding would be available. Specific criteria would apply when assessing the viability of investment and acquisition opportunities and each option would be assessed on a case by case basis. Only in cases where both Members and Officers felt assured would these opportunities be progressed.

A number of local authorities were currently investigating investment opportunities. Many of these Councils were making investments outside their local authority boundaries. In Bromsgrove, however, Officers were

keen to focus on making investments within the district's boundaries only. The Council would also seek to focus on low risk opportunities, though Members might want to consider options with higher associated risks where it was felt that this might lead to economic development in an area of the district in need of regeneration.

The Executive Director of Finance and Corporate Resources explained that a minor amendment was proposed to the report at paragraph 3.7. This would clarify that the report was calling for the Executive Director to have delegated powers to approve business cases and complete acquisitions in consultation with the Leader and Portfolio Holders for Economic Development and Finance and Resources.

Following the presentation of the report Members discussed a number of areas in detail. Questions were raised about the costs involved in establishing a trading company and the length of time this could take to complete. Officers explained that a trading company could be opened at a cost of £6,000 relatively quickly, though in order for a local authority to do so effectively time needed to be taken to follow the proper democratic process. Members also questioned the general level of abortive costs which other local authorities making investments had tended to encounter. The Executive Director of Finance and Corporate Resources undertook to speak to other treasurers in the county in relation to this matter.

**RECOMMENDED** that

- (1) the Acquisition and Investment Strategy be approved;
- (2) the Executive Director of Finance and Resources together with the Head of Economic Development and Regeneration (North Worcestershire) be responsible for identifying suitable opportunities and developing the viability appraisal and business case for the Council; and
- (3) the Executive Director of Finance and Resources in consultation with the Leader and the Portfolio Holders for Economic Development and Finance and Resources have delegated powers to approve business cases and complete acquisitions.

29/17

**HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT POLICY**

The Human Resources and Development Manager presented the Human Resources and Organisational Development Policy for consideration.

The strategy outlined the skills required by staff across the organisation to deliver on the Council's strategic purposes. Whilst the strategy was a separate document the content needed to be considered in conjunction with the Council's Plan.

The Trade Unions had been consulted during the development of the policy and had indicated that they were supportive of the contents.

The covering report had incorrectly proposed that the policy should be referred to Council. Members were advised that the Cabinet in fact had the authority to determine this item.

**RESOLVED** that the Human Resources and Organisational Development Policy be approved and adopted.

30/17

**POLICE AND CRIME COMMISSIONER CONSULTATION ON  
HEREFORD AND WORCESTERSHIRE FIRE AND RESCUE SERVICE  
GOVERNANCE ARRANGEMENTS (VERBAL UPDATE)**

The Leader advised that, as agreed at the meeting of Council on 19<sup>th</sup> July 2017, he had met with the two other Group Leaders to formulate a response to the proposed changes to the Governance arrangements for the Hereford and Worcester and Shropshire Fire and Rescue Services. During their discussions the three Group Leaders had concluded that they could not support the proposals from the West Mercia Police and Crime Commissioner (PCC) in respect of the governance arrangements as there were too many unanswered questions. The Leader was providing an update to the cabinet on the outcomes of these discussions as requested by Council.

A formal response would be submitted by the deadline of 11<sup>th</sup> September 2017 on behalf of the Council, as a non-statutory consultee, explaining that the authority did not support the proposed governance arrangements proposed by the West Mercia PCC.

31/17

**STAFF SURVEY JOINT SCRUTINY TASK GROUP**

Cabinet welcomed the Chairman of the Staff Survey Joint Scrutiny Task Group, Councillor S. R. Colella, to the meeting and invited him to present the group's report.

The group had initially focused on the reasons for the low response rate to the 2016 staff survey. Staff sickness data had also been taken into account to help Members gauge the possible impact of changes in the workplace on staff morale as it was felt this would potentially manifest itself in sickness absence. As the review progressed it had become apparent that the Programme Board was making significant progress addressing many of the issues that had been raised by staff in completed surveys. The group had concluded that it would be best to focus on looking forward and constructive steps that could be taken to improve future surveys. There had been general consensus that more staff needed to be encouraged to complete the surveys in the future and this might be achieved if bespoke questions were to be provided that were suitable for particular service areas.

The Cabinet discussed the contents of the report in detail and noted that the group had considered the suitability of the Council's strategic purposes moving forward. Councillor Colella explained that the group had found it could be difficult to determine the exact meaning of the strategic purposes and more specific targets might be helpful for staff. The Deputy Chief Executive explained that the Corporate Management Team was aware of the breadth of areas covered by the strategic purposes. For this reason senior officers, in conjunction with Members, were developing detailed action plans for each strategic purpose covering the next three years. The contents of these plans would be shared with all Members in due course.

A small number of recommendations had been proposed at the end of the review. The Overview and Scrutiny Board had been able to resolve on the majority of these at their meeting on 22<sup>nd</sup> August but one required the attention of the Cabinet.

The Leader commented that at recommendation (b) in the report Members were calling for him, as the relevant Portfolio Holder, to assist the lead Scrutiny Member supporting staff with the formulation of all future staff surveys and attend staff briefings. The Cabinet was advised that he would decline this offer as he felt that it would be more appropriate for a Scrutiny Member to take a lead on this. This recommendation was also due to be reported for Members' consideration at Redditch Borough Council and Officers confirmed that a different decision in Bromsgrove would not affect the decision making process in Redditch.

Councillor Colella thanked every Member of the Task Group for their hard work during the review, together with all the officers who had submitted evidence and the Democratic Services Officers. The Cabinet was also asked to note that this had been the first joint scrutiny exercise involving only Bromsgrove and Redditch Members and a number of useful lessons had been learned which could be applied to any future joint working arrangements.

**RESOLVED** that the lead Councillor for supporting staff from each Council assists in the formulation of future staff surveys and attends staff briefings.

32/17

## **CONSULTATION RESPONSES TO WYRE FOREST DC PREFERRED OPTION PLAN AND WORCESTERSHIRE RAIL INVESTMENT STRATEGY**

The Portfolio Holder for Planning Services and Strategic Housing presented the Consultation Responses to Wyre Forest District Council's Preferred Option Plan and the Worcestershire Rail Investment Strategy. The Cabinet was advised that there had been limited time to consider the plans, though Members would have another opportunity to comment at the next Council meeting. The report provided for Members' consideration therefore contained a draft response.

The Wyre Forest District Council plan addressed care home units but there were some concerns that the locations where these would be installed had not been specified, nor had the potential impact in those locations been addressed. Similarly there was limited information about the potential impact on traffic in surrounding areas.

The Worcestershire Rail Investment Strategy made reference to parking spaces in Bromsgrove and other locations. However, specific information about the exact locations for these parking spaces had not been provided. Reference was also made to Wythall Railway Station, though no parking spaces were available at this location.

At the conclusion of this item the Cabinet

**RESOLVED** that Members note the contents of the report; and

**RECOMMENDED** that

- (1) the draft officer response to Wyre Forest Local Plan Review Preferred Option (as attached at Appendix A to the report) be approved by Council, and submitted to Wyre Forest District Council as the formal consultation response; and
- (2) the draft officer response to Worcestershire Draft Rail Investment Strategy (as attached at Appendix B to the report) be approved by Council, and submitted to Worcestershire County Council as the formal consultation response.

33/17

**PROVISION BY BROMSGROVE DISTRICT COUNCIL OF A GARDEN WASTE SERVICE ON BEHALF OF REDDITCH BOROUGH COUNCIL**

The Portfolio Holder for Environmental Services and Leisure presented a report detailing arrangements for the operation of a Garden Waste Service on behalf of Redditch Borough Council.

Bromsgrove District Council already had a Garden Waste collection service. Following the implementation of route optimisation the service had spare capacity and would be in a position to deliver this service on behalf of Redditch Borough Council. The cost of the service per subscription for Redditch Borough Council, in terms of the level paid to Bromsgrove, would be graduated in accordance with the number of customers in order to keep the income at a preferred level. Economies of scale would be achieved where the number of subscriptions reached 2,000 or more.

**RECOMMENDED** that

- (1) From March 2018 Bromsgrove District Council will operate a seasonal (March to November inclusive) garden waste service on



behalf on Redditch Borough Council as part of the existing shared service agreement; and

- (2) Bromsgrove District Council will recoup operating and overhead costs from Redditch BC at an agreed amount per subscription.

34/17

**TREASURY MANAGEMENT - UPDATED BORROWING LIMITS 2017/18 TO 2020/21**

The Executive Director of Finance and Corporate Resources presented the Treasury Management Updated Borrowing Limits 2017/18 to 2020/21.

The report addressed the potential to revise the operational and authorised limits for borrowing purposes, taking into account the areas covered in the Acquisition and Investment Strategy. This included the option to increase the operational limit for approval to £38 million by 2020/21. The authorised limit for approval would also increase to £41 million by 2020/21.

Net savings were already being achieved through advance payments of pension contributions to Worcestershire County Council and this would continue up to 2020/21. These savings would be achieved over the full 4 year period rather than in a single year.

**RECOMMENDED** that

- (1) The Operational Limit for borrowing be increased as follows:-

	2017/18 £m	2018/19 £m	2019/20 £m	2020/21 £m
Operational Limit brought forward	12.0	20.0	23.0	26.0
Add Pension Advance Payment	6.0	-2.0	-2.0	4.0
Add Acquisitions and Investment Strategy	2.0	5.0	5.0	8.0
Revised Operational Limit for approval	20.0	23.0	26.0	38.0

(2) The Authorised Limit for borrowing be increased as follows:-

	2017/18 £m	2018/19 £m	2019/20 £m	2020/21 £m
Authorised Limit brought forward	15.0	23.0	26.0	29.0
Add Pension Advance Payment	6.0	-2.0	-2.0	4.0
Add Acquisitions and Investment Strategy	2.0	5.0	5.0	8.0
Revised Authorised Limit for approval	23.0	26.0	29.0	41.0

35/17

## **CONFIDENTIAL REPORTING CODE (WHISTLEBLOWING)**

The Executive Director of Finance and Corporate Resources presented an update to the Council's Confidential Reporting Code (Whistleblowing).

The whistleblowing policy enabled staff and customers to raise specific areas of concern in relation to matters such as fraud and crime. A whistleblowing policy was essential to demonstrate transparency and accountability within the local authority. The code provided assurances to staff that they could report matters confidentially without being placed at risk of victimisation or discrimination.

It was anticipated that in many instances staff would approach their managers to report any areas of concern. However, this might not always be possible and in such instances staff would be encouraged to report their concerns to the Corporate Anti-Fraud team, a Statutory Officer or Internal Audit. The potential for matters to also be reported to Members was discussed, however, the Cabinet was advised that this could compromise the position of Members, particularly if they were later required to participate in any processes necessary to respond to the matter that had been raised. Members were therefore encouraged to report any whistleblowing issues raised by staff or customers to the appropriate Officers.

**RESOLVED** that the Confidential Reporting Code (Whistleblowing) be approved.

36/17

## **FINANCE MONITORING 2017/18 QUARTER 1**

The Executive Director of Finance and Corporate Resources presented the Finance Monitoring report for quarter 1 of 2017/18 and in so doing she advised Members that a replacement table had been issued in an additional papers pack as a couple of the figures that were originally provided were incorrect.

The Cabinet was advised that it was difficult in the first quarter of the financial year to assess variances in the budget. However, details had

been provided about the variances that had been identified per strategic purpose wherever possible.

An update had also been provided in the report in respect of progress with the implementation of the Council's Efficiency Plan. Savings had been achieved already through a number of service restructures. Moving forward the budgets were being considered line by line by the Financial Services Team in consultation with Directors and Heads of Service.

The Cabinet discussed the report and noted that the Finance and Budget Working Group had recently questioned the reasons why there had been limited expenditure of the budget for the 'keep my place safe and looking good' strategic purpose. The Executive Director of Finance and Corporate Resources explained that this budget included all the capital charges which were not included in the figures until the end of the year. For this reason the budget could appear to be underspent in earlier stages of the financial year.

**RESOLVED** that the current financial positions for the quarter April to June 2017, as detailed in the report, be noted; and

**RECOMMENDED** that the 2017/18 Capital Programme is increased by £414k to include S106 Projects as included in Appendix 2.

37/17

**TO CONSIDER, AND IF CONSIDERED APPROPRIATE, TO PASS THE FOLLOWING RESOLUTION TO EXCLUDE THE PUBLIC FROM THE MEETING DURING THE CONSIDERATION OF ITEM(S) OF BUSINESS CONTAINING EXEMPT INFORMATION:-**

**RESOLVED** that under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matters on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12 (A) of the said Act, as amended:

This paragraph is:

Subject to the "public interest test", information relating to Paragraph 3 – financial or business affairs.

Minute 38/17 – Overview and Scrutiny Board Minute Extract (Burcot Lane Pre-Scrutiny) 22<sup>nd</sup> August 2017.

Minute 39/17 – Burcot Lane Site Redevelopment Update.

38/17

**OVERVIEW AND SCRUTINY BOARD MINUTE EXTRACT (BURCOT LANE PRE-SCRUTINY) 22ND AUGUST 2017**

The Cabinet considered a minute extract from the meeting of the Overview and Scrutiny Board held on 22<sup>nd</sup> August 2017 when Members had pre-scrutinised an update in respect of the redevelopment of the Burcot Lane site.

[During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public prior to any debate on the grounds that information would be revealed which relates to financial or business affairs].

39/17

**BURCOT LANE SITE REDEVELOPMENT UPDATE**

The Cabinet considered an update report in respect of redevelopment of the site of the former Council House on Burcot Lane.

[During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public prior to any debate on the grounds that information would be revealed which relates to financial or business affairs].

The meeting closed at 7.29 p.m.

Chairman

## **BROMSGROVE DISTRICT COUNCIL**

### **Report of**

**Portfolio Holder for Finance, ICT, and Enabling Services (Cllr Dr Brian Cooper)**

**Aligned to “Help me to be Financially Independent”**

### **FINANCE**

The finance team’s activities include accountancy, payroll and payments. The Payroll team also provide the service for Redditch Borough Council and Wyre Forest District Council. There are 5 separate payrolls comprising of approximately 900 staff. The Payment section ensures that all the invoices from our suppliers are paid in a timely manner and on average there are approximately 5000 invoices paid out every year. The finance team provides all financial advice and support to Members and officers, undertakes treasury management and investment activities and prepares all statutory accounting reports.

The audit of the Council’s accounts for 2016/2017 has been completed without any major concerns. The accounts were presented to our external auditors a month early on 31<sup>st</sup> May. This was in preparation of the new deadline for the 2017/18 statutory accounts closedown of May 2018. The audited accounts and the opinion of the external auditors will be presented to the Audit, Standards and Governance Committee on September 14 and thereafter to Council.

Over the last 12 months the team have continued to assess the impact of the financial pressures and on-going reduction in funding seen by the Authority. There is a major effort to improve budget setting in the Council. The finance team are now focusing on revenue monitoring and in particular the identification of additional savings that may be available for 2017/18 in light of the significant saving achieved by the Council in 2016/17. We aim to improve monitoring to see that agreed efficiency savings targets have been met.

The team work hard to ensure that the financial information that is presented to members to enable them to make informed decisions over a 4 year period, is clear. However, preparation of the Medium Term financial plan is becoming more challenging. The uncertainties relating to significant future funding streams have made financial planning more difficult particularly in light of the delayed implementation of the Business Rate Localisation scheme and late changes to the New Homes Bonus Scheme. The team are supporting officers with the financial modelling of income generating projects that form part of the commercial focus that the Council is developing to ensure financial sustainability in the future. All the financial work will feed into the review of the Medium Term Financial Plan to ensure that we have a robust budget for the next 4 years.

## **FINANCIAL SUPPORT UPDATE**

Revenues, Benefits and Customer Services team deliver the provision of financial support through Housing Benefits, Council Tax Support (CTS), Discretionary Housing Payments (DHP), and the Essential Living Fund (ELF). The team work with customers to identify their needs and then establish the best approach for helping the customer with their specific issues. Many customers have transactional needs such as 'collect the right amount of money owed', 'process my benefits claim in a timely manner', 'if I am entitled to financial support, help me claim the right amount', and 'make it easy for me to pay anything I have to pay the Council'. For these customers, the emphasis is on timely and accurate processing of information and claims and on providing a wide variety of payment mechanisms. However, some customers have more complex needs and we try to help them access a wider range of financial support and advice, to address their immediate needs as well as to help them improve their financial independence and make sustainable choices for the future.

During the last 12 months the focus of the service has been to implement a unified Revenues and Benefits IT system, and to carry out a full service review to ensure that the structure and resources within the service meets the needs of our customers. The move to a unified single system has been a 16 month project and was completed in August 2017. This huge project consisting of two work flow conversions, one revenues conversion, the introduction of OPENChannel and Ebenefits (online services) and process automation. We are one of only a handful of authorities across the Country to have fully shared our Revenues and Benefits systems and the rewards are already coming through as savings on software support. Work streams are now in place to maximise the use of increased functionality and capitalise on further online, automated and improved service delivery mechanisms.

The Service Review was agreed by Council in April and is being implemented in accordance with agreed procedure. Following full consultation with staff and trade unions, the structure is being implemented as proposed. There are 7 officers, across the whole team who will be leaving through voluntary redundancy, of these 2 were formally BDC employees. There have been no compulsory redundancies. The total cost of redundancies to BDC is £28k.

The key challenge in the near future is the full roll out of Universal Credit (UC). Although this will not occur fully until May 2018, Job Centres are going live at different times and the impact will start to take effect from October 2017. Staff training has been provided by DWP, and a Delivery Partnership Arrangement is in place between the authority and DWP to provide face to face, personal budgeting and online support.

The move to UC will bring administrative challenges in respect to the Local Council Tax Support Scheme which will not mirror national benefits. Officers will be carrying out a comprehensive review, in conjunction with colleagues across the County, to explore a county wide scheme to ensure consistency as well as to minimise the cost of administration.

Support to businesses most impacted by the re-evaluation of business rates on their premises, will be in place by the end of the calendar year. The Government has

provided local authorities with funding so that they may design their own local schemes to support ratepayers facing significant increases in their bills. The Discretionary Revaluation Support Policy will be coming forward in October and, if agreed, administered by the Revenues Team.

## **LEGAL SERVICES UPDATE**

The legal team operate as a support service providing advice and guidance to elected Members and officers throughout the Authority and doing the legal work associated with Council services. Their aim is to ensure that the decisions of the Council are legal and proportionate, the actions and decisions of the Council are in the public interest, and all Council documentation is robust. From time to time the team represent the Council in Civil and Criminal proceedings and we also provide contracted external legal support to other public organisations.

## **DEMOCRATIC SERVICES UPDATE**

Democratic Services team have been supporting Members in various roles throughout the year, including all Council Committees, Boards and Working Groups.:

### **Overview and Scrutiny**

Earlier in the Meeting, Council received the Annual Report from the Chairman of the Overview and Scrutiny Board which illustrates the variety of issues which have been addressed by the Board over the past year. The number of items which have been pre-scrutinised prior to consideration by the Cabinet, has increased and the system of scrutiny is working more smoothly. Council has referred directly to the O&S Board, a number of issues arising from notices of motion, for example to enable them to be considered in greater detail and in a more meaningful way. The Finance and Budget Working Group continues to work well on a cross party basis. As portfolio holder, I try to attend the meetings regularly as I want to maintain a good relationship with the Group to help us to address the significant financial challenges that the Council faces. To date the director of finance and I have found the meetings very constructive and informative.

### **Member Training**

The Member Development Steering Group has looked at further training sessions which will be useful and accessible to Members. A recent session on Finance training was well received by Members. Officers are arranging workshops to take place in the autumn on Strategic Housing and Welfare reform issues. In addition there will be the usual refresher sessions on data protection and safeguarding. I hope Group Leaders will continue to work with officers to ensure that the Training Programme offered continues to reflect their Group Members' training needs.

## **ELECTORAL SERVICES UPDATE**

### **Polls held in Bromsgrove District Council Area in 2017**

The Norton District by-election held on 19 January, the County Election for Worcestershire was held on 4 May, and the UK Parliamentary (General) Election and the District by-election of Alvechurch Village Ward were held on 8 June. Both major polls covered the whole District geographical area but were held on different franchises (the County poll was held on a local election franchise and the Parliamentary on its own franchise).

**Norton by-election** was contested by four candidates; one each from the Conservative party, the Labour party, the Green party and UKIP. There were two polling stations and turnout was 25%.

**Worcestershire County Council election:** 39 candidates stood in the nine County Divisions in the Bromsgrove District Council area. The Conservative Party, Green Party and Liberal Democrats stood in all nine seats, the Labour Party in seven, UKIP in two, Wythall Residents Association in one and independents in two. Fifty seven polling stations were used employing 155 polling staff. There were 10,769 postal voters (8 were sent overseas) and 60 proxy voters appointed. The count was held in the hall at Parkside and turnout ranged from 31.52% to 39.54%. In the 2013 election, turnouts ranged from 26.57% to 32.59%.

**UK Parliamentary election:** On 18 April a General Election was called for 8 June. As a result, there were a number of organisational issues due to the short timetable for the General Election and the overlapping with the County Election timetable. The latter caused some confusion amongst some electors. There were candidates representing the Conservative Party, the Green Party, the Labour Party and the Liberal Democrats. The electorate was 73,585 and 54,246 ballot papers were issued including 12,916 for postal votes (175 of these were for electors overseas) and 398 for voters who wished vote by proxy. The turnout was 73.73%, compared to 71.9% in 2015.

Polling stations were very busy, but no significant queues were reported. The 60 polling stations were staffed by 157 Presiding Officers and Poll Clerks. The count was held on the Thursday night in the Dolphin Centre Sports Hall because of the size of the turnout.

**Alvechurch Village by-election** was held alongside the Parliamentary election which led to a turnout of 77.88%. There were four candidates; one from the Conservative Party, one from the Liberal Democrats and two independents.

### **Household Enquiry Form Canvass**

Even though people are required to register individually, the Electoral Registration Officer still has to conduct a canvass of all properties within the District, which needs to be completed by the end of November. Because of the two large polls, the start of the canvass was delayed. Forms have now been delivered and are being returned via post, internet, phone or text, giving households as much choice as possible. For those properties that do not respond after a reminder letter, canvassers are sent to



make a personal visit. This year canvassers will be trialling computer tablets instead of paper forms, in some areas

## **Electoral Registration Promotion**

Electoral Services Staff held a number of promotions in schools and attended the MP's Pensioner Fair. Electoral Services will be using Individual Electoral Registration funding to provide canvassers to help year round with the registration of electors. This is in addition to staff visiting care homes and working with schools on electoral promotion.

## **LEGAL, EQUALITIES AND DEMOCRATIC SERVICES DEPARTMENTAL RESTRUCTURE**

Members will be aware that as a result of the departure earlier this year of two senior officers within Legal, Democratic and Elections, the Head of Service undertook a re-structure of the department, which was approved by the Council. This was an opportunity for the Head of Service to put in place a structure which will support the Council in its decision-making processes and also provide the level of legal support required to support the Council's 'commercialisation' initiative. The process has now been completed and the new arrangements have been in place since 1 September 2017.

## **ICT**

The ICT team have been busy this year with the following activities:

- Migrated the remote access 'Good' service to 'Blackberry' after Blackberry bought the company that provides the Good application
- Introduced web advertising to the Councils Internet site to promote income generation.
- Implemented an asset management system and automatic security patching of devices such as PC's/Laptops
- Updated all ICT Security devices
- Updated all Local Area Network devices.
- Ensured the corporate infrastructure remained secure against the global ransomware attack that caused significant issues for other organisations.
- Corrected issues with Members access to the measures dashboard
- Provided technical support and guidance to the Single Revenues & Benefits System project. The project has successfully placed BDC and RBC onto a single shared technical system platform.
- Provided technical support and guidance to the Single Planning System. Successfully placing BDC & RBC onto a single shared technical system platform.
- Achieved PSN (Public Services Network) accreditation for 2016/17
- Successfully implemented a new contract with an external supplier to provide infrastructure support

## **EMERGENCY PLANNING**

Within the requirements of the Civil Contingencies Act 2004, Bromsgrove District Council, as a category 1 responder (as are all local authorities), must assess the risks of an emergency occurring and maintain plans for dealing with that emergency. Bromsgrove District Council is partner to a shared service arrangement for emergency planning within North Worcestershire with the lead authority being Wyre Forest District Council. This arrangement has been in place for a number of years with the current service level agreement in place until March 2020. Officers are currently undertaking a review of the Council's Emergency Plan and emergency planning arrangements following the tragic events at Grenfell Tower earlier this year. This review will encompass the Cabinet Office guidance in respect of:-

- Preventing an emergency
- Reducing and mitigating the effects of an emergency
- Taking action in connection with an emergency

As the Portfolio Holder lead, I have been appraised and advised of the current emergency planning arrangements, in addition to receiving assurance in respect of:-

- Out of hours duty and emergency response arrangements
- Rest Centre Plans
- Current position regarding our business continuity arrangements

I will receive further updates as the review progresses, including proposed developmental areas and the potential for a wider Member awareness briefing and training.

### Response of BDC to consultations on Wyre Forest Local Plan Review Preferred Option and Draft Worcestershire Rail Investment Strategy

Relevant Portfolio Holder	Councillor Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Wards Affected	All Wards
Ward Councillor Consulted	Yes
Non-Key Decision	Yes

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

- 1.1 Wyre Forest District Council (WFDC) have been consulting on the Wyre Forest Local Plan Review Preferred Option (WFPO), consultation on this plan and its supporting evidence took place between 14<sup>th</sup> June and the 14<sup>th</sup> August.
- 1.2 Worcestershire County Council (WCC), as the Local Transport Authority, has produced a Worcestershire Draft Rail Investment Strategy (WDRIS). Consultation on the proposals took place in late July and early August over recent weeks. The consultation closed on 11<sup>th</sup> August 2017.
- 1.3 The appendices A and B are the informal officer responses submitted to both consultations, due to the scheduling of meetings it has not been possible to have these responses considered by members in advance of the deadline for comments. These consultations are both non statutory, and should further responses need to be submitted it should be possible to do this through the ongoing engagement the Council has with both WFDC and WCC.

#### **2. RECOMMENDATION**

- 2.1 That Members note the contents of the report.
- 2.2 That Cabinet recommends to Council that the draft officer response to Wyre Forest Local Plan Review Preferred Option (as attached at Appendix A) be approved by Council, and submitted to Wyre Forest District Council as the formal consultation response.
- 2.3 That Cabinet recommends to Council that the draft officer response to Worcestershire Draft Rail Investment Strategy (as attached at Appendix B) be approved by Council, and submitted to Worcestershire County Council as the formal consultation response.

#### 3. KEY ISSUES

##### Financial Implications

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

##### Legal Implications

- 3.2 WFDC is carrying out the consultation in accordance with Regulation 18 of the Town & Country Planning (Local Planning) (England) Regulations 2012. It is important that the Bromsgrove District Council engages at the appropriate stages in planning process, although previous responses and discussions have taken place at officer level with WFDC, this is the first substantive opportunity to respond to the proposals.
- 3.3 There are no legal implications associated with the WDRIS response, although the strategy is being developed to support the Worcestershire Local Transport Plan 4. Worcestershire County Council, as the Local Transport Authority, is legally required to produce, deliver and maintain a Local Transport Plan under the Transport Act (2000) and the Local Transport Act (2008).

##### Service / Operational Implications

#### **Summary of Response - Wyre Forest Plan Review Preferred Option**

- 3.4 The WFPO is the first full draft of the planning strategy for the Wyre Forest District up to 2034, this plan once adopted will replace the extant Wyre Forest Local plan which was adopted in 2013. The plan has much in common with many local plans and is split up as follows; Part A context and Strategic policies, Part B development Management Policies and Part C Proposed allocations. It is Part A and to a lesser extent Part C which present possible concerns for BDC.
- 3.5 Within Part A the plan identifies a housing requirement of 5400 dwellings, 540 care home beds and 40 hectares of employment land. The levels of development being identified are not something to dispute. It is the location of this development which could give rise to concern if further information and evidence is not provided.
- 3.6 The preferred option presented in this plan, does in fact have some options within the preferred option, specifically in relation to future housing sites. Some of these sites are locations that are being proposed to be removed from the green belt. There are a number of sites being proposed which are presented as core sites, and which

appear in all options. There are then two options, Option A and Option B, of which one would be developed alongside the core sites. These two options have different sites contained within them, which would result in a different spatial distribution of development depending on which one is implemented. The one consistent feature of both the core sites and the options, is that the focus for development is predominantly to the east of Kidderminster, and adjacent to transport routes that flow towards Bromsgrove.

- 3.7 As members are aware from recent discussions infrastructure and particularly transport infrastructure is a key issue going forward, this is a feature which is not just local to Bromsgrove. For any plan to be successful understanding the impacts of development on existing infrastructure, and then providing new additional infrastructure is key. This is where the major concern with the WFPO presents itself at the moment. Some very early stage assessment work has been undertaken to attempt establish the transport infrastructure required. No detailed assessment or modelling has been undertaken to fully understand the implications of the locations chosen for development. The modelling and other transport related evidence should have ideally been more developed at this point. This would mean it would play a bigger role in determining the options, and not as is being proposed in this instance to be developed once the preferred option is chosen.
- 3.8 The full representation in relation to the transport evidence is contained in the response at appendix A. The implication of this is that, at this stage and until more is known about the transport implications of the proposed options, BDC cannot express any preference for option A or B, and further to that unfortunately cannot even support the core sites chosen by WFDC. It is envisaged that as WFDC begin to respond to the comments received on the WFPO, discussions will take place as to the requirements for the transport evidence base, and work will begin to address the issues highlighted in BDCs response.

#### **Summary of Response - Draft Worcestershire Rail Investment Strategy**

- 3.9 The Draft Worcestershire Rail investment Strategy has been published by WCC, the focus of the strategy is the existing and some proposed new rail infrastructure across the County. It is envisaged that the strategy will help support LPT4 and also be used to lobby for rail investment up to 2043. The WDRIS is split up into 5 stages as follows.

- Stage 1 – Current Travel Markets, Train Services & Accessibility
- Stage 2 – Review of Worcestershire’s Development Proposals
- Stage 3 – Rail Industry Plans & Gap Analysis
- Stage 4 – Economic Testing Of Connectivity Options
- Stage 5 – The Prioritised Conditional Outputs
- Stage 6 – Making It Happen

- 3.10 The strategy itself goes into great detail on the current position of the rail infrastructure across the county, and also the factors which will influence investment going forward. Much of the analysis and discussion understandably is very rail industry centric. Of the 6 stages it is stage 5 where the outputs of the strategy are presented. These outputs are far reaching and appear to be ambitious, which is to be welcomed. The outputs are a mixture of the providing additional services on existing lines calling at more places across the County, and physical infrastructure improvements such as the electrification of lines and new parking facilities.
- 3.11 The full officer response can be seen at appendix B, whilst there is much to support and commend about the WDRIS, the key issues remains as per previous responses submitted by BDC on LTP4, the lack of an overall strategy for transport. There are no complimentary strategies for other forms of transport investment, meaning it is difficult to see how / if the improvements being identified in this strategy will maximise the potential of the whole transport network. It is also unclear how this strategy has and in future can directly respond to the development that is allocated in development plans drawn up at district level. Whilst the strategy does acknowledge that there is currently, and will be in future land released for development. It is difficult to see how these decisions about land releases have currently and will in future affect the quantum of where rail investment takes place.
- 3.12 As with the comments in previous reports on LTP4 and also those contained in this report on the WFPO, the response expresses the need for a comprehensive transport strategy to be developed. This strategy should then help inform land use decisions, and also be used to secure the funding needed for the right investment to take place, at the right time across all forms of transport.

**Customer / Equalities and Diversity Implications**

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

**4. RISK MANAGEMENT**

- 4.1 The risks associated with not responding to these consultations is that BDCs views will not be taken into account by WFDC and WCC. Specifically in relation to the WFPO, if further responses and attendance at future examinations are required, it is essential that the Council's views are expressed as clearly and early as possible.

**5. APPENDICES**

Appendix A – BDC response to WFPO  
Appendix B – BDC response to the WDRIS

**6. BACKGROUND PAPERS**

- WFPO Document
- WFPO Infrastructure Delivery Plan
  
- Worcestershire Draft Rail Investment Strategy

**7. KEY**

WFDC - Wyre Forest District Council  
WFPO - Wyre Forest Plan Review preferred Option

WCC - Worcestershire County Council  
WDRIS - Worcestershire Draft Rail Investment Strategy  
LTP4 - Local Transport Plan 4

**AUTHOR OF REPORT**

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## **Bromsgrove District Council Response to Wyre Forest Local Plan Review Preferred option - August 2017**

1 Thank you for the opportunity to comment on the Wyre Forest Local Plan Review Preferred option, the below comments at this stage represents an officer response. Due to the timescales for consultation, there have not been any appropriate Council meetings for this response to be considered formally. This process will take place in September and should any amendments be required as a result of the formal consideration by Bromsgrove District Council we will advise you in due course.

2 The Council supports the aims and objectives of the plan and think that it has the potential to provide a strong base for planning in Wyre Forest once adopted, although a number of reservations do exist where clarity needs to be provided in order to the Councils concerns to be allayed. It must be stressed at this stage the Council wish to see all areas thrive and develop sustainably, and do not have an in-principal objection to Wyre Forest District Council allocating land for future growth, or developing policies to improve the quality of the environment across the District for its residents and visitors.

3 Our comments are restricted to the elements of the plan where possible issues arise for Bromsgrove as a result of the draft plan, whilst we have read and considered the remaining sections we do not feel it is appropriate or necessary for the Council to comment on policies developed to address local issues to Wyre Forest District only.

4 The Plan identifies a housing requirement of 5400 dwellings, 540 care home beds and 40 hectares of employment land, BDC has no reason to dispute those figures. The Council is also pleased to see in para 6.8 that under the duty to cooperate WFDC will continue to liaise with all adjoining authorities. It will be important for WFDC to continue this liaison as the plan progresses, it is acknowledged that Wyre Forest District does not form part of the wider Birmingham Housing Market Area (BHMA) and as such should not directly need to accommodate any additional growth needs arising from the BHMA. The continued liaison will be important to ensure that if all the needs of the BHMA cannot be met within the currently identified geographic area, then it could be that those areas on the periphery may need to assist in meeting those needs if it can be done sustainably. It is important the review of the Wyre Forest Local Plan has sufficient mechanisms in place to be able to respond appropriately to any requests to meet the needs of the wider BHMA should a request be forthcoming.

4 The main concern of the Council is the location of the larger core housing sites, the fact that a preferred option is not specified, and that we are requested to make a choice of option A or option B in relation to significant development. The core housing sites, and also the majority of the option A and B sites are all situated towards the eastern / north eastern extent of the urban area of Kidderminster. As the principal town the logic of allocating significant levels of development to the most sustainable settlement is understood and accepted.

5 Where the Council have concerns is the evidence which support these allocations, in particular the transport evidence which is required to support allocations of this size. It is clear from the Infrastructure Delivery Plan (IDP) that some consideration has been given to transport issues. What is concerning is that a preference for a preferred option is being sought without all the

identified evidence i.e. the modelling through the Wyre Forest Transport Model (WFTM), and the transport background paper being available.

The IDP states at 3.1.4

*It should also be noted that local impacts of individual potential development sites can be more easily identified; however, the cumulative impact of development on both the local and wider strategic network is difficult to quantify without undertaking modelling. As detailed above, the WFTM will be used to fully assess all development sites, both individually and cumulatively, to ensure a robust assessment of the likely transport related infrastructure is identified and all appropriate multimodal infrastructure identified to support the preferred option.*

6 Attempts have clearly been made to establish the infrastructure requirements for both the core option, and also options A and B. A comparison of the different highways impacts of options A and B has also been provided, unfortunately, this level of analysis does not allow for a sufficiently informed decision on the merits of the various options to be reached at this stage. Similarly whilst it is welcomed that a list of schemes has been developed to identify possible mitigation, what is not clear is exactly what these schemes entail, when and how they will be delivered, and how much impact their introduction will have on both mitigating the impacts of development or addressing existing infrastructure concerns.

7 Option A appears to offer the prospect of an eastern relief road which amongst other things could reduce the congestion and improve the air quality within Kidderminster town centre, both of these results would undoubtedly be beneficial. What needs to be established is the impact of such a significant piece of infrastructure on areas outside of the District. Of particular concern would be what additional traffic as a result of significant development and improved infrastructure around the eastern edge of Kidderminster would then permeate to areas further east into Bromsgrove. The same point applies if option A does not become the preferred option, it is still likely that additional traffic could use the infrastructure in Bromsgrove as a result of option B although without the bypass, again this needs to be established for an informed decision to be made on the pros and cons of the options.

8 The Council's principal concerns in terms of specific locations which may be affected would be, along the A456 through Hagley in order to access the Black Country / Birmingham conurbation, and then further along this route to the M5 Junction 4 in order to access the motorway network or the southern areas of Birmingham. Similarly the Council has concerns on the impacts on the A448 if additional trips are made into and through Bromsgrove to access the motorway network south of the town, or through the town to access Redditch beyond. As WFDC and WCC are aware both these locations within Bromsgrove suffer from congestion and both have AQMAs, the impacts of the various options on these key locations need to be established as well as any impacts in other areas related to the development sites. This is particularly important to understand the impacts in more rural areas where 'rat running' may occur in an attempt to avoid more congested routes, and also the impact on the strategic motorway network which places pressure on all routes across the area.

9 The Council would have hoped that the transport evidence would have been further developed, and made available to inform a preferred option, and not produced afterwards to

support / justify a preferred option chosen in isolation of the evidence. This is a position that the Council through its officers has expressed a number of times in response to both the draft IDP, and also in person at a meeting convened specifically to discuss the issue of transportation. Bearing this in mind the Councils position expressed in this response should not be a surprise, but unfortunately without this evidence being available the Council is not in a position to express a preference for option A or B, or even support the core option at this stage. This concern also arises albeit to a lesser extent on allocation of land for employment uses.

10 In order to address this concern and in line with the Councils response the recently published Draft LPT4. We would like to continue to engage with both WFDC and WCC to develop a wider transport strategy for north Worcestershire. The development of this strategy should help inform the production of local and district plans which have fully evidenced and coordinated transport information. The strategy alongside these local and district plans will then deliver the infrastructure required to allow the authorities to continue to grow and thrive in a coordinated and sustainable way.

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### Bromsgrove District Council – Worcestershire Draft Rail investment Strategy Response

1 Thank you for the opportunity to comment on the Worcestershire Draft Rail Investment Strategy (WDRIS), the below comments at this stage represents an officer response. Due to the tight timescale for consultation, there have not been any appropriate Council meetings for this response to be considered formally. This process will take place in September and should any amendments be required as a result of the formal consideration process we will advise you in due course.

2 The Council welcomes the ambitious plan for investment in rail infrastructure, and acknowledges the investment already made in the district in the form of the new Bromsgrove Station. It has long been recognised in many forums and documents including the infrastructure delivery plan, which accompanies the Councils recently adopted Bromsgrove District Plan (BDP), that significant investment in all types of physical and social infrastructure are needed to support the development planned for across the District

3 It is acknowledged that the WDRIS supports the development of the Worcestershire LTP4, these comments have been made with previously submitted comments on the LTP4 in mind, and in some instances cover some of the same concerns. As it is supporting the LTP4 it would have been beneficial if the WDRIS was published for consultation at the same time as the LTP4, in order to provide a full and more coherent response to both documents.

4 As expressed in the Councils response to LTP4 a significant issue is the lack of an overall transport strategy for Worcestershire and in particular concern to BDC, north Worcestershire. The production of the WDRIS in isolation from an overall strategy or complimentary strategies for other forms of transport highlights this point further. It is difficult to judge what the impacts of the improvements for rail provision will actually make, bearing in mind that rail transport in all cases also relies on other forms of transport, walk/cycle/bus/car to access the rail services in the first instance. Without similar complimentary strategies and investment in these other forms of transport, there is a concern that the impacts of the investment in rail provision will not be fully realised.

5 With these factors in mind we would echo previous comments submitted in relation to the LTP4 consultation, that an overall transport strategy for North Worcestershire is an essential project going forward. We would also reiterate the Council is committed to working with WCC and other stakeholders, to prepare and implement a strategy which helps inform future land use choices and subsequently then delivers the infrastructure required.

6 An additional concern with the rail investment strategy is it is internally focused on the rail network and does not sufficiently link to other key influences. This is not just the other modes of transport as mentioned above, but also the wider development that is planned for across the District. It is acknowledged in chapter 4 that reference is made to the adopted BDP as well as many other plans, which is welcomed. Para 4.3.5 identifies the South Worcestershire Development plan see rail as being an important enabler of development. BDC would also contend that the BDP

has a similar focus with multiple references to the importance of rail, and strategies to help enhanced access and therefore usage of Bromsgrove Station, we would respectfully request that this fact is reflected in any further versions of this strategy. What is not clear is, if/how this information has directly informed the conditional outputs in the later chapters of the plan. Whilst it is safe to assume that new development should place further pressure on the rail network, what is unclear is if the decisions for investment has clearly been linked to the location and quantum of further development.

7 Another important point to note it that future planning decisions will be made on new locations and quanta for growth which is acknowledged at various points within the strategy, these decisions will have an impact on the need for future rail infrastructure. It is important that an element of flexibility is built into the strategy in order for future land use decisions to be adequately supported by appropriate infrastructure. This further strengthens the needs for an overall transport strategy.

8 Parking improvements at railway stations have been included as a conditional output it is assumed this includes the 243 specified for Bromsgrove, 32 for Hagley, 58 for Barnt Green and 68 for Alvechurch in table 3.15. Wythall is referred to as having no need for any new spaces even though there is currently no parking provision at this station, and it has been an longstanding issue to attempt to address this. Reference is made to a draft WRIS2 car parking study, we have been advised that this study is not yet available which is disappointing. In order to comment further on the likelihood of any parking improvements being made, this study should be provided as soon as possible and we would request a similar amount of time to respond to it. The WDRIS also refers to the aspirational enhancement schemes contained in LTP4 for the stations at Hagley, Alvechurch and Wythall, all of these enhancement schemes refer to the possibility of parking improvements. It is important that WDRIS and its associated car parking study, fully inform the final version of the LTP4 to ensure that a clear picture is provided for future parking improvements / additions likely to be required.

Other minor comments are

9 Section 4 also incorrectly includes the Kidderminster / Bewdley area in the greater Birmingham HMA, para 2.48, 4.52 and then 5.4 of the Peter Brett Associates phase 2 report identifies Wyre Forest as being outside the Greater Birmingham HMA.

10 The bottom of para 4.4.2 the document incorrectly states the Bromsgrove plan is still in the planning process.

BDC Strategic Planning

10.8.17

**The Operation by Bromsgrove District Council of a Garden Waste Service on behalf of Redditch Borough Council**

Relevant Portfolio Holder	Cllr Peter Whittaker
Portfolio Holder Consulted	Yes
Relevant Head of Service	Guy Revans
Ward(s) Affected	All
Ward Councillor(s) Consulted	NA
Key Decision / Non-Key Decision	

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

- 1.1 The proposal is for Bromsgrove District Council (BDC) to administer and operate a garden waste service on behalf of Redditch Borough Council (RBC) under the existing shared services arrangement. The service will fully mirror the existing BDC garden waste service in all aspects.
- 1.2 RBC will cover all operating and overhead costs in return for a fully managed service from marketing the service through to collection of garden waste. These changes will ensure Redditch Borough Council (RBC) residents can choose to dispose of green garden waste in a way that is both environmentally sustainable and convenient. A full business case has been undertaken to identify the preferred option for a garden waste collection service for Redditch.

### 2. **RECOMMENDATIONS**

- 2.1 The Executive is asked to RECOMMEND to the Council that:
- i. From March 2018 Bromsgrove DC will operate a seasonal (March to November inclusive) garden waste service on behalf on Redditch BC as part of the existing shared service agreement.
  - ii. Bromsgrove DC will recoup operating and overhead costs from Redditch BC at an agreed amount per subscription.

### 3. **KEY ISSUES**

#### **Financial Implications**

- 3.1 Budgeted Net Present Value (NPV) <sup>1</sup>income in the medium term financial strategy for 2018/19 is £9,000 and 2019/20 is £18,000 after operating costs have

<sup>1</sup> NPV is the projected income minus spend.

been taken into account. In table 1 a cost benefit analysis shows these incomes are exceeded by BDC operating a garden waste service on behalf of RBC.

Income from RBC is the total amount payable to BDC in each year of service assuming growth of 1,000 customers per year. This will cover the vehicles and crews and enabling and operational support costs. Actual BDC Operational costs will consist of the additional vehicle and crews required marketing and administration. Due to an existing support team already involved in this work a reduction in overhead costs will therefore be realised and this will be the true income for BDC

Costs have been calculated to cover all operational costs assuming 1,000 customers in year one with a further increase of 1,000 each year.

Once operating costs are deducted from the income, BDC will benefit from a reduction in existing overhead costs.

**Table 1: Four Year Forecast Cost Benefit Analysis**

Item	Year 1	Year 2	Year 3	Year 4
Income from RBC	£27,524	£49,555	£71,246	£92,936
Operational Costs	£15,566	£26,706	£37,559	£48,411
BDC reduction in overhead costs	£11,959	£22,850	£33,687	£44,525

- 3.2 An agreed amount will be paid to BDC per subscription to cover operational activities undertaken on behalf of RBC. This amount will cover vehicles, fuel, crews, administration and overhead costs of the service.

Table 2 identified the operating cost per subscription according to the number of subscriptions being managed by BDC. The figures are derived from a full cost benefit analysis detailing all income and spend based on a four year period with customer growth at 1,000 per year. The total running cost for year each has been divided by the projected number of customers to establish a charge per customer. A single rate for all subscriptions will be applied in line with the relevant charging band of total subscriptions.



**Table 2: Cost of Service per Subscription for RBC to pay BDC**

Item	Charging Band <sup>2</sup>			
	<1,000	>1,000	> 2,000	> 3,000
Number of Subscriptions				
Charge per subscription	£27.52	£24.78	£23.75	£23.23

### Legal Implications

- 3.3 Under the Environmental Protection Act 1990, the Council has a duty to collect household waste. Garden waste is household waste for which a charge can be applied for collection under schedule 2.

### Service / Operational Implications

- 3.4 The service will form part of the current shared service arrangement currently in place between RBC and BDC. As such there will be an amendment to the current financial charging arrangements between RBC and BDC to reflect the number of customers the service is provided to in line with the .
- 3.5 BDC will administer and operate the garden waste collections to RBC residents as an extension of the current garden waste service already provided in Bromsgrove. Mirroring the BDC service, allows RBC to take opportunity of the spare capacity in the BDC service which has been created via optimisation of the routes.
- 3.6 BDC have the capacity within their current service to accommodate between 4,000-4,800 additional customers Tuesday to Friday on alternate weekly basis, without adversely affecting current service provision.
- 3.7 The operational workforce engaged in the service is managed by the Environmental Service shared service management team which covers both RBC and BDC operational services.

### Customer / Equalities and Diversity Implications

- 3.8 Due regard has been paid to the Equality Act 2010 and as such full equalities impact assessment has been carried out.

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<sup>2</sup> The charge applied will be for the overall quantity of subscriptions at the end of the service

**4. RISK MANAGEMENT**

- 4.1 If it is necessary to hire any additional agency staff to operate this service, BDC will be fully responsible these costs. Mitigation of this risk is through effective staff supervision particularly good management of annual and sick leave.
- 4.2 Any additional vehicle hire costs will also be the responsibility of BDC, therefore to mitigate this vehicle maintenance and repairs must be well planned to prevent hire costs.

**5. APPENDICES**

None

**6. BACKGROUND PAPERS**

None

**7. KEY**

None

**AUTHOR OF REPORT**

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### **CABINET**

6<sup>th</sup> September 2017

#### **ACQUISITION AND INVESTMENT STRATEGY**

Relevant Portfolio Holder	Councillor Karen May
Portfolio Holder Consulted	Yes
Relevant Head of Service	Kevin Dicks
Wards Affected	All
Ward Councillor Consulted	None specific
Non-Key Decision	

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

- 1.1 To present to Members an Acquisition and Investment Strategy which seeks to combine the priorities for economic development with the need for financial stability and income generation. The Strategy will provide a resource to promote economic development and a framework to ensure the resources are allocated prudently.

#### **2. RECOMMENDATIONS**

- 2.1 The Cabinet is asked to **RECOMMEND** to Full Council that:
- 2.1.1 the Acquisition and Investment Strategy be approved;
  - 2.1.2 the Executive Director of Finance and Resources together with the Head of Economic Development & Regeneration ( North Worcestershire) be responsible for identifying suitable opportunities and developing the viability appraisal and business case for the Council; and
  - 2.1.3 the Executive Director of Finance and Resources in conjunction with the Portfolio holders for Economic Development and Finance and Resources have delegated powers to approve business cases and complete acquisitions.

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

##### **Financial Implications**

- 3.1 The Acquisitions and Investment Strategy seeks to combine the economic development and income generation to enhance business growth in the District and provide a source of income to help balance the budget. The approach is similar to that of other authorities that are active in this area.

### **CABINET**

6<sup>th</sup> September 2017

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- 3.2 There is a restriction in the Strategy to limit the investment portfolio to business cases within the District. Some local authorities have widened this to the Local Enterprise Partnership area and there may be merit in considering this in the future if there is evidence that the Council is missing opportunities.
- 3.3 The Strategy also provides criteria to ensure the Council takes a prudent approach to investment and provides limits based on risk on the amount that can be invested in different categories of investment (see table 1 of the Strategy).
- 3.4 In terms of rate of return the Strategy priorities economic development investment and investments with lower risk through a minimum net rate of return (after borrowing and other costs) of 1.25%. Other projects which would need to have a strong business case would require at least a 2% net rate of return. Table 2 of the Strategy illustrates the calculation behind these rates of return and shows a potential return of £250k (1.25% net rate of return) to £400k (2% net rate of return) based on a £20m Investment Portfolio Fund. The likelihood is that there will be a mix of business cases and some will exceed the minimum requirement.

#### **Legal Implications**

- 3.5 This report fulfils the Council's legal obligation under the *Local Government Act 2003* to have regard to both the CIPFA Code and the CLG Guidance.
- 3.6 The use of the General Power of Competence for commercial purpose requires a business case to be developed and approved by the Council. This business case must be a comprehensive statement covering (at least):
- Business objectives;
  - Investment and other resources required to achieve the objectives;
  - Any risks the business might face and how significant these risks are; and
  - The expected financial results and other relevant outcomes the business is expected to achieve.
- 3.7 The report seeks Cabinet approval for the Executive Director of Finance and Corporate Resources to have delegated powers to approve business cases and complete acquisitions in consultation with the Leader and the Portfolio Holders for Economic Development and Finance and Resources.

## **CABINET**

6<sup>th</sup> September 2017

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### **Service/Operational Issues**

- 3.8 The Acquisition and Investment Strategy will complement the priority for business growth in Bromsgrove as well as seek income generation to help balance the Council budget.

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

- 3.9 None as a direct result of this report.

## **4. RISK MANAGEMENT**

- 4.1 The Strategy includes a section on the key risks and mitigations. The main risks being:-
- Recession
  - Abortive Costs
  - Interest Rate
  - Knowledge of the market
  - Operational
  - Capacity
  - Change of Government Policy

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## Acquisition and Investment Strategy

### Background

1. The Council Plan 2017-2020 identifies economic development within the District as one of six priorities the Council intend to focus on. Supporting business is incredibly important for Bromsgrove and through the North Worcestershire Economic Development and Regeneration the Council will continue to support new and established businesses to grow.
2. The Council Plan also includes a priority for the financial stability of the Council. At a time of reduced Government support it is essential to look for income generation as well as budget savings.
3. The Acquisition and Investment Strategy combines these two priorities to achieve economic development as well as generate income potential achieved through an Investment Portfolio Fund.

### The Acquisition and Investment Strategy

4. The purpose of the Acquisition and Investment Strategy is to guide the use of the Investment Portfolio Fund to make commercial property investments to support economic redevelopment or regeneration in the District, achieve income generation and in some cases may be complimentary to the delivery of Council services. An Investment Portfolio Fund of £20m has been designated for the years 2017/18 to 2019/20.
5. Commercial property investment opportunities often arise unexpectedly and it is important to be nimble in order to take advantage of opportunities when they arise. The Council's Executive Director of Finance and Resources will be responsible for identifying suitable opportunities and developing the viability appraisal and business case for the Council to invest; the Acquisition and Investment Strategy is important to provide a framework to guide the Council in identifying appropriate investment opportunities. Examples of where the Council may need to respond without delay include the traditional route of a selling agent and bidding process, through auctions and even "off market" through direct approaches from prospective sellers who want to circumnavigate the formal marketing process in order to save time and risk of abortive costs. Receivers or administrators of distressed sellers may also seek offers for commercial property assets quickly. The Acquisition and Investment Strategy will provides a systematic assessment investment opportunities so that it is able to move quickly when a compelling opportunity arises.
6. At this stage the Acquisition and Investment Strategy is **limited to investment propositions that are within the boundary of Bromsgrove District Council**. Other local authorities have widen the area to include the Local Enterprise Partnership (LEP) and there is merit in considering this option where the objective is purely income generation. As the Council becomes more experienced this may become an option.
7. There will projects where there will a strong business case and this will generate private investor interest. Although the Strategy will allow the Council to participate in these transactions it will have more economic development impact on projects that are unlikely to appeal to the private investor because the returns are lower. The principle principal consideration is to support economic regeneration with an essential

requirement that the business case cover the costs of the Council's borrowing and minimum revenue provision and generated a minimum revenue return.

10. Economic development is defined in its widest sense and will include investments in Bromsgrove that create retail, industrial, office and housing assets including working in partnership with other developers.

## The Criteria for Investing

11. It is necessary for the Council to take a prudent approach to the management of its financial affairs and when assessing investments the Council will need to carefully consider the balance of risk and reward and in doing so will consider such factors as the security against loss, the liquidity of the investment, the yield, affordability of the loan repayments, change in interest rates and property values, see table 1 below:-

**TABLE 1**

<b>Criteria</b>	<b>Excellent / very good</b>	<b>Good</b>	<b>Acceptable</b>	<b>Marginal</b>	<b>Unacceptable*</b>
Location	Major prime	Micro prime	Major secondary	Micro secondary	Tertiary
Tenancy strength	Single tenant with strong financial covenant	Single tenant with good financial covenant	Multiple tenants with strong financial covenant	Multiple tenants with good financial covenant	Tenants with poor financial covenant strength
Tenure	Freehold	Lease 125 years plus	Lease between 75 & 125 years	Lease between 10 & 75 years	Lease less than 10 years
Occupiers lease length	Greater than 15 years	Between 10 and 14 years	Between 9 & 6 years	Between 3 & 5 years	Less than 2 years or vacant
Repairing terms*	Full repairing & insuring	Internal repairing - 100% recoverable	Internal repairing - partially recoverable	Internal repairing - non recoverable	Landlord
Building Quality/ Obsolescence	Newly Built	Recently Refurbished	Average condition and likely to continue to be fit for current use for 25+ years	Aged property with redevelopment potential	Nearing end of useful life/ use unlikely to continue when lease expires
Investment size	Between £10m & £15m	Between £5m & £10m	Between £2m & £5m	Between £250k & £2m	Less than £250k

\* unless there is an overwhelming case for investment that exceeds the Council's expectations



12. The overall investment value and range of assets acquired needs to represent a good mix and spread of risk, size and location across differing sectors to ensure that the portfolio is resilient to change that might lie outside the Council's control. It is important that the Council maintains an adequate level of reserves and balances to ensure it can manage any down turn in the property market and limit the impact it will have on revenue income.

13. The investment size provides limits on each category with more being allocated to the lower risk categories and lower sums to higher risk categories (but potentially higher yield).

## **Rate of Return**

14. The experience of investment business case development elsewhere indicates that a gross yield of upwards of 5% on the value of the investment will be necessary for the investment to be of interest to the Council, taking into account its borrowing costs and other overheads.

15. The Acquisition and Investment Strategy will require an indicative minimum net return of 1.25%. The minimum rate of return would be limited to business cases meeting the excellent/very good investment criteria in table 1 or having strong economic development grounds and good/acceptable investment criteria. Business cases outside of this will require a net rate of 2% return. These indicative rates are similar to those achieved by the many other Councils with developed property portfolios and whilst modest are thought to be realistic. Officers will continue to modify them based on professional advice and prevailing market conditions. Table 2 illustrates that this could make a contribution towards closing the funding gap of between £250,000 to £400,000 per annum.

16. In considering its costs against a gross return the Council will need to consider some or all of the following when developing the business case for investing:

- Finders Fees approx. (0.75%)
- Legal Fees approx. (0.5%)
- Survey and Valuation and due diligence fees approx. (0.5%)
- Stamp Duty (5% on freehold purchases over £250K)
- Finance Costs including minimum revenue provision (circa 5%)
- Void Business Rates/Council Tax (tenants should be covering these in occupied units)
- Repairs and maintenance (depending on lease type (probably covered in a service charge)
- Running costs of building, including building management (depending on lease type again probably covered in a service charge)
- Opportunity cost of alternative use or sale of the asset
- Staff Costs to manage the portfolio (non-recoverable)

**TABLE 2**

Rate of Return Requirement	Minimum 1.25% net rate of return	2% rate of return
Basis Investment before Stamp Duty and costs	£18,735,000	£18,375,000
Acquisition Costs at 6.75%	£1,265,000	£1,265,000
<b>Total Investment Fund</b>	<b>£20,000,000</b>	<b>£20,000,000</b>
<b>Rate of Return Calculation</b>		
Financing Costs – PWLB @ 3%	£600,000	£600,000
Financing Costs – MRP over 50 years	£400,000	£400,000
Administration Costs	£60,000	£60,000
<b>Total Costs</b>	<b>£1,060,000</b>	<b>£1,060,000</b>
Net Rate of Return	£250,000	£400,000
Gross Rate of Return Required	£1,310,000	£1,460,000
Gross rate of return on £20m	6.55%	7.30%
Breakeven rate of return	5.30%	5.30%

17. The Council may hold property assets either directly or indirectly. Direct property investment gives the Council full control over the property and responsibility for its management and the business cases brought forward so far for investment are envisaged to be held in this way. Indirect property investment is where the asset is held through an arms length trading company and will be necessary where the Council holds investments solely for income generation or where that is the most effective way for the Council to act in the private rented housing market. This commercial activity can be authorised through the General Power of Competence under sections 1 and 4, Localism Act 2011. The power does require the Council to act through a company.

### **Selection of Investments**

18. The Council will select investments for the purpose of income generation, economic development (including housing) or a mixture of both. The Council may acquire and hold properties directly or through a trading company; all of these factors will be determined on a business case by case basis. The Council only invest in projects within Bromsgrove District Council. The Council may invest in the development of its own assets or acquire assets for development.

19. Investment property acquisitions need to be subject to the agreed parameters of the Council's Acquisition and Investment Strategy and will be led by the Council's Executive Director of Finance and Resources in consultation with the Corporate Management Team. The initial selection of an asset will be assessed on two main criteria on a pass or fail basis:

i. The Council will need to ensure a satisfactory level of return on its investments and may decide to evaluate purchases on a balance between income yield and economic redevelopment and regeneration. The minimum rate of return of 1.25% will be limited to business cases meeting the excellent/very good investment criteria in table 1 or having strong economic development grounds and good/acceptable investment criteria. Business cases outside of this will require a net rate of 2% return.

ii. Leases should be classified, for accounting purposes, as an operating lease rather than finance lease, to ensure that all rental income can be treated as revenue income (rather than a mix of capital receipt and revenue income). Operating leases are those where the risks and rewards of ownership are retained by the lessor (the Council) and

must meet certain criteria. The main criteria being that the lease term should not be for the major part of the property's economic life unless the price paid is underpinned by the sites redevelopment potential and at the start of the lease; the total value of minimum lease payments (rents) should not amount to a significant proportion of the value of the property.

20. Officers will continue to monitor prevailing market conditions to enable the Council to reserve discretion to acquire assets that may fall outside the investment criteria outlined above if a strong case can be made that the investment provides an exceptional opportunity to promote the Council's strategic priorities.

21. For investments that pass the first two criteria, further evaluation will then be undertaken against a comprehensive set of defined property specific criteria as set out in table 2. The Council will consider these criteria and seek to achieve the appropriate balance of risk and reward proportionate to the size of the investment being considered. The ideal property investment would be a freehold in the town centre, let to a tenant with a strong financial covenant for a long term on a full repairing and insuring lease.

22. It is also important that the Council actively manages the investment portfolio.. Such work will include issues include rent collection, service charge calculation and collection, building maintenance, security, dealing with tenants, re-letting empty units, negotiating terms of rent reviews, dilapidation claims and the general miscellany of property management. In terms of strategic management this will fall to the Executive Director of Finance and Resources to ensure that the portfolio is delivering the investment returns that were envisaged and to always act in the interests of the Council's financial interest which will also include appropriate disposal of investments that are underperforming or no longer meet the Council's objectives, as well as acquisition.

23. The Executive Director of Finance and Resources will also be responsible for providing regular reports on management issues and the performance of the Council's investment portfolio. The Council's Cabinet and Corporate Leadership Team will receive a report from the Executive Director of Finance and Resources bi-annually which will update on both the individual asset management plans as well as the overall asset investment portfolio against expectations at the time of purchase and performance against prevailing market conditions. These reports can be made available to other meetings of the Council as required.

## **Risk and Mitigation**

24. In terms of management of risk it is understood that there are inherent risks associated with investments and each business case will be required to identify the risks associated with that investment proposal and the Council will need to balance risk and reward proportionate to the scale of the investment proposed. It is to be expected that some of the risks the Council will be expected to consider will be:

### **Recession Risk**

25. There is a risk of the property market going into recession, capital values and rentals can fall as well as rise. Although this not seen as a significant risk at the moment it needs to be factored into long terms decisions. The Acquisitions and Investment Strategy criteria (table 1) will target low risk, low management investments that will

better withstand any downturn and remain occupied and attractive to tenants, landlords and investors.

24. Operating as a commercial function will entail making good decisions quickly in order to put offers forward. However, these can be made as conditional offers and contracts for sale need not be exchanged until the full due diligence and the necessary governance procedures have been completed.

### **Abortive Cost Risk**

25. Abortive costs will be incurred in making bids that do not succeed, or from choosing (as a result of due diligence) not to continue to exchange of contract. These costs may include feasibility studies, ground investigations, advisers' costs, legal costs, survey fees and Officer time.

26. This risk is inherent to property investment and the focus will be on ensuring that potential problems are identified at the earliest possible stage of each acquisition.

### **Interest Rate Risk**

27. The PWLB borrowing rates have been consistently below 3% for some time but the market can change. To mitigate the risk of interest rate change the borrowing required for a business case will be undertaken and fixed at the time the scheme is committed.

28. A change in interest rates would require an update of Table 2 on the gross rates of return.

### **Knowledge of the Market Risk**

29. Property investment involves clear risks due to wider economic conditions, which are beyond the control of the Council. However, other property related risks, such as those relating to the condition of the property or complications with leases, are more easy to assess and manage.

30. The property market is driven by prompt responses to opportunities that may not be offered on the open market. The Council should be able to increase the potential to be offered access to such opportunities by engaging specialist external advisors. However, the ability to act quickly is critical and the Council will need to use its own knowledge of the District, combined with the wider market understanding of (external) specialists, to ensure that it adopts a proactive approach with property owners and specialist property investment agencies.

### **Operational Risk**

31. Property management has many inherent operational risks including:-

- Vacancies (voids) in the portfolio will reduce average yield. As well as lost rental income on vacant units, the Council could find itself liable for a share of on-going costs which a tenant would normally pay such as empty property rates.
- Disputes with tenants. Common disputes include ongoing maintenance and repair costs of buildings and the ability to recover those costs from tenants.
- Tenant default, and that financing costs could rise.

32. These risks will be mitigated through the quality of the property and tenant. The criteria in table 1 will allocate most funds to the excellent/very good category.

## **Capacity Risk**

Operating a dynamic property investment function calls on a knowledge base and skill set which the Council does not currently have. Although some relevant expertise does exist within the Council, existing workloads and ongoing projects make it unlikely that this could be released at the level required to support this type of commercial activity.

Nevertheless, in order for Bromsgrove to successfully implement its property investment strategy, it will need access to the type and level of expertise that can support robust and timely decision-making. It is likely that this will be best achieved by contracting with external property investment advisors who will do the following:

- Identify potential investment opportunities and evaluate values.
- Carry out necessary due diligence and advice on risks.
- Prepare individual business cases.
- Undertake commercial negotiations.
- Manage Freehold and leasing arrangements.
- Evaluate prospects for rental growth and capital appreciation.

This use of external advisors will need to be carefully and consistently managed by the Executive Director of Finance and Resources.

## **Change of Government Policy Risk**

The Council will use the General Power of Competence to undertake the acquisition and investment strategy. There is a risk that the Government could introduce limits to this power. If this was to happen it would restrict future investment, including business cases in progress but is unlikely to be retrospective.

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#### **TREASURY MANAGEMENT – UPDATED BORROWING LIMITS 2017-18 TO 2020/21**

Relevant Portfolio Holder	Councillor Brian Cooper
Portfolio Holder Consulted	Yes
Relevant Head of Service	Jayne Pickering
Wards Affected	All
Ward Councillor Consulted	None specific
Non-Key Decision	

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

- 1.1 To present to Members a recommendation to revise the operational and authorised limit for borrowing purposes as included within the Treasury Management Strategy to reflect the potential impact of the acquisitions and investments strategy as presented to this meeting. In addition the report explains the savings resulting from the advance payment of the pension contributions.

#### **2. RECOMMENDATIONS**

- 2.1 The Cabinet is asked to **RECOMMEND** to Full Council:

2.1.1 the Operational Limit for borrowing be increased as follows:-

	2017/18 £m	2018/19 £m	2019/20 £m	2020/21 £m
Operational Limit brought forward	12.0	20.0	23.0	26.0
Add Pension Advance Payment	6.0	-2.0	-2.0	4.0
Add Acquisitions and Investment Strategy	2.0	5.0	5.0	8.0
Revised Operational Limit for approval	20.0	23.0	26.0	38.0

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2.1.2 the Authorised Limit for borrowing be increased as follows:-

	2017/18 £m	2018/19 £m	2019/20 £m	2020/21 £m
Authorised Limit brought forward	15.0	23.0	26.0	29.0
Add Pension Advance Payment	6.0	-2.0	-2.0	4.0
Add Acquisitions and Investment Strategy	2.0	5.0	5.0	8.0
Revised Authorised Limit for approval	23.0	26.0	29.0	41.0

### **3. KEY ISSUES**

#### **Financial Implications**

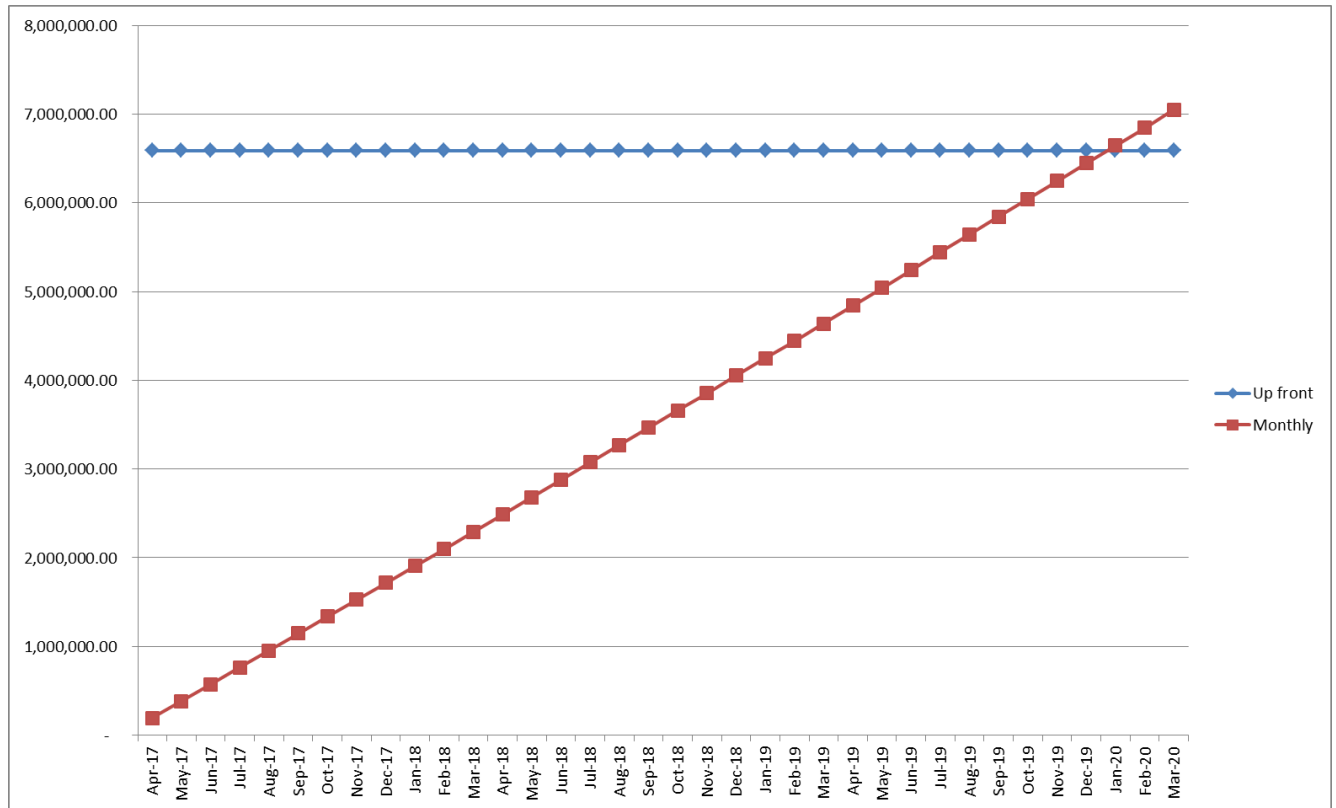
#### **Pension Advance payment**

- 3.1 The authorised and operational borrowing limits for 2017/18 were approved by the Council in March 2017 as part of the Treasury Management Strategy Statement and Investment Strategy. The limits can be updated during the financial year if necessary.
- 3.2 The request to increase the borrowing limits in 2017/18 to reflect the potential increase in borrowing as a result of the pension advance payment made in April did not provide the details of the cashflow implications over the three financial years covered by the advance payment. The cashflow implications are presented in the diagram overleaf which show the comparison of an advance payment compared with the monthly payment of the pension obligations.
- 3.3 The table after the diagram shows the savings over the financial years allowing for borrowing costs. The average saving over the three years is £137k (£411k divided by 3). The discount provided by Worcestershire Pension Fund reflects the period of the advance payment so the highest discount is received for year 3 where the payment has been made three years early. The borrowing costs assumes interest rates of 0.25% 2017/18, 0.75% 2018/19 and 1.0% 2019/20. The increased interest cost in 2018/19 reflects the increased assumed interest rate.



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<b><i>Savings from advance payment of Pension Contributions</i></b>	2017/18 £'000	2018/19 £'000	2019/20 £'000	Total £'000
Discount received for advance payment	91	151	215	457
Cost of borrowing	-13	-23	-10	-46
<b>Net Saving</b>	<b>78</b>	<b>128</b>	<b>205</b>	<b>411</b>

### Acquisition and Investment Strategy

- 3.4 The request for increased borrowing limits are based on the Acquisition and Investment Strategy considered previously on this agenda. The value of the potential investments would be £20m by 2020/21. This is phased over the 4 years at 2.1.1.
- 3.5 The Strategy seeks to combine the economic development and income generation to enhance business growth in Bromsgrove and provide a

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source of income to help balance the budget. The approach is similar to that of other authorities that are active in this area.

### **Legal Implications**

- 3.9 This report fulfils the Council's legal obligation under the *Local Government Act 2003* to have regard to both the CIPFA Code and the CLG Guidance.

### **Service/Operational Issues**

- 3.11 The forward funding of the Pension Fund payments has achieved a £411k saving over three years.
- 3.12 The Economic Development Investment Strategy will complement the priority for business growth in Bromsgrove as well as seek income generation to help balance the Council budget.

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

- 3.6 None as a direct result of this report.

## **4. RISK MANAGEMENT**

- 4.1 Failure to manage the Treasury Management function effectively to ensure the delivery of maximum return within a secure environment. Controls in place to mitigate these risks are as follows:
- Regular monitoring of the status of the organisations we invest with
  - Daily monitoring by internal officers of banking arrangements, borrowing limits and cash flow implications.

### **AUTHOR OF REPORT**

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**Finance Monitoring Quarter 1 2017/18**

<b>Relevant Portfolio Holder</b>	Councillor Brian Cooper
<b>Portfolio Holder Consulted</b>	Yes
<b>Relevant Head of Service</b>	Jayne Pickering
<b>Wards Affected</b>	All Wards
<b>Ward Councillor Consulted</b>	N/A
<b>Non Key Decision</b>	

**1. Purpose and Summary**

To report to Cabinet on the Council's financial position for Revenue and Capital for the Financial Year April – June 2017 (Quarter1 2017-18).

**2. Recommendations**

**The Cabinet is asked to**

**RESOLVE that**

- 2.1 That Cabinet note the current financial positions for the quarter April – June 2017 as detailed in the report.

**RECOMMEND to Council**

- 2.2 That the 2017-18 Capital Programme is increased by £414k to include Section 106 Projects as included in Appendix 2.

**3. Revenue budgets**

- 3.1 This report provides details of the financial information across the Council. The aim is to ensure officers and members have relevant information to consider the overall financial position of the Council. The report reflects the finances across the Strategic Purposes to enable Members to be aware of the level of funding attributed to these areas and how this compares to budget. The summary at 3.4 shows the financial position for revenue funding for the period April – June 2017. A year end forecast is not presented for the first quarter as this commences from Quarter 2 to ensure budget holders can assess the financial position of their service areas with as much information as possible.

- 3.2 Financial reports are sent to budget holders on a monthly basis and a detailed review is undertaken with financial support to ensure that all issues are considered and significant savings or cost

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pressures addressed. This report aims to focus on the key variances to budgets to ensure a focus is undertaken during the year on areas where there are significant savings or additional costs.

- 3.3 As Members are aware officers have recognised that there were savings in 2016/17 that had not been forecast in previous reports. As part of the monitoring during 2017/18 budget holders and Heads of Service are working with the finance team and portfolio holders to improve the quality of the future forecasting.
- 3.4 The table below shows the original budget as agreed by Council in February 2017. The original budget of £11.112m as approved is adusted in the table below to reflect capital charges and interest of £2.3m offset by transfers of reserves of £67k. in addition the Latest Budget which includes any transfers to/from reserves in the first quarter of £179k.

**Revenue Budget summary**  
**Financial Year 2017/18 – Overall Council**

Please note figures have been rounded

Strategic Purpose	Original Budget 2017/18 £'000	Latest budget 2017/18 £'000	Budget to date April – June 2017/18 £'000	Actuals to date April – June 2017/18 £'000	Variance to date April – June 2017/18 £'000
Keep my place safe and looking good	4,955	5,056	369	328	-41
Help me run a successful business	-593	-593	8	23	15
Help me be financially independent	245	245	102	104	2
Help me to live my life independently	573	573	-170	-171	-1
Help me find somewhere to live in my locality	1,099	1,123	200	174	-26
Provide Good things for me to see, do and visit	1,537	1,580	265	261	-4
Enable others to work/do what they need to do (to meet their purpose)	5,693	5,705	2,140	2,217	77
<b>Total</b>	<b>13,511</b>	<b>13,690</b>	<b>2,914</b>	<b>2,936</b>	<b>22</b>
Corporate Financing	-13,511	-13,690	-2,557	-2,551	5
<b>Grand Total</b>	<b>0</b>	<b>0</b>	<b>357</b>	<b>385</b>	<b>27</b>

**Financial Commentary:**

**Keep my place safe and looking good**

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

The variance in the first quarter of **£41k** is due to the following variances:

- Shortfall in income from Building control of **£30k**. Building control operates in an increasingly competitive marketplace and whilst all opportunities are explored it is clear that the number of competitors is rising. Unlike its competitors, LA Building control is required by law to operate solely on a cost neutral basis and its performance and charging regimes are publically accountable. The application-specific fees charged in the face of strong competition, and therefore the income received, accords with this requirement. In addition complications have arisen, with regard to undertaking consultancy work for other authorities and offering additional services, in being unable to obtain requisite levels of professional indemnity insurance. This is currently curtailing some of these activities but it is hoped the situation can be resolved in due course.. This is mainly due to lower fee generating applications being received.
- Shortfall in planning application income of **£70k**. The income budget is scheduled to be received on a quarterly basis as it would be difficult to predict the application fees that are due in a period. It is anticipated that the income will increase in to September
- These shortfalls are offset by vacancies across all services within the strategic purpose of **£55k**. This saving will be drawn down to meet agreed efficiency savings as part of the medium term financial plan.
- In addition there is additional income that has been generated of **£36k**. This income will contribute towards the income levels identified in the efficiency plan.
- Further savings on Repairs and Maintenance of vehicles of **£30k** and other general supplies have resulted in an overall saving to the budget.

**Help me run a successful business**

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

There are no major variances to report in the first quarter.

**Help me be financially independent**

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

There are no major variances to report in the first quarter. Officers are currently reviewing the monitoring of benefits income to ensure an informed financial position can be reported prior to year end.

**Help me to live my life independently**

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

Over £230k has been received from Lifeline customers to reflect the annual budget . Additional income will be realised should further users take up the service.

There is an available budget of £563k to support Disabled Facility Grants which are monitored through the capital programme as included in this report. There are no significant variances to date within the revenue funding required.

**Help me find somewhere to live in my locality**

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

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The majority of the budgets do not have any significant variances however there is an increase of **£9k** on search fees.

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

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

There are no major variances to report in the first quarter.

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

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

There are efficiency savings target to meet within enabling services which will be met by offsetting savings when realised going into quarter 2 and 3. There is a small underspend to date within ICT on software licences. The efficiency savings are **£90k** for the first quarter. As can be seen in the details of the savings and additional income above this will offset partially the efficiency saving required.

**Corporate Financing**

There is a saving realised already of **£27k** due to paying the pensions costs in advance. There are no significant variances to report for this quarter and officers are currently reviewing the process to identify the most appropriate method for monitoring capital financing and business rate information.

**4. Efficiency Plan**

4.1 The efficiency plan was presented to Council in October 2016. The table below details the savings proposed for 2017/18 as identified in the plan with comments on delivery for the first quarter.

<u>Area</u>	<u>Cost reduction / Additional income growth/ Alternative Service Delivery</u>	<u>2017/18</u>	<u>Qtr 1 Comments</u>
		<b>£'000</b>	
Leisure Services	Additional income from the redeveloped Leisure Centre	106	New provider recently appointed. Additional income not included until redeveloped site open in October 2017 therefore the efficiency plan did not include any income for this period
Cross Organisational	Alternative Models of Service Delivery - Reviewing the provision of services with the aim to redesign and work with other partners to deliver savings	140	Ongoing work with commercial groups to identify savings that are achievable in 2017/18.
Customer Access & Financial Support	Improved efficiencies by moving to a new system for Revenues and Benefits	80	Savings delivered as part of service review and new system implementation
Cross Organisational	Increases in income and growth ( including compliance in relation to Council Tax)	75	Agreement made with County to fund resource to enable further work to be undertaken on compliance - over £20k

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			additional income identified to date to meet efficiency plan
Cross Organisational	Organisational Management Review	135	Service reviews approved to include savings on 4 <sup>th</sup> tier posts. These will be delivered from quarter 3
Cross Organisational	Reduce waste in system	90	Identification of financial value of efficiencies being undertaken to report in quarter 2
Cross Organisational	Reset budget from baseline of 2015/16	50	Identification of financial value of resetting the baseline being undertaken to report in quarter 2
Additional Business Rate Growth	Based on assumptions of additional growth from sites across the District – regeneration of the town centre	50	Analysis of new business rate income being undertaken
<b>TOTAL 2017/18</b>		<b>726</b>	

**Risks of delivery**

4.2 There are a number of savings/ efficiencies that will be identified as part of the current work on analysing the 2016/17 outturn position. Heads of Service are working with the Directors as the strategic purpose leads to undertake a detailed review of all cost heads to understand the cost recovery on all areas and the nature of the savings from 2016/17 to enable these to be given up for 2017/18 to meet the efficiency plan targets. In addition savings from vacancies are to be released from individual service budgets and used to offset the savings plans for 2017/18.

**5. Cash Management / Borrowing**

5.1 The financial position in relation to borrowing at the start of the financial year and the expected end of year positions is shown in the table below. This shows the borrowing position at the end of quarter 1.

<b>Date</b>	<b>£m</b>	<b>Position</b>
As at 31 <sup>st</sup> March 2017 (Actual)	3.1	Borrowing
As at 30 <sup>th</sup> June 2017	12.0	Borrowing
As at 31 <sup>st</sup> March 2018 (Forecast)	14.0	Borrowing

**6. Interest and Investments**

6.1 An interest payable budget has been set of £54k for 2017/18 due to expenditure relating to current capital projects.

6.2 At 30<sup>th</sup> June 2017 there were no short term investments held.

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**7. Capital Budgets**

**Capital Budget summary  
Financial Year 2017/18 – Overall Council**

**7.1**

Please note figures have been rounded

Strategic Purpose	Original Budget £'000	Budget to date £'000	Actuals to date £'000	Variance to date £'000
<b>Keep my place safe and looking good</b>	2,283	928	915	-13
<b>Help me be financially independent</b>	6	1	0	-1
<b>Help me to live my life independently</b>	932	233	240	7
<b>Provide Good things for me to see, do and visit</b>	5,607	1,508	1,283	-225
<b>Enable others to work/do what they need to do (to meet their purpose)</b>	135	33	5	-27
<b>Totals</b>	<b>8,963</b>	<b>2,703</b>	<b>2,443</b>	<b>-260</b>

**Finance commentary:**

**Keep my place safe and looking good**

Projects are under way however the fleet replacements budget will be spent towards the later end of the 2017.

**Help me be financially independent**

There has been little activity on the remainder of the energy efficiency budget but it is expected it will be fully spent in 2017/18.

**Help me to live my life independently**

In this first quarter the projects are in progress and there are no significant variances.

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

There is a slight variance in this quarter on the budgets, however, the main project in this strategic purpose is the new Leisure centre and this is due for completion in the early autumn months. The existing Dolphin centre will be demolished before Christmas 2017 and the new car park opening in early February 2018.

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



## **CABINET**

6<sup>th</sup> September 2017

There is a slight underspend with Enabling due to the projects expected to commence within the second quarter of the year.

### **8. Earmarked Reserves**

8.1 The projected position at the start and end of next financial year is shown in Appendix 1. The balances on earmarked reserves are reviewed at the financial year end

### **9. General Fund Balances**

9.1 The General Fund Balance as at the 31<sup>th</sup> March 2017 is £4.316m. A balanced budget was approved in February 2017 to include identified savings which have been built into individual budget allocations. This also included a planned return to balances for 2017-18 of £259k.

### **10. Legal Implications**

10.1 No Legal implications have been identified.

### **11. Service/Operational Implications**

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

### **14. Risk Management**

14.1 The report includes the risks associated with the delivery of the savings within the efficiency plan

## **APPENDICES**

Appendix 1 – Earmarked Reserves  
Appendix 2 – S106 Capital projects

## **AUTHOR OF REPORT**

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**FINANCIAL RESERVES STATEMENT 2017/18**

Appendix 1

Description	Balance b/fwd 1/4/2017	Transfers in existing reserve 2017/18	Transfers out existing reserve 2017/18	New Reserve 2017/18	C/fwd 31/3/2018	Comment
	£'000	£'000	£'000	£'000	£'000	
Building Control	-7	0	0	0	-7	To Fund the mobile working project
Building Control Partnership	-44	0	0	0	-44	Partnership income has to be reinvested in the service behalf of the shared service
Business Transformation	-11	0	0	0	-11	Towards organisational development following the staff survey
Commercialism	-50	0	0	0	-50	To help fund costs in relation to commercialism projects
Community Safety	-33	0	3	0	-30	Grant funding received to fund associated community projects
Community Services	-40	0	0	0	-40	To help towards a district network feasibility study
Economic Regeneration	-501	0	0	0	-501	To fund the Economic Development opportunities across the District
Election Services	-203	0	0	0	-203	To support the delivery of individual electoral registration and to set aside a reserve for potential refunds to government
Environmental Services	-15	0	0	0	-15	To help towards the unauthorised trespass prevention scheme and Tree works within the district
Financial Services	-586	0	0	0	-586	The reserve includes the small business rate relief grant that will offset the costs in future years. In addition a number of reserves / grants have been set aside to support residents through the changes to welfare reform
Housing Schemes	-367	0	36	0	-331	To support the feasibility and implementation of housing schemes across the district
ICT/Systems	-222	0	0	0	-222	To provide for replacement ICT systems
Leisure/Community Safety	-267	0	140	0	-127	Grant received and reserves set aside to support a number of leisure and well being schemes across the District
Litigation Reserve	-5	0	0	0	-5	To provide funding for any potential legal challenges
Local Development Framework	-142	0	0	0	-142	To fund the costs associated with the Core Strategy
Local Neighbourhood Partnerships	-16	0	0	0	-16	Grant received in relation to liveability schemes
Other	-99	0	0	0	-99	To support apprentices, set up costs and other general reserves
Planning & Regeneration	-100	0	0	0	-100	Support for a review of Transport, Highways & Infrastructure implications
Regulatory Services (Partner Share)	-33	0	0	0	-33	To fund WRS potential redundancy and other shared costs
Replacement Reserve	-556	0	0	0	-556	To fund replacement vehicles and plant
Shared Services Agenda incl Joint CE	-311	0	0	0	-311	To fund potential redundancy and other shared costs
<b>Grand Total</b>	<b>-3,608</b>	<b>0</b>	<b>179</b>	<b>0</b>	<b>-3,429</b>	

Agenda Item 16

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Cap Proj	Description	Cost Centre	Department	strategic purposes	Funding	2017/18 Total
						£
GC1347	Wiggin Memorial (Alvechurch) - Improvement to open space and teenage provision	CAPC	Leisure & Cultural Services	Provide Good Things to see, do and Visit	S106 - 13/0026 - Land fronting Birmingham Road, Alvechurch	73,000
GC1349	Woodrush Rugby Club - Enhancement/Investment Plan	CAPC	Leisure & Cultural Services	Provide Good Things to see, do and Visit	S106 B/2012/0912 - Bleakhouse Farm, Station Road, Wythall	110,000
GC1350	Wythall Park POS Improvement	CAPC	Leisure & Cultural Services	Provide Good Things to see, do and Visit	S106 B/2012/0912 - Bleakhouse Farm, Station Road, Wythall	24,000
GC1351	Hagley Park Playing Fields - Outdoor Fitness	CAPC	Leisure & Cultural Services	Provide Good Things to see, do and Visit	S106 13/0819 - Hagley	25,000
GC1352	Barnt Green Millenium Park - Toilet	CAPC	Leisure & Cultural Services	Provide Good Things to see, do and Visit	S106 B/2011/0741 -Land at Fiery Hill, Barnt Green / 18k balances	62,000
GC1354	Off Site Maintenance or improvements of POS facilities at Hagley Playing Fields	CAPC	Leisure & Cultural Services	Provide Good Things to see, do and Visit	S106 15/0054 Hagley	35,000
GC1344	Sanders Park dda play provision	CAPC	Leisure & Cultural Services	Provide Good Things to see, do and Visit	S106 14/0755 Kidderminster Road	56,080
GC1357	Outdoor fitness Sanders Park	CAPC	Leisure & Cultural Services	Provide Good Things to see, do and Visit	S106 13/0422 Former meadows first school	21,080
GC1356	Improvements of pos/play at Laurel Grove	CAPC	Leisure & Cultural Services	Provide Good Things to see, do and Visit	S106 15/0464 Bewell Head	7,610
	<b>TOTAL CURRENT CAPITAL PROGRAMME</b>					<b>413,770</b>

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

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