



## **BROMSGROVE DISTRICT COUNCIL**

### **EXECUTIVE CABINET**

WEDNESDAY, 14TH DECEMBER 2005

AT 6.00 P.M.

COMMITTEE ROOM, THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Councillors R. Hollingworth (Executive Leader), Miss D. H. Campbell JP, Mrs. J. M. L. A. Griffiths, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer, Mrs. M. M. T. Taylor and P. J. Whittaker

### **AGENDA**

Council Agendas and Minutes are available on our website at [www.bromsgrove.gov.uk/meetings](http://www.bromsgrove.gov.uk/meetings)

1. To receive apologies for absence
2. Declarations of Interest
3. To confirm the Minutes of the Meeting of the Executive Cabinet held on 30th November 2005
4. Public Questions
5. To receive the Minutes of the Meeting of the Local Development Framework Working Group held on 12th December 2005
6. Issues arising from Overview and Scrutiny Committees
  - (a) Housing and Planning Policy Scrutiny Committee - High Hedges Legislation
  - (b) Health and Leisure Scrutiny Committee - Play Areas in Rubery
7. Scrutiny Re-organisation Report
8. Council Tax Base Calculation 2006/2007
9. Committee Timetable 2006/2007
10. Worcestershire Local Area Agreement
11. Arts Strategy
12. Street Scene Strategy

13. To consider any other business, details of which have been notified to the Head of Legal and Democratic Services prior to the commencement of the Meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next Meeting

S. NIXON  
Chief Executive

The Council House  
Burcot Lane  
BROMSGROVE  
Worcestershire  
B60 1AA

5th December 2005

# **BROMSGROVE DISTRICT COUNCIL**

## **MEETING OF THE EXECUTIVE CABINET**

Wednesday, 30th November 2005 at 4.00 p.m.

PRESENT: Councillors R. Hollingworth (Executive Leader), Miss D. H. Campbell JP, Mrs. J. M. L. A. Griffiths, Mrs. M. A. Sherrey JP, Mrs C. J. Spencer, Mrs. M. M. T. Taylor and P. J. Whittaker

Observers: Councillors Mrs. J. Dyer M.B.E., Mrs. K. M. Gall, D. C. Norton, N. Psirides JP and C.R. Scurrall

### 114/05 **INTRODUCTIONS**

The Chairman introduced Mr. I. Marshall who had been nominated by the Council's Monitoring Officer to deputise for him in his absence for the consideration of the restructuring update report. During the course of the Meeting, the Chairman also welcomed Mr. H. Bennett, Assistant Chief Executive, Mr. P. Street, Corporate Director (Services) and new Portfolio Holders to their first Meeting of the Cabinet.

### 115/05 **MINUTES**

The Minutes of the Meeting of the Executive Cabinet held on 26th October 2005 were submitted.

**RESOLVED:** that the Minutes of the Meeting be approved and confirmed as a correct record.

### 116/05 **PUBLIC QUESTIONS**

In accordance with the procedure agreed by the Council for answering Public Questions, the Cabinet considered a question raised by Mr. A. Pugh in relation to the re-appointment of a retiring Independent Member of the Standards Committee.

The Portfolio Holder for Human Resources and Legal and Democratic Services responded to the question during which she advised that the Standards Committee had made its recommendation in a reasonable manner and had followed due process. It was

**RESOLVED:** that the response provided by the Portfolio Holder for Human Resources and Legal and Democratic Services be noted and conveyed to Mr. Pugh in writing.

### 117/05 **PERFORMANCE MANAGEMENT BOARD**

The Minutes of the Meeting of the Performance Management Board held on 10th November 2005 were submitted.

**RESOLVED:** that the Minutes be noted.

### 118/05 **TENDERS COMMITTEE**

The Minutes of the Meeting of the Tenders Committee held on 18th November 2005 were submitted.

**RESOLVED:** that the Minutes be noted.

119/05            **LOCAL DEVELOPMENT FRAMEWORK WORKING GROUP**

The Minutes of the Meeting of the Local Development Framework Working Group held on 25th October 2005 were submitted.

**RESOLVED:** that the Minutes be noted.

120/05            **BUSINESS CASE - PROCUREMENT**

The Cabinet considered the business case for a proposal to share Worcester City Council's Procurement Manager and to have use of a specialist buyer for an initial twelve month period. It was felt that this would significantly aid the delivery of the Council's Procurement Strategy which was a key element of the Council's recovery. Following discussion, it was

**RECOMMENDED:**

- (a) that the proposals as set out in the report be endorsed, subject to the correction of the typographical error in paragraph 8.2 to refer to Option 3 not Option 1;
- (b) that the Council approve the release of £11,933 of reserves in 2005/2006 and £23,867 in 2006/2007.

121/05            **AUDIT BOARD PROPOSALS AND TERMS OF REFERENCE**

Having considered a report on a proposed new Audit Board and its terms of reference, it was

**RESOLVED:**

- (a) that approval in principle be given to the establishment of an Audit Board and to the adoption of the terms of reference, as set out in the report;
- (b) that the Standards Committee be requested to recommend the Council to approve the amendment of the Articles of the Constitution to include the terms of reference of the Audit Board.

122/05            **2005/2008 REVISED STRATEGIC AUDIT PLAN YEAR 1**

Having considered the need to revise and update the first year of the 2005/2008 Strategic Audit Plan, it was

**RESOLVED:** that the revisions and updated first year of the 2005/2008 Strategic Audit Plan, as detailed in the report, be noted and approved.

123/05            **MONITORING OF THE REVENUE AND CAPITAL BUDGET 2005/2006**

The Cabinet considered a report which monitored the position of the Revenue Budget for 2005/2006 as at 30th September 2005 and provided explanations for the variances for the respective Service Departments. The report also monitored the position with regard to the Revised Capital Programme for 2005/2006 and the resources made available under the capitalisation direction. Following discussion, it was

**RESOLVED:**

- (a) that the net revenue underspend of £38,000 for the period April 2005 to September 2005 be noted;
- (b) that Heads of Service be reminded of the need to contain net revenue expenditure within budget and to achieve the savings set out in the Budget report;
- (c) that the capital underspend of £511,000 against the Revised Capital Programme as at September 2005 be noted;
- (d) that the underspend of £11,000 against the capitalisation direction as at September 2005 be noted;
- (e) that the progress made on capital schemes to date be noted.

124/05      **RECOVERY ACTION AND WRITE-OFF POLICIES**

Having considered a proposed new debt recovery policy and guidelines for the write-off of debts, it was

**RESOLVED:** that the policies relating to recovery and write-off of debts as set out in Appendices A and B to the report be approved and adopted.

125/05      **DISCRETIONARY RATE RELIEF REVIEW - NATIONAL NON-DOMESTIC RATES**

Having considered a report on a review of the Discretionary Rate Relief for National Non-Domestic Rates to be awarded for the next two years, it was

**RESOLVED:**

- (a) that Discretionary Relief be awarded for the period 1st April 2006 to 31st March 2008 for those organisations listed in Appendices I, II and III of the report;
- (b) that the Discretionary Relief awarded to those Working Men's Clubs/Social Clubs set out in Appendix III of the report be reviewed in 2007/2008 to take account of bar takings.

126/05      **DISCRETIONARY RATE RELIEF - BROMSGROVE ARTS CENTRE TRUST**

The Cabinet considered a report on a proposal to award 20% 'Top-Up' Discretionary Rate Relief for National Non-Domestic Rates to Bromsgrove Arts Centre Trust. Having noted that the organisation met the required criteria, it was

**RESOLVED:** that 'Top-Up' Discretionary Relief be awarded to the Bromsgrove Arts Centre Trust for the period 1st April 2005 to 31st March 2008, in line with existing policy.

(NOTE: Councillors Miss D. H. Campbell JP and Mrs. J. M. L. A. Griffiths declared their respective personal interests in this item as members of the Arts Centre Operating Trust.)

127/05      **GRANT APPLICATION - AMPHLETT HALL**

Having considered a grant application from Amphlett Hall, it was

**RESOLVED:** that in view of funding having been made available in the approved Budget for 2005/2006, the application from Amphlett Hall for a grant of £8,300 be approved.

128/05      **CHRISTMAS PARKING ARRANGEMENTS**

(The Chairman agreed to the consideration of this item as a matter of urgency as a decision was required thereon before the next ordinary meeting of the Cabinet.)

The Portfolio Holder for Street Scene and Waste Management referred to the tradition of providing free parking in the run up to Christmas and proposed that free parking be provided on the two weekends prior to Christmas. Following discussion, it was

**RESOLVED:**

- (a) that free parking be allowed in the Council's pay and display car parks on 10th, 11th, 17th and 18th December 2005;
- (b) that this concession be adopted as the policy for future years.

128/05

**POLICE RESTRUCTURING**

(The Chairman agreed to the consideration of this item as a matter of urgency.)

The Portfolio Holder for Culture and Community referred to consultations which had taken place regarding proposals for a major restructuring of police forces with particular regard to the proposals affecting West Mercia. The Council had been given a very short time in which to respond to the proposed options, which had caused some concern in view of the significance of the issue, together with a lack of information about potential financial implications. The Council was mindful that West Mercia Police was one of the best performing police forces in the country and wished to see it retained rather than being merged into a new Regional Strategic Force. The Chief Executive and Head of Culture and Community Services, in consultation with the Portfolio Holder, had therefore agreed and submitted a response to express support for the option of a West Mercia Strategic Police Service. The Chairman expressed his thanks for their efforts in dealing with this matter in the short time that was available.

It was

**RESOLVED:**

- (a) that the response submitted regarding the Police Restructuring be noted and endorsed;
- (b) that the Chief Executive be requested to circulate a copy of the response to all Members of the Council and the press.

130/05

**LOCAL GOVERNMENT ACT 1972**

**RESOLVED:** that, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the Meeting during the consideration of the item of business the subject of the following Minute on the grounds that it involves the likely disclosure of "Exempt Information" as defined in Part I of Schedule 12A to the Act, the relevant paragraph of that part being as set out below:-

<u>Minute No.</u>	<u>Paragraph</u>
131/05	1

131/05

**RESTRUCTURING UPDATE**

The Cabinet considered restructuring proposals for below Head of Service level. The Chief Executive assured Members that there would be meaningful consultation. Once structures had been agreed, these would be circulated to Members for information. Following discussion, it was

**RECOMMENDED:**

- (a) that the organisational restructuring proposals be noted and approved;
- (b) that the Council approve the release of £232,000 from reserves for 2005/2006 and £58,000 for 2006/2007;
- (c) that the use of £142,326 per annum from the amount set aside for contingencies be approved;
- (d) that the Chief Executive and Corporate Director (Resources) be given delegated authority, in consultation and agreement with the Leader and Portfolio Holder for Human Resources, to consider early retirements/redundancies.

The Meeting closed at 5.10 p.m.

Chairman

# **BROMSGROVE DISTRICT COUNCIL**

## **EXECUTIVE CABINET**

**14TH DECEMBER 2005**

### **HIGH HEDGES LEGISLATION**

Responsible Portfolio Holder	Councillor P. J. Whittaker
Responsible Head of Service	Mr. Peter Allen, Interim Head of Planning and Environment Services

#### **1. SUMMARY**

- 1.1 To consider the views and recommendations made by the Housing and Planning Policy Scrutiny Committee in relation to the motion the Council referred to the Committee which called upon the Council to reduce its charges relating to high hedge complaints from £500 to £150.

#### **2. RECOMMENDATIONS**

- 2.1 Members of the Housing and Planning Policy Scrutiny Committee wish to put forward the following recommendations:
- (i) the application fee relating to high hedges be lowered from £500 to £300 for an initial period of 6 months following which the situation be reviewed; and
  - (ii) alternative ways of allowing applicants to pay the fee, such as paying via installments, be investigated.

#### **3. BACKGROUND**

- 3.1 Councillors G. H. R. Hulett and A. L. Deakin submitted the following motion which was referred by Council at its meeting held on the 8th November 2005 to the Housing and Planning Policy Scrutiny Committee, where it was considered at its meeting held on the 24th November 2005:

“The relatively new hedges legislation introduced by the Labour Government to resolve disputes between neighbours and reduce the associated costs is not being implemented in a manner that makes it available to everyone regardless of their earnings. Therefore we call upon the Council to reduce its charges from £500 to £150, not returnable.”

#### **3.2 Legislation**

- 3.2.1 The Government introduced legislation in June 2005, under the Anti-Social Behaviour Act 2003, to allow householders to apply for their local planning authority to arbitrate in disputes involving excessively high trees/shrubs provided the applicants had made all reasonable efforts to first resolve the dispute, including mediation.
- 3.2.2 On payment of a fee a local authority would have a duty to examine a case and to determine whether action should be taken to ameliorate the impact of the high hedge. This included deciding upon the future height at which a hedge/tree line should be maintained. An appeal system was also introduced to allow either party to a dispute to challenge the local authority's decision.

- 3.3 At the Housing and Planning Policy Scrutiny Committee, Councillors G. H. R. Hulett and A. L. Deakin were invited to address the committee and they requested that this Council consider lowering the fee charged for complaint applications relating to high hedges so to ensure this “last resort” option was more affordable for all residents living in the District; particularly members of the public on lower incomes who did not qualify for a reduced fee.
- 3.4 It was reported to the Committee that members of the Executive Cabinet at its meeting on 18th May 2005 considered a report on the proposed procedures and fee structure to be adopted to enable the Council to meet the requirements of new Regulations on ‘High Hedges’.
- 3.5 Members were informed that although the level of the fee payable was left to each local authority to determine, the Government had suggested a fee range of between £280-£320 and it was anticipated that this would cover the cost of administering the scheme.
- 3.6 However, due to there being no evidence to judge the number and nature of applications, the Committee understood that the Executive Cabinet decided to err on the side of caution and thus set a fee of £500 for an application. (A reduced payment of £200 was also approved where an applicant was in receipt of one or more statutory benefits.)
- 3.7 Nevertheless, after a detailed discussion, the members of the Housing and Planning Policy Scrutiny Committee unanimously agreed that, as previously decided by the Executive Cabinet six months ago, the fee amount now needed to be reviewed; particularly when the following points are taken into consideration:
- Since the system became operational in June the District Council has received no applications. However, the Tree Officers and the Section Head have had a number of complaints from would be applicants about the cost of making an application.
  - This Council's charge is the fourth highest in England.
  - The fee charged by other local authorities in the County varies greatly ranging from £50 to £320 and there does not appear to be any clear correlation between the level of application fee and number of applications received.
  - The process for dealing with applications necessitates a standard approach. While minor variations in workload would be expected, according to the slightly different circumstances each case presents, the overall difference is not likely to be significant. Where, for instance, cases go to appeal, a copy of all the information gathered for the case is passed to the Planning Inspectorate with no further impact on officer. This means the cost of each case to this Council will not vary significantly.
  - It is believed that the suggested fee range of between £280 - £320 should more than cover the cost of administering the scheme.
- 3.8 Therefore, Members of the Committee would strongly urge the Executive Cabinet to lower the current fee to £300 which is much closer to the level set by the majority of authorities and is within the fee range suggested by the Government.
- 3.9 The Committee were of the opinion that the costs/income relating to the high hedges scheme would still need to be monitored and it is suggested that the situation is reviewed again in six months time.



- 3.10 It was also felt that some members of the public would be unable to afford to pay the fee as a one-off payment (even if reduced to £300) and therefore the Committee would also like to request that alternative methods of paying the fee be investigated further such as paying by instalments.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 While there is no budget for high hedges, any reduction in fee will produce less income to the Council than the present approval to cover any associated costs. However, following consideration of fees of other local authorities, it is anticipated that a fee of £300 should be more than sufficient to cover expenses incurred by the Council.
- 4.2 Should a reduced fee be approved, as and when applications are made, costs will be monitored to identify whether income is sufficient to make the process cost neutral.

#### **5. LEGAL IMPLICATIONS**

- 5.1 The legislation referred to in this report comes under the Anti-Social Behaviour Act 2003 and was introduced in June 2005.

#### **6. COMMUNITY SAFETY CONSIDERATIONS**

- 6.1 By ensuring the High Hedges legislation is made available to as many residents as possible, the Council would be acting in accordance with Section 17 of the Crime and Disorder Act 1998 and the Community Safety Strategy.

#### **7. EQUALITIES IMPLICATIONS**

- 7.1 Should a reduced fee and alternative methods of payment be agreed, this would assist the Council in proving it is not directly or indirectly discriminating against those residents who fall within lower income categories and therefore the Council would be acting in accordance with its Equalities Policy.

#### **Background Papers**

None.

#### **Councillor A. N. Blagg (Chairman) and Councillor C. R. Scurrell (Vice-Chairman)**

On behalf of the Housing and Planning Policy Scrutiny Committee

#### **Contact officers**

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**BROMSGROVE DISTRICT COUNCIL**

**EXECUTIVE CABINET**

**14TH DECEMBER 2005**

**NOTICE OF MOTION - PLAY AREAS IN RUBERY**

Responsible Portfolio Holder	Councillor Mrs. J. M. L. A. Griffiths
Responsible Head of Service	R. Hazlehurst - Head of Culture and Community Services

**1. Summary**

1.1 To consider the undermentioned Notice of Motion.

**2. Recommendations**

2.1 That Members consider the Motion set out in paragraph 3.1 below.

**3. Background**

3.1 At the meeting of the Council held on 19th October 2005, under Council Procedure Rule 10, the following Notice of Motion was proposed by Councillor P. M. McDonald and seconded by Councillor C. J. K. Wilson:-

“That the Council honour its obligations to provide a play area in Brook Road Recreation Ground, and immediately invest the £35,000 plus allocated to the recreation ground from the sale of the old Callowbrook School site. In addition, that this Council no longer delay implementing the tendering process for the BMX/Skateboard at St. Chads Recreation Ground, Rubery.”

3.2 At the subsequent Council meeting held on the 8th November 2005, a further Notice of Motion relating to the “service delivery of the Leisure, Recreation and Amenities Department” was referred to the Health and Leisure Scrutiny Committee for consideration, and a request was subsequently received from the proposer that, as the two issues were closely linked, it might be prudent to consider the two issues at the same time by the Scrutiny Committee.

3.3 However, whilst the Health and Leisure Scrutiny Committee at their meeting held on the 29th November 2005 considered the “service delivery” motion, the Committee resolved to refer the motion on Play Areas back to the Executive Cabinet without consideration or comment.

**4. Financial Implications**

Dependent upon the outcome of the debate on the Motion.

**5. Legal Implications**

None.

**6. Background Papers**

None.

**Contact officer**

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**BROMSGROVE DISTRICT COUNCIL**

**EXECUTIVE CABINET 14TH DECEMBER 2005**

**REVIEW OF THE SCRUTINY PROCESS**

Responsible Portfolio Holder	Councillor Mrs C. J. Spencer
Responsible Head of Service	Head of Legal and Democratic Services

**1. SUMMARY**

- 1.1 To consider a review of the Council's Overview and Scrutiny Committees in light of the comments made by Members and the Scrutiny Committees.

**2. RECOMMENDATION**

- 2.1 That the recommendations relating to the revised Scrutiny Committee structure, as set out in paragraph 2.1 - 2.8, of the Review of the Scrutiny Process report be approved.
- 2.2 The Standards Committee be recommended to approve the changes to the Council's Constitution to enable the revised Scrutiny structure to be implemented.

**3. BACKGROUND**

- 3.1. The Executive Cabinet at it's meeting held on 19th October 2005 considered a report on a review of the scrutiny process. A copy of that report is attached at Appendix 1. The Executive Cabinet resolved:  
*" that the proposals set out in the report be referred for consideration at a forthcoming Members Workshop on Scrutiny and then by Scrutiny Committees, with a view to any comments being reported back to a future Meeting of the Cabinet at which any recommendations will then be made to the Standards Committee and full Council as appropriate."*
- 3.2 A workshop was held with members on 25th October 2005. A copy of the notes from that workshop are attached at Appendix 2.
- 3.3 The report was considered at the meeting of the Housing and Planning Policy Scrutiny Committee held on 24th November 2005. That Committee resolved:  
*"(i) that the report be noted; and  
(ii) that the Executive Cabinet be informed that:  
(a) it is this Committee's view that the proposed new scrutiny system, as detailed in the report submitted, be supported; and  
(b) this Committee prefers the suggestion of the use of ad hoc task groups rather than fixed task groups."*
- 3.4 The report was considered at the meeting of the Health and Leisure Scrutiny Committee held on 29th November 2005. That Committee resolved:  
*"that the various recommendations set out in the report at paragraphs 2.1 - 2.8 be supported."*

3.5 The report will be considered at the meeting of the Policy and Strategy Scrutiny Committee held on 6th December 2005. The recommendations of that Committee will be reported verbally at the meeting.

## **5. Financial Implications**

5.1 There are no financial implications arising from this report.

## **6. Legal Implications**

6.1 Section 21 of the Local Government Act 2000 states

*21. (1) Executive arrangements by a local authority must include provision for the appointment by the authority of one or more Committees of the authority (referred to in this Part as Overview and Scrutiny Committees).*

*(2) Executive arrangements by a local authority must ensure that their Overview and Scrutiny Committee has power (or their Overview and Scrutiny Committees have power between them)-*

*(a) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive,*

*(b) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are the responsibility of the executive,*

*(c) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the executive,*

*(d) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are not the responsibility of the executive,*

*(e) to make reports or recommendations to the authority or the executive on matters which affect the authority's area or the inhabitants of that area.*

6.2 Sections 15 - 17 of the Local Government and Housing Act 1989 relate to the duty to allocate seats on Committees in accordance with the political balance on the Council.

## **Background Papers**

None

## **Contact officer**

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**BROMSGROVE DISTRICT COUNCIL**  
**EXECUTIVE CABINET 19<sup>TH</sup> OCTOBER 2005**

**REVIEW OF THE SCRUTINY PROCESS**

Responsible Portfolio Holder	
Responsible Head of Service	Head of Legal and Democratic Services

**1. SUMMARY**

1.1 To consider a review of the Council's Overview and Scrutiny Committees.

**2. RECOMMENDATION**

2.1 That the revised Scrutiny Committee structure, as set out in paragraph 3.16, and the terms of reference for the Overview and Scrutiny Committee, as set out in paragraph 3.18, be approved.

2.2 Members are requested to decide whether to adopt a system of a fixed number of Task Groups or the creation of ad hoc Task Groups, as detailed in paragraph 3.17.

2.3 That the terms of reference for the Task Groups, as set out in paragraph 3.19, be approved

2.4 That the revision to the call in procedure, detailed in paragraph 3.20, be approved.

2.5 That the system of using criteria for to establish the need to carry out a particular scrutiny exercise, as detailed in paragraphs 4.5 to 4.8, together with the use of the scrutiny proposal form, as set out in the appendix to the report, be approved and adopted.

2.6 That new working methods, as set out in paragraphs 4.9 – 4.18 inclusive, be approved and adopted.

2.7 That the Standards Committee and the Council be recommended to approve necessary amendments to the Council's Constitution arising from the approval and implementation of the revised Overview and Scrutiny Committee System.

2.8 The Head of Legal and Democratic Services be authorised to arrange a calendar of meetings for the Overview and Scrutiny Committee for the remainder of the current municipal year.

### 3. **BACKGROUND**

- 3.1 The system of scrutiny committees was introduced as a consequence of the Local Government Act 2000.
- 3.2 As part of the Recovery Plan process the Council has undertaken to carry out a complete review of its scrutiny committees.
- 3.3 This review takes in to account
- Views of members expressed in a recent survey
  - Examples of best practice from across the country
  - Examples of other authorities which have received a “poor” or “weak” CPA rating and who have since reviewed their scrutiny processes
  - Reviews of scrutiny arrangements carried out by other authorities
  - Advice taken from the Centre for Public Scrutiny document “Overview and Scrutiny – Guidance for District Councils”
  - Analysis carried out using the Centre for Public Scrutiny “Self evaluation framework for Overview and Scrutiny in local government”
  - The recent establishment of a Performance Management Board

### **THE CURRENT SYSTEM**

- 3.4 Bromsgrove currently has three Scrutiny Committees each consisting of 13 members. Within their terms of reference, Overview and Scrutiny Committees:
- (a) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council’s functions;
  - (b) make reports and/or recommendations to the full Council and/or the executive in connection with the discharge of any functions;
  - (c) consider any matter affecting the area or its inhabitants;
  - (d) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the executive and/or any policy or area Committees; and
  - (e) consider best value reviews.
- 3.5 The terms of reference of the Committees are as follows

Policy and Strategy	<ul style="list-style-type: none"><li>• Local democracy and the achievement of effective, transparent and accountable decision making by the Council</li><li>• The Council's budget, the management of its budget, capital, revenue borrowing and assets (including land and people) and its audit arrangements</li><li>• The provision, planning, management and performance of the Council's central services, including support services, best value, the community plan and any other Council function not otherwise addressed by any other Committee</li></ul>
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Housing and Planning Policy	<ul style="list-style-type: none"> <li>• The provision, planning, management and performance of the Council's housing, town and country planning, building control and other technical services</li> <li>• The physical, social and economic environment and welfare of Bromsgrove, including the provision, planning and management of its housing and the built environment</li> </ul>
Health and Leisure	<ul style="list-style-type: none"> <li>• The provision, planning, management and performance of the Council's leisure and environmental health services</li> <li>• The holding to account of health authorities, as proposed under the NHS Plan.</li> </ul>

3.6 The existing Committees were based largely upon an amalgamation of the former Housing, Recreation, Amenities and Tourism, Policy and Resources, Planning and Highways and Environment and Health Committees. The linkage to the old Committee system has not enabled members to break away from that system and fully embrace the new requirements of Overview and Scrutiny.

3.7 It is clear from comments received from members that they consider that the current Overview and Scrutiny Committee arrangements are not working as well as had been anticipated. Comments submitted by Members included:-

- *Limited effectiveness to date due to lack of capacity to improve*
- *It has not been effective because the historic system of officers and Executive cabinet formulating policy has been continued*
- *Rather patchy and differs from one Committee to another*
- *Have not seen much evidence to date of scrutiny being involved in development of policy – more emphasis on review of services rather than policies. In summary I don't think scrutiny works at a strategic policy level.*
- *I do not believe that scrutiny is very effective at all. The people concerned are trying to use it like the old Committee system and for purely political reasons. There have been odd occasions when something good has come from it but on the whole it is used by councillors trying to find something to do. We are at fault for not organising it properly.*

3.8 Members identified in the survey that they felt that the use of Task Groups had been the most effective part of the current scrutiny process. When asked how useful they felt the use of Task Groups had been several Members said: they had been “very useful” and other comments included-

- *Useful in experimenting with different types of enquiries*
- *Has to be the only way to scrutinise properly*
- *The Task Groups have raised the profile of certain topics. They have increased member interest.*
- *Very useful to look at some issues in depth.*
- *Most helpful and beneficial I have found them most informative and you learn a lot from the Task Groups to pass on to others*
- *The only one I can judge on is Refuse. The feedback from that Task Group was excellent and very beneficial. The museum Task Group is only in its early stages but should be beneficial.*

- *In some areas of work this has been successful, improvements could be made by always looking at the financial implication*

3.9 In the response to the survey members have identified the need to change the way the scrutiny process works. Members suggested improvements included:-

- *Having an over-arching scrutiny chair with powers*
- *We need to assess subjects against our risk/outcomes guidelines rather than acting on a whim*
- *More selective in policy or service that is to be scrutinised*
- *Some “policies” could have been discussed and proposed by the Scrutiny Committees*
- *We need long term future plans from executive with items mapped for each Scrutiny Committee from this other flexibility can then be added on.*
- *Earlier involvement in new projects.*
- *Scrutiny and Overview may be even more effective if there were less items to be scrutinized and more time spent on each of the discussions. Each scrutiny done more thoroughly.*
- *All members of Scrutiny Committees need to be positively engaged in what is possible to achieve.*
- *I think the number of scrutiny panels should be reduced to one and the guidance they are given should be to concentrate on identified problem area to see why they are not working and to find out what the public thinks about it. They are currently inward looking.*

3.10 There is a need to ensure that the scrutiny process becomes more effective. It needs to be able to assist the council achieve its priorities, review its performance, develop policies, hold the Executive to account and allow members the opportunity to raise issues of concern to residents of the District. Scrutiny should result in improved value, quality of service and enhanced performance.

3.11 Officers are also aware of the strengths and weaknesses of the current system and have undertaken considerable research in to what may be the most appropriate ways of carrying out the Overview and Scrutiny role. There are two main aspects to improving the scrutiny process. One is to ensure that the correct structures are in place to enable good scrutiny to be carried out. The second is promoting effective ways of working.

### **PUTTING THE RIGHT STRUCTURES IN PLACE**

3.12 There is no right or no wrong approach to how Scrutiny Committees should be organised though some are viewed as being better than others. The Centre for Public Scrutiny has stated

*“There is no ‘ideal type’ Overview and Scrutiny structure; Local circumstances will dictate the most appropriate Committee structure. Those authorities where Overview and Scrutiny is struggling tend to be those where party politics predominate and where Councillors are struggling to move away from the old Committee system.”*



3.13 The need for a review of the scrutiny process has been identified in the Recovery Plan and the comments from members. Examples from other authorities demonstrate that in order to make scrutiny an effective tool for the Council there is a need to move away from the current three Scrutiny Committees and instead adopt a revised approach, which enables scrutiny to make a proactive and positive contribution to the work of the Council.

3.14 Whilst each Council will operate its scrutiny function in a slightly different way from others, many authorities have adopted a structure which provides an overarching Committee which

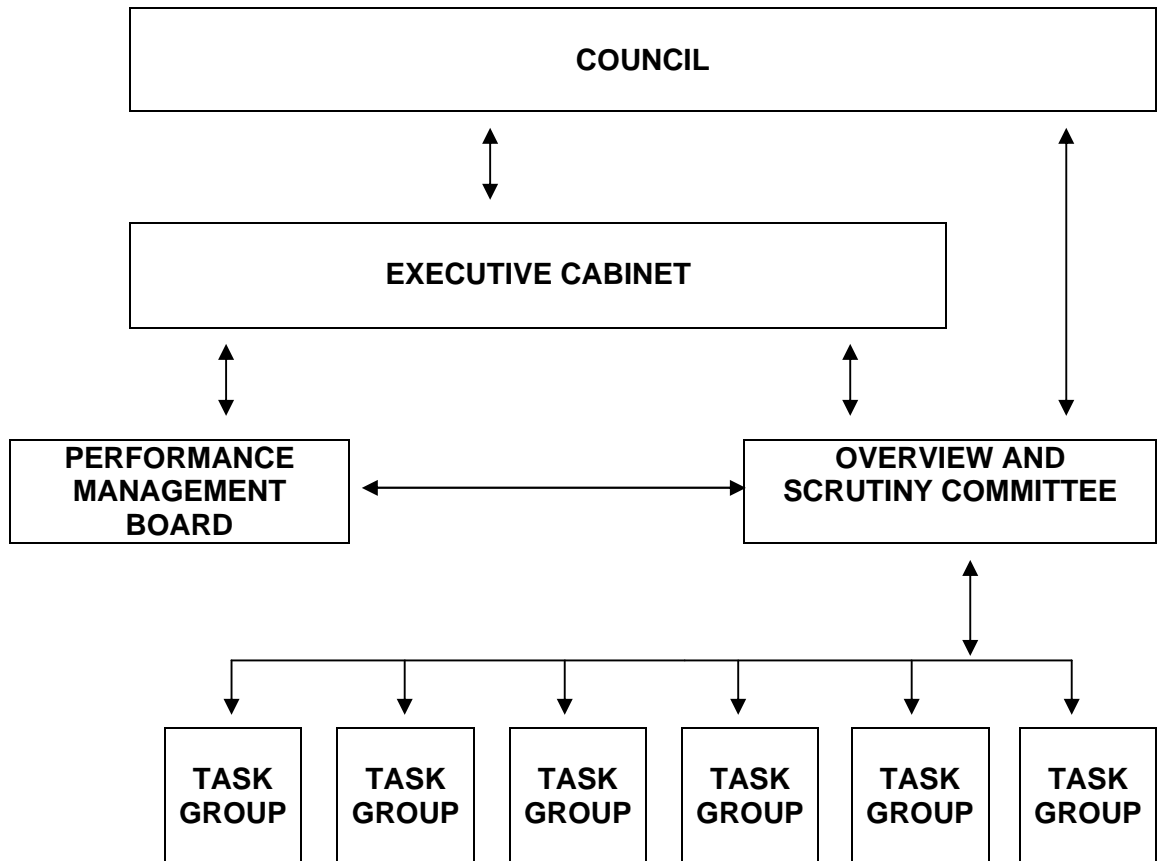
- reviews the scrutiny work programme
- considers proposals for scrutiny
- considers the Executive Cabinet's Forward Plan
- monitors the work of the Task Groups
- considers the final reports of the Task Groups and make recommendations to the Executive Cabinet

This Committee decides the scrutiny work programme and then allocates work to Task Groups which report to it. The Task Groups will only carry out one scrutiny exercise at a time but will do so in depth and investigate the subject thoroughly.

3.15 The benefits of such a system are that

- The Committee can co-ordinate and prioritise the scrutiny exercises which are carried out
- It allows the development of structured scrutiny work programme
- Scrutiny can assist the Council to develop or review policies which in turn can enable the Council to achieve its priorities
- It still allows the Executive to be held to account
- It breaks the link with the old Committee system
- As there is only one Committee, it can select any issue affecting the Council and ask for a Task Group to look at it.

3.16 The review proposes therefore that this Council adopts such a scrutiny system and that the current three Committees are replaced with one Committee. This Committee will be responsible for co-ordinating all the scrutiny work. The membership of the Committee would remain at the current number of 13 which will allow all groups on the council to be represented. The scrutiny reviews will be carried out by a number of Task Groups. There are two options (set out in the following paragraph) in relation to the Task Groups either that there will be a fixed number of Task Groups and the scrutiny reviews will be allocated to each Task Group on the basis of their existing workload or that ad hoc Task Groups are appointed to deal with individual pieces of scrutiny work as they arise. The diagram below shows how this would work in practice.



**TASK GROUP OPTIONS**

3.17 In order for Task Groups to be effective it is essential that they continue to have the same small size as present. It is therefore suggested that Task Groups should have a membership of no more than seven councillors. As stated above there are two options for the Task Groups.

**Fixed number of Task Groups**

The first option is to establish a fixed number of Task Groups each with an agreed membership. The effect of this would be that

- Non executive members would be allocated a place or places on the various Task Groups. Members would know which body they served on and once the work programme has been formulated and agreed which matters that Task Group would be working on.
- Because the Task Groups would be permanent, they would fall under the requirements to allocate seats on a proportional basis. Due to the small size of the Task Groups it is likely that the smaller groups on the Council would not be allocated seats on every Task Group, although they would be represented on some Task Groups.
- Work would be allocated to Task Groups in turn or depending on their workload. This may mean that members of a particular Task Group are asked to scrutinise matters in which they have little or no interest or specialised knowledge.
- If all the Task Groups were busy working on scrutiny reviews other matters which have been added to the scrutiny work programme would have to wait until a Task Group became available to begin a new piece of work.

### **Ad Hoc Task Groups**

The second option is that the Overview and Scrutiny Committee would establish ad hoc Task Groups to undertake individual scrutiny reviews on a “task and finish” basis.

The effect of this would be :-

- Members would serve on permanent bodies but would be appointed to a Task Group established for a particular purpose by the Overview and Scrutiny Committee.
- Because Task Groups would be appointed on an ad hoc basis they would not fall under the requirements to allocate seats on a proportional basis. Members would be appointed in a personal capacity without regard to their membership of any political group. This would allow greater flexibility of membership and more opportunity for cross party working.
- Task Groups would be established to respond to the need to carry out scrutiny reviews and could therefore react quickly to the need to carry out particular pieces of work.
- Would allow individual members to take part in reviews on matters in which they have an interest or specialised knowledge.

### **3.18 PROPOSED TERMS OF REFERENCE FOR THE OVERVIEW AND SCRUTINY COMMITTEE**

1. The Overview and Scrutiny Committee will oversee and co-ordinate the scrutiny and review of any of the Council’s functions, and the performance of other public bodies whose work affects the residents of the District.
2. The Overview and Scrutiny Committee will oversee and co-ordinate the scrutiny and review process through:
  - co-ordination of the policy development and review programme in accordance with the overall framework set by Council, and agree the terms of reference of each review and monitor progress of these reviews against the programme;
  - determination of the scrutiny work programme;
  - to allocate scrutiny reviews listed in the scrutiny work programme to the Task Groups;
  - consideration of requests for reviews or investigations from individual members, the Executive Cabinet, the Performance Management Board and/or Council; and
  - consideration of decisions of the Executive Cabinet which have been called-in.
3. The Overview and Scrutiny Committee will, following scrutiny or in-depth analysis of policy issues by the Task Groups, consider reports prepared by those Groups and make recommendations to the Executive Cabinet or where appropriate the Council, on the development of the Council's budget and policy framework.
4. The Overview and Scrutiny Committee may consider any matter affecting the District and its inhabitants.
5. The Overview and Scrutiny Committee will report annually to Council on its work and make recommendations for future work programmes and amended working methods if appropriate.

### **3.19 TERMS OF REFERENCE OF THE TASK GROUPS**

1. Each of the Task Groups will be composed of no more than seven elected members.
2. Each task group may co-opt no elected members to serve on the task group. Co-opted members will be able to contribute to the debates and work of the task group but will not be able to vote on any decisions made by the task group.
3. The Task Groups will carry out scrutiny reviews allocated to them by the Overview and Scrutiny Committee.
4. The Task Groups will keep the Overview and Scrutiny Committee informed of the progress of each scrutiny review and will produce a report (which may or may not include recommendations) for consideration by the Overview and Scrutiny Committee at the end of the review.

### **CALL IN**

- 3.20 The reduction of the number of Scrutiny Committees from three to one will necessitate a revision to the call in procedure which is set out in the Council's constitution. At present, call in can be generated by any three members of the relevant Scrutiny Committee. This could be changed, for example, to any five members of the Council who represent at least two of the political groups on the Council.

## **4. NEW WAYS OF WORKING**

- 4.1 The Centre for Public Scrutiny has developed four principles of good scrutiny, namely that effective public scrutiny:
- *provides a critical friend challenge to Executives as well as external authorities and agencies;*
  - *reflects the voice and concerns of the public and its communities;*
  - *takes the lead and own the scrutiny process on behalf of the public; and*
  - *makes an impact on the delivery of public services*
- 4.2 In order to ensure that the scrutiny function operated by this Council meets those principles it is necessary to review not only the structures for carrying out scrutiny but also the way scrutiny works. Set out below are some of the major issues which need to be addressed. This is not an exhaustive list but should be seen as a starting point. Scrutiny is a constantly evolving process and other issues will arise through the operation of the scrutiny process, the development of new ways of working or best practice by other authorities or through member development.

### **CRITERIA FOR SCRUTINY**

- 4.3 At the scrutiny training session held in February 2005 members were advised that some authorities have adopted a system where any matter suggested as a subject for scrutiny needs to demonstrate how doing so would be of benefit to the Council. It is proposed to introduce a similar system.

- 4.4 Any non executive member will be able to propose that a matter be the subject of scrutiny. Members would be expected to complete a scrutiny proposal form, a copy of which is attached. The form defines the subject the member wishes to see scrutinised and the reasons why the member thinks it is a suitable subject for scrutiny. It also begins the scoping process by outlining the range of witnesses the member feels should be invited to give evidence.
- 4.5 With the exception of matters which are the subject of the call in procedure, in order to be added to the scrutiny work programme a subject should meet at least two of the criteria set out below. The more criteria the subject meets the greater priority the Scrutiny Committee will need to give the proposal.
- It is an area of council activity which has been identified as performing poorly
  - It is an area of concern identified by CPA/external audit
  - It is a corporate plan priority
  - It is a government priority area
  - It is an external priority area
  - It is of key interest to the public
  - It has a high level of budgetary commitment
  - There is a pattern of overspending or under spending
  - It is new government guidance or legislation
  - It is a proposed new policy for the Council
  - It is a review of an existing Council policy to enhance the service provided
  - It effects more than three wards within the District
  - It is an area which affects not only Bromsgrove but also one of the neighbouring authorities
  - It concerns the work of an external organisation or agency whose work has a direct affect on the health or well being of the residents of the District
  - It is a review of progress made since a previous scrutiny exercise
  - It is a post implementation review of a new policy or way of working
- 4.6 However if the subject suggested for scrutiny falls in to one of the following categories will not be added to the work programme:-
- The issue has already been the subject of a "Call in"
  - The issue is already being considered by the Executive
  - The issue is already being scrutinised or relates directly another currently active scrutiny exercise
  - The issue is already being considered by an officer group who will be submitting a report to the Executive in the near future
  - The issue is already programmed to be reviewed (e.g. as part of a Best value review) within the next year
  - The issue has already been scrutinised within the last year
  - New legislation or government guidance is expected on the issue within the next year
- 4.7 Some authorities which use a similar system have developed a scoring matrix by which scrutiny topics can be prioritised. It is not considered appropriate or necessary to introduce such a matrix at this point though such a system could be introduced at a later date.

- 4.8 One of the consequences of the change to this system is that it will allow members to become more focused on carrying out effective scrutiny and will spend less time considering reports presented for information or for noting.

### **HOLDING THE EXECUTIVE TO ACCOUNT**

- 4.9 One of the most important roles of the scrutiny process is to hold the Executive to account. This should not be a negative experience in which the Scrutiny Committee merely criticises the Executive. Instead the Scrutiny Committee should be acting as a critical friend. Where criticism is required it should be done in a proactive way, one in which the perceived problems are highlighted and positive, solutions, backed by costed evidence, are provided.
- 4.10 One of the most common and effective ways of holding the Executive to account is for Scrutiny Committees or Task Groups to invite the relevant portfolio holders to attend their meetings and for members to give evidence and to answer questions on the subject. Currently Portfolio Holders are not generally expected to speak to Scrutiny Committees about the areas for which they are responsible this is generally left to officers. In many other authorities it is the portfolio holder who is expected to present reports and to give the case why the Cabinet may have made a particular decision or is proposing a policy. Likewise Scrutiny Committee chairmen are not expected to attend and address cabinet meetings to present the recommendations arising from a scrutiny exercise. In many places both of these are quoted as examples of good practice as they give the members ownership of the workload of the Council and members do not have to rely on officers so much. By taking responsibility for areas of the Council's work members gain a better and more detailed knowledge of the issues.

### **CROSS PARTY WORKING**

- 4.11 An important role of overview and scrutiny is the promotion of cross party working. The scrutiny function should be carried out in spirit of co-operation and where individual party politics are not a predominant feature. It demonstrates a Council that is able to provide constructive criticism, informed and reasoned advice, opinions and recommendations for the Executive Cabinet to consider. This is recognised nationally as best/ good practice.

### **PERFORMANCE MANAGEMENT**

- 4.12 The Executive Cabinet at its meeting held on 22 June 2005 approved the establishment of a Member Performance Management Board. That Board will have overall responsibility for monitoring progress and performance against the Councils strategic objectives and key Performance Indicators. It will review, challenge and drive overall progress and performance by considering bi-monthly reports. In addition, it will be able to call in exception reports on unsatisfactory performance and consider proposals for improvement. This will remove the need for the Scrutiny Committee to receive the regular performance indicator reports. However it will not prevent the Scrutiny Committee from deciding to scrutinise performance reports and detailed reports on specific issues of concern. The Scrutiny Committee will be able to examine in detail how performance in a specific area might be improved, unsatisfactory performance rectified or alternative approaches to providing a specific service

## **BUDGET MONITORING**

- 4.13 The Council is legally required to refer major policy documents including at the highest level the budget to a Scrutiny Committee for consideration. The formal budget consultation will therefore continue with the draft budget being considered by the Overview and Scrutiny Committee. This will be supplemented by one or more separate presentations to members on the draft budget which will allow members the opportunity to ask questions and seek clarification on detailed aspects of the budget. The Overview and Scrutiny Committee will also have the ability to refer to one of the Task Groups specific areas of the budget for more detailed scrutiny.

## **INFORMATION REPORTS**

- 4.14 The work of the Overview and Scrutiny Committee will concentrate on
- reviewing the scrutiny work programme
  - considering proposals for scrutiny
  - considering the Executive Cabinet's Forward Plan
  - monitoring the work of the Task Groups
  - considering the final reports of the Task Groups and making recommendations to the Executive Cabinet

Consequently as well as not receiving regular reports on performance indicators (see above) the Scrutiny Committee will no longer consider reports for information, to be noted, minor update reports, or updates on other areas of performance (e.g. numbers of officer recommendations overturned by Planning Committee). Such reports are a hang over from the old Committee system and should form no part the work of the Scrutiny Committee. If members still require such information it can be provided in the fortnightly "Briefly Bromsgrove" bulletin or any subsequent members' information newsletter.

## **TRAINING**

- 4.15 Members have received three training sessions on the role, purpose and structures of scrutiny and have recently highlighted the need for training on scrutiny effectiveness. There will be a need to review training available for members and to provide further training as appropriate.
- 4.16 To date there has been little if any training for officers which has been specifically related to scrutiny. Officers are or can become involved in the scrutiny process at various times and it is important that to support and develop their understanding of the role of scrutiny. Such training should be aimed at the range of officers at various levels within the organisation who become involved in scrutiny reviews. This will allow them a better understanding of the role of scrutiny and what they can do to ensure that it is an effective tool for the Council.

## **PUBLIC ENGAGEMENT**

- 4.17 The Centre for Public Scrutiny has identified that "*Effective public scrutiny should reflect the voice and concerns of the public and its communities, should own the process on behalf of the public and should make an impact on the delivery of services.*" But has also acknowledged that "*It is highly unlikely that people will care about investigations into internal matters such as departmental recharges or procurement*

*initiatives. In selecting topics of inquiry, attention should be paid to public priorities and issues of local concern.”*

4.18 To date little has been done to raise the public profile of the scrutiny process. The Museum Task Group issued a press release and made use of the web site to attract comments from the public on the future of the Museum. If this process was followed at the beginning of each scrutiny exercise it would demonstrate the range of scrutiny work being undertaken. Members can be encouraged to proposed items for scrutiny which are more likely to encourage the public to become engaged in the scrutiny process. The web site currently offers the public the opportunity to suggest topics which members could scrutinise but this has so far generated very few suggestions.

## **5. Financial Implications**

5.1 There are no financial implications arising from this report.

## **6. Legal Implications**

6.1 Section 21 of the Local Government Act 2000 states

*21. (1) Executive arrangements by a local authority must include provision for the appointment by the authority of one or more Committees of the authority (referred to in this Part as Overview and Scrutiny Committees).*

*(2) Executive arrangements by a local authority must ensure that their Overview and Scrutiny Committee has power (or their Overview and Scrutiny Committees have power between them)-*

*(a) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive,*

*(b) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are the responsibility of the executive,*

*(c) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the executive,*

*(d) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are not the responsibility of the executive,*

*(e) to make reports or recommendations to the authority or the executive on matters which affect the authority's area or the inhabitants of that area.*

6.2 Sections 15 - 17 of the Local Government and Housing Act 1989 relate to the duty to allocate seats on Committees in accordance with the political balance on the Council.

## **Background Papers**

Results of survey of Bromsgrove District Councillors on attitudes towards the scrutiny process.



Bromsgrove District Council "A Guide to Overview and Scrutiny"

Centre for Public Scrutiny document "Overview and Scrutiny – Guidance for District Councils"

Centre for Public Scrutiny "Self evaluation framework for Overview and Scrutiny in local government"

Kerrier District Council Review of Overview and Scrutiny report dated 16 April 2003

Kerrier District Council Overview and Scrutiny Annual report 2003/2004

Maidstone Council Overview and Scrutiny E-Bulletin

Malvern Hills District Council Constitution

North East Lincolnshire Council "IDeA Overview and Scrutiny Check Up Final Report February 2005"

Rossendale Borough Council "Scrutiny Pack"

Rushcliffe Borough Council "Performance Management Board" leaflet

Swindon Borough Council "Review of Scrutiny Arrangements" Final Report

Torbay Borough Council "Review of Overview and Scrutiny in Torbay Council" Report by Professor Steve Leach

Wychavon District Council Constitution

**Contact officer**

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**OVERVIEW AND SCRUTINY COMMITTEE**

**SCRUTINY PROPOSAL**

Name of Councillor : .....

General Subject Area to be Scrutinised: .....

Specific Subject to be Scrutinised

.....  
.....  
.....  
.....  
.....

This subject should be scrutinised because it meets at least two of the following criteria (please indicate which)

- It is an area of council activity which has been identified as performing poorly
- It is an area of concern identified by CPA/external audit
- It is a corporate plan priority
- It is a government priority area
- It is an external priority area
- It is of key interest to the public
- It has a high level of budgetary commitment
- There is a pattern of overspending or underspending
- It is new government guidance or legislation
- It is a proposed new policy for the Council
- It is a review of an existing Council policy to enhance the service provided
- It effects more than three wards within the District
- It is an area which affects not only Bromsgrove but also one of the neighbouring authorities
- It is a review of progress made since a previous Scrutiny exercise
- It is a post implementation review of a new policy or way of working

Should the relevant Portfolio Holder(s) be invited to give evidence? YES/NO

Should any Officers be invited to give evidence? YES/NO

If yes, state name and/or post title:.....  
.....  
.....

Should any external witnesses be invited to give evidence? YES/NO

If so, who and from which organisations?  
.....  
.....  
.....  
.....

Should the Task Group receive evidence from other sources other than witnesses? If so, what information should the Task Group wish to see and from which sources should it be gathered?.....

.....  
.....  
.....

Should a period of public consultation should form part of the Scrutiny exercise? YES/NO

If so on what should the public be consulted?

.....  
.....

Will the Scrutiny exercise cross the District boundary and, if so, should any other authorities be invited to participate?

.....  
.....  
.....

Would it be appropriate to co-opt anyone on to the Task Group whilst the Scrutiny exercise is being carried out? YES/NO

If so who and from which organisations?

.....  
.....

Signed .....

Councillor.....

Date.....

Members Present: Councillors A. N. Blagg, Mrs. J. M. Boswell, Miss D. H. Campbell J. P., G. N. Denaro, A. J. Dent, Mrs. R. L. Dent, Mrs. A. E. Doyle, B. L. Fuller C.B.E., Q.F.S.M., Mrs. K. M. Gall, M. H. Gill, D. Hancox, C. B. Lanham, Mrs. J. D. Luck, Ms. J. A. Marshall, P. M. McDonald, D. C. Norton, S. R. Peters, N. Psirides J. P., J. A. Ruck, C. R. Scurrall, Mrs. M. A. Sherrey J. P., Mrs. C. J. Spencer, C. J. Tidmarsh and C. J. K. Wilson.

Officers Present: Ms. S. Nixon (Chief Executive), Mr. K. Dicks (Corporate Director (Resources)), Mr. J. Wright (Committee Group Leader (Scrutiny & Regulation)), Mr. A. Jessop and Ms. D. McCarthy (Scrutiny Team)

Sue Nixon introduced the workshop. John Wright provided a presentation on the scrutiny review report, after which the chief executive chaired a question and answer session with members.

(Unless otherwise indicated, all questions below were answered by John Wright)

NAME	QUESTION AND/OR COMMENT	RESPONSE TO QUESTION
Councillor Psirides	<p>If there are 6 members on the Executive Cabinet and 13 members on the one overarching Overview and Scrutiny Committee, what happens to the other 20 members? They will be deprived and excluded due to the move from three scrutiny committees to one.</p> <p>How many task groups would there be?</p> <p>How many would be on each task group?</p> <p>Who would decide the membership of a task group?</p>	<p>It is intended that those 20 members would be actively involved in carrying out reviews as members of the task groups.</p> <p>Members of the Overview and Scrutiny Committee could be members of a task group, but not necessarily.</p> <p>No more than 8 to 9 task groups at any one time would be the limit, to ensure Administrative Staff could provide appropriate support.</p> <p>No more than 7 on each task group which is the same as at present.</p> <p>It is hoped that members who have a particular interest in the subject being scrutinised would put themselves forward. Political groups could nominate representatives.</p>

NAME	QUESTION AND/OR COMMENT	RESPONSE TO QUESTION
Councillor Norton	I asked John Wright to review scrutiny approximately 20 weeks ago and the main reason for that was to ensure more back benchers are involved. Task groups require Chairs and Vice-Chairs so there is no reason why there could not be successful cross-party working.	Comments noted.
Councillor Mrs. Luck	<p>There was nothing wrong with the previous Committee System. No one at this Council wanted to change to Scrutiny but we were told that the Committee System was too long-winded.</p> <p>The Centre for Public Scrutiny said “There is no ‘ideal type’ Overview and Scrutiny structure; Local circumstances will dictate the most appropriate Committee structure. Those authorities where Overview and Scrutiny is struggling tend to be those where party politics predominate and where Councillors are struggling to move away from the old Committee System.” That statement has Bromsgrove written all over it. Nothing will work if we do not get past the “them and us” attitude. Whether scrutiny works or not is in our own hands.</p> <p>Members of the overarching committee may not want to share the work with other members.</p> <p>Task groups are excellent and if you are doing your job properly then you only have time to be a member of one task group at any one time.</p> <p>What about new members who are elected? What chance do they have if we have only one committee of “learning their trade?”</p>	<p>Comments noted.</p> <p>Comments noted.</p> <p>Comments noted.</p> <p>Comments noted.</p>

NAME	QUESTION AND/OR COMMENT	RESPONSE TO QUESTION
Councillor Mrs. Doyle	<p>Clive Mitchell (Audit Commission) attended the last Policy and Strategy Scrutiny Committee and commented that it worked well. Councillor Ruck does a good job as the Chairman of the Committee. The Authority our mentor is from went from four committees to one committee, and as it was not working, reverted to having two committees.</p> <p>Members should all meet together on a more regular basis. Council Meetings are less frequent than they used to be which means members do not communicate with each other as much.</p> <p>Only 25 out of 39 members took part in the scrutiny survey, which does not seem enough.</p> <p>Reviewing Overview and Scrutiny does not necessarily mean it should be changed. It is not true that the Government stated that there had to be change; it said there should be a review.</p> <p>I do not feel the report and presentation is balanced with all the pros and cons.</p> <p>What is the Performance Management Board and who is on it? What are the Terms of Reference? When is it being set up and by whom?</p> <p>Members on the main committee should not be able to be members on a task group. This would mean fewer places on task groups for back benchers.</p> <p>Councillor Norton said that he commissioned John Wright to carry out the review approximately 20 weeks ago but John Wright told me that he had done the work 18 months ago. If it has been lying around for that long, why is there an urgency to rush this through?</p>	<p>Sue Nixon – Comments from peer mentors are also being taken into account. John Wright has had a meeting with the peer mentors and presented the Scrutiny Review Report to them.</p> <p>Comments noted.</p> <p>Comments noted.</p> <p>Comments noted.</p> <p>Comments noted.</p> <p>Answered later in the evening.</p> <p>Members of the three current scrutiny committees are members of task groups. It is certainly not anticipated that task groups will be made up of members of the overarching committee.</p> <p>Councillor Norton formally requested I begin carrying a scrutiny review approximately 20 weeks ago but I had started preliminary work 18 months ago as part of my day-to-day duties. As part of the Government Monitoring Board our progress, including scrutiny work, is being checked.</p>

NAME	QUESTION AND/OR COMMENT	RESPONSE TO QUESTION
Councillor McDonald	<p>There does not seem to be a major problem with the current scrutiny system. It has quickened the decision-making process and we have moved forward by having the Forward Plan.</p> <p>Members are involved in task groups now. I am not happy with only one committee with task groups as proportionality it would mean that the smaller Groups would have fewer opportunities to serve. If three scrutiny committees cannot hold the Executive to account, how can one scrutiny committee?</p> <p>Members are able to put forward their own report currently which is useful and I am glad the “call-in” process has been dropped.</p> <p>I am concerned about the number of members who would be taken away from the “heart” of Local Government. Members of that one new committee would be calling for extra remuneration too.</p> <p>I do fear that members of my group would be excluded.</p>	<p>Comments noted.</p> <p>Comments noted.</p> <p>Comments noted.</p> <p>Comments noted.</p> <p>Comments noted.</p>
Councillor Wilson	<p>What are the terms of reference of the one Overview and Scrutiny Committee? As that Committee will have a lot of power, the terms of reference are very important. I do not see the need to change.</p>	<p>The terms of reference are included in the report which has been made available to members for their comments.</p>
Councillor Denaro	<p>I do not feel Policy and Strategy Scrutiny Committee scrutinises what it should be scrutinising.</p> <p>Who would be sitting on the Performance Management Board and how many members would there be on the Board?</p>	<p>There would be 7 members on the Performance Management Board. (They would not be members of the Executive Cabinet.)</p>

NAME	QUESTION AND/OR COMMENT	RESPONSE TO QUESTION
Councillor Ruck	<p>Originally I was in favour of having one overview and scrutiny committee; however, I take the point made by Councillor McDonald regarding members of the smaller Groups. We have 3 separate committees which look at specific areas and can have 3/4 task groups at any one time. How would work be prioritised if it is organised by just one committee? The current system, if used properly, could be successful.</p>	Comments noted.
Councillor Fuller	<p>(Councillor Fuller began with reading out comments made by other members which criticised the scrutiny system.)</p> <p>Currently, scrutiny is not working here at Bromsgrove according to the inspectors. There are not many examples of the scrutiny committees working so it does need to be improved.</p> <p>The Performance Management Board would look at how departments are performing. The Overview and Scrutiny Committee would be more like a “Community Strategy Board”. It would ensure the Council focuses on what should be scrutinised and it would prioritise issues that needed scrutinising.</p> <p>I do not believe the Executive Cabinet is challenged very often at this Council and it could be challenged more.</p> <p>Task groups would be given a specific framework and timescale. If there were only 4 task groups with 7 members on each that would be a total of 28 members. I would prefer “ad-hoc” memberships on task groups.</p>	Comments noted.
Councillor McDonald	<p>Why do we not have an Audit Committee? If we had an Audit Committee along with the Overview and Scrutiny Committee and Performance Management Board, I would feel happier.</p>	<p>Kevin Dicks – I will be preparing a report for the Executive Cabinet in the next few weeks which will include the terms of reference for an Audit Committee which will be in accordance with best practice.</p>



NAME	QUESTION AND/OR COMMENT	RESPONSE TO QUESTION
Councillor Peters	I am in favour of one overarching committee which coordinates scrutiny activities. The committee would need to meet on a more regular basis than committees do at present. There could be a need for the committee to meet occasionally on an ad-hoc basis to deal with call-ins.	It is likely that the committee would meet monthly and probably 2 weeks after the Executive Cabinet meets.
Councillor Peters	<p>The Overarching Committee should have the power to appoint the Chairmen of the task groups. I would favour ad-hoc task groups and that members are appointed if they have an interest. Similar to current rules, no substitutes should be allowed on task groups.</p> <p>Calling-in is not the same as scrutinising.</p> <p>I would like to point out that Worcestershire County Council Health Scrutiny issues would need to be picked up.</p>	<p>Comments noted.</p> <p>Legally, we have to “enable” members with the ability to call-in.</p> <p>Yes, this item will be picked up.</p>
Councillor Tidmarsh	I preferred the “old” Committee System. I feel that members of the public should be given a certain amount of time to speak at the start of meetings. The local community should be more involved.	Yes, I agree with developing public involvement in scrutiny and we are trying to involve the public now. For example, we have an area on the website where any member of the public can suggest items for scrutiny. As stated in the presentation, we are looking to extend public involvement in scrutiny.
Councillor Mrs. Boswell	Well done John!	
Councillor Norton	I will be an active back bencher.	Comment noted.
Councillor Wilson	We need agreed terms of reference of overview and scrutiny committee and task groups. Groups should be able to discuss and forward their comments. I have not decided if I am for or against the proposal.	The terms of reference are included in the report. Comments noted.

NAME	QUESTION AND/OR COMMENT	RESPONSE TO QUESTION
Councillor Mrs. Doyle	The reason scrutiny not working is it is not being allowed to work. The Overview and Scrutiny would be politically balanced and therefore politically proportional. We should give the current system more time and ensure it works.	Comments noted.
Councillor McDonald	I believe scrutiny is an improvement on the old committee system. If we are having a Performance Management Board, an Audit Committee along with an Overview & Scrutiny Committee with task groups, perhaps this is a progressive step forward.	Comments noted.

It was noted that the three scrutiny committees would be considering the review report in more detail and would feed back any comments to a future meeting of the Executive Cabinet.

Members collectively thanked John Wright for the work he had carried out in relation to the Scrutiny Review.

**BROMSGROVE DISTRICT COUNCIL**

**EXECUTIVE CABINET**

**14TH DECEMBER 2005**

**Council Tax Base Calculation 2006-07**

Responsible Portfolio Holder	Councillor Diane Campbell
Responsible Head of Service	Head of Financial Services

**1. SUMMARY**

**TAX BASE CALCULATION**

The Local Authority (Calculation of Council Tax Base) Regulations require the Council to determine its Council Tax base for the coming financial year and to notify precepting authorities of the outcome between 1st December and 31st January in the preceding financial year.

When determining the Tax Base, Councils are required to estimate the proportion of the tax to be collected in the coming year after making allowances for banding changes, exemptions, discounts, new properties and losses on collection. In addition, it is necessary to calculate the Tax Base, expressed as Band D equivalents, for the area as a whole and for individual parish areas.

With regard to financial year 2006-07, a collection rate of 99.00% is expected. When applied to the estimated Tax Base of 35,953.20 Band D equivalents, it results in a 'net' figure of 35,593.67.

**2. RECOMMENDATION**

That in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992 the Council's Tax base for 2006-07 assume a collection rate of 99.00% and be calculated at 35,593.67 for the area as a whole and for individual parishes as shown at point 3 of this report.

**3. BACKGROUND**

The taxbase calculation for each parish is detailed below (Band D equivalents).

<b><u>Parish Name</u></b>	<b><u>Gross</u></b>	<b><u>Net (99.00%)</u></b>
Alvechurch	2220.10	2197.90
Barnt Green	919.60	910.40
Belbroughton	1194.40	1182.46

<u>Parish Name</u>	<u>Gross</u>	<u>Net (99.00%)</u>
Bentley Pouncefoot	188.00	186.12
Beoley	468.40	463.72
Bourneheath	215.60	213.44
Catshill	2391.40	2367.49
Clent	1205.50	1193.44
Cofton Hackett	740.30	732.90
Dodford with Grafton	388.80	384.91
Finstall	277.00	274.23
Frankley	49.60	49.10
Hagley	2023.30	2003.07
Hunnington	243.30	240.87
Lickey and Blackwell	2079.50	2058.71
Lickey End	1089.70	1078.80
Romsley	706.80	699.73
Stoke	1730.20	1712.90
Tutnall and Cobley	354.80	351.25
Wythall	4812.70	4764.57
Urban	12654.20	12527.66
<b>TOTALS</b>	<b>35,953.20</b>	<b>35,593.67</b>

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**BROMSGROVE DISTRICT COUNCIL**

**EXECUTIVE CABINET**

**14TH DECEMBER 2005**

**COMMITTEE TIMETABLE 2006/2007**

Responsible Portfolio Holder	
Responsible Head of Service	Head of Legal and Democratic Services

**1. Purpose of Report**

- 1.1 A draft Committee timetable for 2006/2007 is attached at Appendix 1. Subject to any changes suggested by Members, this will be submitted to the Council on 10th January 2006 for approval.

**2. Recommendations**

- 2.1 That the draft timetable be approved.

**3. Background**

- 3.1 There are a couple of provisos to note, which are:
- i. There is currently a review of the Council's scrutiny processes which will lead to changes in the timetable and, in the interim, the proposed new Scrutiny Strategy Board has been programmed in for a monthly meeting.
  - ii. It is understood that the programme of meetings of the newly created Performance Management Board will be discussed at their next meeting, to be held on 24th January 2006, and these will, of course, have to be added into the list.
- 3.2 In all other respects, the proposed timetable is on similar lines to last year, i.e., because the Cabinet has changed to a monthly frequency, the frequency of ordinary meetings of the Council has been changed to one every two months (a Council meeting for every two Cabinet meetings). Meetings are spaced evenly throughout the year, with no noticeable break in August, as has been the case previously.
- i. A special Cabinet and Council meeting have been included at the end of February 2007 for consideration of the budget. The Council meeting in early March (one week after the budget meeting) will consider "ordinary" business.
  - ii. A special Cabinet and a Council meeting have been included at the end of June 2006 to approve (inter-alia) the Council's accounts. It is a statutory requirement that the accounts be approved by the end of June 2006.

**4. Financial, Risk Management and Legal Considerations**

None.

**5. Background Papers:**

None.

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## APPENDIX 1

### COUNCIL AND COMMITTEE DATES 2006/07

Bank Holidays- 1st May 2006, 29th May 2006, 28th August 2006, 9th April 2007 and 7th May 2007.

Tuesday, 9th May 2006	Council (Annual Meeting)
Monday 15th May 2006	Licensing Committee
Wednesday 17th May 2006	Executive Cabinet
Monday 22nd May 2006	Planning Committee
Wednesday 31st May 2006	Scrutiny Strategy Board
Monday 12th June 2006	Licensing Committee
Thursday 15th June 2006	Standards Committee
Monday 19th June 2006	Planning Committee
Wednesday 21st June 2006	Executive Cabinet
Monday 26th June 2006	Audit Board
Wednesday 28th June 2006	Executive Cabinet (Special Meeting - Accounts)/ Council
Wednesday 5th July 2006	Scrutiny Strategy Board
Monday 10th July 2006	Licensing Committee
Monday 17th July 2006	Planning Committee
Wednesday 26th July 2006	Executive Cabinet
Wednesday 2nd August 2006	Scrutiny Strategy Board
Monday 7th August 2006	Licensing Committee
Monday 14th August 2006	Planning Committee
Thursday 17th August 2006	Standards Committee
Monday 4th September 2006	Licensing Committee
Tuesday 5th September 2006	Council
Wednesday 6th September 2006	Scrutiny Strategy Board
Monday 11th September 2006	Planning Committee
Monday 25th September 2006	Audit Board
Wednesday 27th September 2006	Executive Cabinet
Monday 2nd October 2006	Licensing Committee
Monday 9th October 2006	Planning Committee
Wednesday 11th October 2006	Scrutiny Strategy Board
Thursday 19th October 2006	Standards Committee
Monday 30th October 2006	Licensing Committee
Wednesday 1st November 2006	Executive Cabinet
Monday 6th November 2006	Planning Committee
Tuesday 7th November 2006	Council
Wednesday 8th November 2006	Scrutiny Strategy Board
Wednesday 22nd November 2006	Executive Cabinet
Monday 27th November 2006	Licensing Committee
Monday 4th December 2006	Planning Committee
Monday 11th December 2006	Audit Board
Wednesday 13th December 2006	Executive Cabinet
Thursday 14th December 2006	Standards Committee
Monday 18th December 2006	Licensing Committee

Wednesday 3rd January 2007	Scrutiny Strategy Board
Monday 8th January 2007	Planning Committee
Tuesday 9th January 2007	Council
Wednesday 17th January 2007	Executive Cabinet
Monday 29th January 2007	Licensing Committee
Wednesday 31st January 2007	Scrutiny Strategy Board
Monday 5th February 2007	Planning Committee
Thursday 8th February 2007	Standards Committee
Wednesday 14th February 2007	Executive Cabinet (Special Meeting - Budget)
Monday 26th February 2007	Licensing Committee
Tuesday 27th February 2007	Council (Special Meeting - Budget)
Wednesday 28th February 2007	Scrutiny Strategy Board
Monday 5th March 2007	Planning Committee
Tuesday 6th March 2007	Council
Monday 19th March 2007	Audit Board
Wednesday 21st March 2007	Executive Cabinet
Monday 26th March 2007	Licensing Committee
Monday 2nd April 2007	Planning Committee
Wednesday 4th April 2007	Scrutiny Strategy Board
Thursday 5th April 2007	Standards Committee
Wednesday 18th April 2007	Executive Cabinet
Monday 23rd April 2007	Planning Committee
	Licensing Committee
Tuesday 24th April 2007	Council
<b>Thursday 3rd May</b>	<b>District Council Elections</b>
Tuesday 15th May 2007	Council (Annual Meeting)
Monday 21st May 2007	Planning Committee

**BROMSGROVE DISTRICT COUNCIL**

**EXECUTIVE CABINET**

**14TH DECEMBER 2005**

**Worcestershire Local Area Agreements**

Responsible Portfolio Holder	Councillor Mrs. M. M. T. Taylor
Responsible Head of Service	Assistant Chief Executive

**1.0 Summary**

1.1 The purpose of the report is to seek the support of Executive Cabinet for the Council, as part of the Bromsgrove Local Strategic Partnership, to participate in the Local Area Agreement (LAA) for the County of Worcestershire.

**2.0 Recommendations**

2.1 It is recommended that Executive Cabinet:

- (a) notes that a LAA is a performance contract between Central Government and the County LSP designed to deliver improved outcomes for local people (3.1);
- (b) commits the Council to work closely with Bromsgrove Local Strategic Partnership in participating in the development of the LAA for Worcestershire as part of our recovery plan (corporate priority 1 - recovery plan) (4.2);
- (c) commits the Council to work closely with Bromsgrove Local Strategic Partnership in participating in the development of the LAA for Worcestershire as part of the drive to meet our statutory responsibilities (corporate priority 2 - statutory responsibilities) (4.4);
- (d) commits the Council to work closely with Bromsgrove Local Strategic Partnership to secure the best outcomes for the people of the district through participation in Worcestershire's Local Area Agreement (corporate priority 3 - Bromsgrove First) (4.5);
- (e) notes progress to date in developing the LAA for Worcestershire, in particular, the short list of outcome priorities selected (5.1);



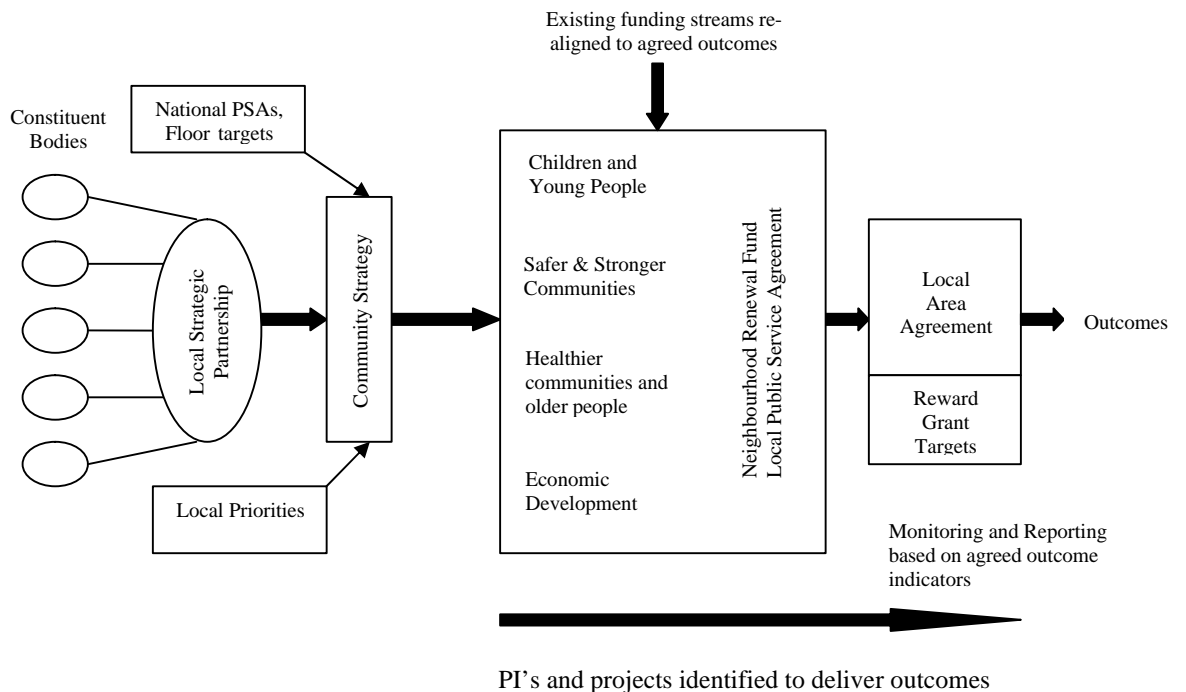
- (f) notes the developing approach to project managing Bromsgrove's LSP (and the Council's) contribution to the LAA for Worcestershire, in particular, the funding stream issue which will need to be kept under review (6.0); and
- (g) notes the very tight Government timescales for developing the LAA and delegates the Council's agreement of the final LAA submission to the Leader and Councillor Mrs. Taylor (6.3).

**3.0 Background**

3.1 A LAA is a three-year performance contract between central government, represented by the Government Office, and a local area represented by the County Local Strategic Partnership, for the delivery of an agreed set of priority outcomes. The priority outcomes are negotiated and based on evidence of the particular issues facing each locality and national government policy as defined by Central Government department's public service agreements (PSA) targets. A LAA can be represented diagrammatically as follows:-

**Table 1. Local Area Agreements**

**Local Area Agreements**



- 3.2 The primary purpose of a LAA is to identify and agree clear outcomes for a given area and performance management the delivery of these through Local Strategic Partnerships. There are a number of other aspects to a LAA. Firstly, 12 of the negotiated targets will be “stretched” further than we would expect through normal continuous improvement and will attract a Performance Reward Grant upon successful delivery. Secondly, the numerous, complex and often ring fenced streams of government funding coming into an area can be pooled or aligned in support of the agreed outcomes. This pooling can either be within the four blocks identified in the above diagram or into a “single pot”. In Worcestershire’s case the funding streams will come into a “single pot”. Thirdly, freedoms and flexibilities which support the delivery of the outcomes can be negotiated with Central Government.
- 3.3 The first round of LAAs were signed with 20 pilot areas in March 2005. Worcestershire is in the second phase and agreements are expected to be concluded by 31 March 2006.

**4. Bromsgrove’s Commitment to the Worcestershire LAA**

- 4.1 A clear set of Member priorities for the coming year was approved at a Special Meeting of the Executive Cabinet and Full Council on 19th October 2005. These were:-

	Corporate Priorities 2006/2007
1	Recovery Plan
2	Meeting our Statutory Responsibilities
3	Bromsgrove First

- 4.2 One of the stated objectives in the Recovery Plan is:-  
 “develop more effective and efficient partnership working within the Local Strategic Partnership”.
- 4.3 The Government views Local Area Agreements as the next “big thing” and critical to effective and efficient partnership working. Although the key lines of enquiry (KLOEs) are not yet available for the new Comprehensive Performance Assessment (CPA) framework for districts, we know, from the new KLOEs for upper tier authorities that partnership working, including the delivery of joined up outcomes, run consistently through the CPA Framework. For the Council to deliver our agreed recovery plan and to be successful in our future CPA we must support the development of the Worcestershire LAA.
- 4.4 Local Strategic Partnerships are not a statutory requirement and neither are Local Area Agreements; however, in both instances they are almost quasi-statutory due to the very strong Central Government expectation that each locality should have one. As a Council we also have a wider responsibility for the social, economic, and environmental well being of the district under the Local Government Act 2003. We need to support the development of the Worcestershire LAA in order to meet our wider responsibilities under the 2003 Act.

- 4.5 Our third priority is putting Bromsgrove First. LAAs are primarily focused on outcomes i.e. improvements on the ground. The choice of outcomes is informed by gathering evidence on what issues are most important in each locality. Supporting the development of the Worcestershire LAA is consistent with our third corporate priority.

## **5.0 Developing the Worcestershire LAA**

- 5.1 There has been a considerable amount of activity over the last few months in developing the Worcestershire LAA. The two key developments are:-

- (a) the short listing of 31 priority outcomes (these are set out in **Appendix A**). The Council sent four representatives, including Councillor Mrs. Taylor, to the event which produced the short list; and
- (b) the completion of a submission to Government Office West Midlands detailing the proposed priority outcomes and targets, freedoms and flexibilities and funding in support of these (the Bromsgrove LSP will send a response to the draft submission, which will include the views of the Council).

- 5.4 Four main stages of the development of the Worcestershire LAA now need to take place before the LAA goes live on the 01 April 2006:-

- (a) detailed cross agency action planning in support of the targets for each priority outcome;
- (b) agreement between Central Government and the County LSP (including the Bromsgrove LSP and the Council) of the final agreement;
- (c) an agreed financial mechanism between the County LSP and other appropriate accountable bodies to manage the funding contained within the LAA; and
- (d) an agreed monitoring and evaluative methodology to ensure all outcomes are effectively performance managed.

- 5.5 The Bromsgrove LSP and the Council will need to ensure it has management arrangements in place to respond to each of these four stages. These are detailed in the next section.

## **6.0 Bromsgrove LSP's (and the Council's) Preparations for the Worcestershire LAA**

- 6.1 The Bromsgrove LSP (and the Council) have set out the following management arrangements for responding to the four remaining stages of the LAA process.

- (a) detailed cross agency action planning in support of the targets for each priority outcome;

6.2 A report will be tabled at the 08 December LSP Board, which set out a way forward for Bromsgrove. This will involve the five Theme Group chairs coordinating the development of sub targets and action plans in support of each of the priority outcomes that are relevant to the Bromsgrove District through the use of “champions” for each proposed target.

(b) agreement between Central Government and the County LSP (including the Bromsgrove LSP and the Council) of the final agreement;

6.3 The Government’s timetable for the development of Worcestershire’s LAA is very tight, with very short turnaround times for the agreement of the various draft documents e.g. seven days. As a result, the LAA timetable, in particular, the final submission to Government Office West Midlands (February 2006) does not fit with the Council’s Cabinet meetings cycle. It is recommended that Cabinet delegate the Council’s agreement of the final LAA submission to the Leader and Councillor Mrs. Taylor.

(c) an agreed financial mechanism between the County LSP and other appropriate accountable bodies to manage the funding contained within the LAA;

6.4 A number of funding streams which come into Bromsgrove Council will go into the “single pot” for the Worcestershire LAA and be re-distributed by the County LSP in accordance with the final submission. Funds affected are:-

<b>Funding Stream</b>	<b>2005/06 £</b>
Disabled Facilities Grant	212,000
Anti-social Behaviour Grant	25,000
Building Safer Communities	116,820
<b>Total</b>	<b>353,820</b>

6.5 The impact of this is unclear at this stage. The initial submission to Government Office West Midlands should help clarify the situation, which will need to be monitored closely.

6.6 In addition to grant funding from Central Government directly covered by LAAs, the delivery of the various targets is likely to mean the focusing of Council activities in support of the various targets. Should this require the re-alignment of any budgets, this will be reported for agreement in line with the Council’s financial regulations.

(d) an agreed monitoring and evaluative methodology to ensure all outcomes are effectively performance managed.

- 6.7 While the chairs of the Theme Groups and the target champions concentrate on working up the exact targets and actions required the Council's Corporate Communications, Performance and Policy Team will support the Bromsgrove LSP in developing a performance management framework so that it can effectively manage performance. The intention is that this framework will be in place by 31 March 2006. The performance information produced will also be reported to both the Council's Performance Management Board and Cabinet, but only as an information item as the Council does not have a legal right to performance manage other partners in the LSP.

## **7.0 Conclusions**

- 7.1 Participating in the Worcestershire LAA is consistent with all three of our 2006/07 corporate priorities and critical to our recovery plan and a good CPA rating. The Council through its participation in the Bromsgrove LSP needs to demonstrate a clear pro-active commitment to the development of the LAA and to the delivery of the targets and action plans once agreed.

## **8.0 Financial Implications**

- 8.1 The LAA for Worcestershire will not be signed until March 2006 and is unlikely to have any significant implications for funding coming into the Council or the District in the first year of operation; however, the situation with the three funding streams detailed in 6.4 will need to be kept under review.

## **9.0 Legal Implications**

- 9.1 None

## **10.0 Other Sub Headings**

- 10.1 None

## **11.0 Background Papers**

Local Area Agreement Guidance - ODPM 2005  
Worcestershire's LAA Project Plan - September 2005  
Worcestershire's Local Area Agreement Outcomes "short list" 26 October 2005

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## Summary of outcomes

### **A. Communities that are safe and feel safe**

- A1. To reduce anti-social behavior, disorder and crime.
- A2. To reassure the public and reduce the fear of crime.
- A3. To reduce the harm caused by illegal drugs and alcohol.
- A4. To improve the quality of life of people living in Worcester St Martins and Holy Trinity
- A5. To improve the quality of life of people living in Redditch Central/Batchley
- A6. To improve the quality of life of people living in Broadwater and Horsefair.
- A7. To reduce the harm caused by young offenders to the wider community.

### **B. A better environment - for today and tomorrow**

- B1. To have cleaner, greener and safer public spaces.
- B2. To reduce green house gas emissions and adapt to the impacts of climate change.
- B3. To reduce waste and increase recycling.
- B4. To protect and improve Worcestershire's natural environment/ biodiversity.

### **C. Economic success that is shared by all**

- C1. To develop a vibrant and sustainable economy.
- C2. To develop the infrastructure.
- C3. To improve the skills base of the local population.
- C4. To ensure access to economic benefits.

### **D. Improving health and well-being**

- D1. To increase life expectancy and reduce morbidity of adults.
- D2. To increase life expectancy and reduce morbidity of children.
- D3. To improve the quality of life of older people.
- D4. To reduce health inequalities.

### **E. Meeting the needs of children and young people**

- E1. To extend accessible, quality childcare for all children.
- E2. To develop inclusive communities by increasing the level of educational attainment and increasing participation in education and training.
- E3. To improve the life chances of vulnerable young people.
- E4. To enrich the experiences and development of young people through activity and positive contribution.
- E5. To ensure that parents have the confidence, skills and access to opportunities that enable them to parent effectively.

### **F. Stronger communities**

- F1. To increase the availability of affordable, appropriate and decent housing.
- F2. To increase opportunities for recreation, leisure and culture for all
- F3. To empower local people to have a greater voice and influence over local decision making and delivery of services.
- F4. Outcome to be developed to cover inclusive communities and the voluntary/ community sector - see notes column.
- F5. To improve public/local transport, particularly in rural areas, and to increase transport choice and accessibility.
- F6. To improve access to services.
- F7. To reduce income deprivation including child and pensioner poverty.

**BROMSGROVE DISTRICT COUNCIL**

**EXECUTIVE CABINET**

**14TH DECEMBER 2005**

**ARTS STRATEGY - CONSULTATION RESULTS**

Responsible Portfolio Holder	Councillor June Griffiths
Responsible Head of Service	Robbie Hazlehurst Head of Culture and Community Services

**1. SUMMARY**

1.1 This report brings to Members attention the various comments that have been received as part of the consultation on the Draft Arts Strategy 2006 - 2011 and recommends how those comments should be dealt with.

**2. RECOMMENDATION**

2.1 The Executive Cabinet is recommended to: -

- a. Consider the comments and observations which have been made in respect of the Draft Arts Strategy and determine those that are to be included in the final document and;
- b. Approve the Arts Strategy 2006 -2011 with the agreed amendments.

**3. BACKGROUND**

3.1 The Draft Arts Strategy was produced following a period of widespread consultation and discussion and a review of current arts provision and activity within the District, within public, private and voluntary sectors. It was developed with reference to national, regional and local policies and strategies, and takes into account the work undertaken by the Council since it adopted its first arts strategy in 1993.

3.2 A key part of the Strategy process was reviewing the Council's achievements since 1993, when it first appointed an arts development officer and initiated a programme of arts development. The review found that the Council had achieved a great deal and had consolidated its partnership with the Arts Council of England West Midlands (formerly known as West Midlands Arts). It had also established successful partnerships with the County Council and other agencies in delivering increased opportunities to participate in the arts, one of the successes of the Strategy.

3.3 The new Arts Strategy will address the issues and gaps in provision identified through the research and review undertaken. It will take into account other national, regional and local strategies and the characteristics of the district. It will also identify a range of partnerships and opportunities for furthering arts development. In particular it will build on the achievements to date and address areas of under-achievement.

3.4 The Strategy identifies ten key issues. These are:

- Young people and the arts
- Arts in the Community
- Facilities for the arts
- The visual arts and crafts
- Co-ordination, support and information
- Professional arts provision
- Partnership working
- Cross-cutting issues
- Working strategically in the arts
- Funding the arts

3.5 These will form the basis of the Council's ten strategic objectives for the arts. A series of key tasks will be undertaken to achieve these objectives and a range of potential funding sources and partners have been identified

3.6 Further consultation on the Draft Arts Strategy has taken place with various arts organisations including; All and Sundry, Avoncroft Arts Association, Barnt Green Choral Society, Bromsgrove Arts Club, Bromsgrove Concerts, Bromsgrove Festival, Bromsgrove Operatic Society, Worcestershire County Arts Forum, Words and Youth Service. It was also considered by the Health and Leisure Scrutiny Committee at its last meeting. Details of the comments and issues raised are outlined in the attached table.

#### **4. FINANCIAL IMPLICATIONS**

4.1 The objectives as set out in the Arts Strategy will drive the future work programmes of the Council's Arts Service and will be used as part of the Council's budget process for determining priorities and future levels of expenditure on the Arts within a corporate context. At this stage the expectation is that the majority of the issues identified can be met from within existing budgets and by working in partnership with others.

#### **5. LEGAL IMPLICATIONS**

5.1 There are no legal implications associated with this report.

#### **6. RISK MANAGEMENT IMPLICATIONS**

6.1 The adoption of the Arts Strategy will enable the Council to prioritise the resources it allocates to the Arts in a clear and focussed way to achieve the objectives and key issues outlined within the strategy over the next 3 - 5 years

#### **7. PERFORMANCE MANAGEMENT IMPLICATIONS**

7.1 It will be essential to monitor progress against agreed service objectives arising from the Arts Strategy and to take intervention measures if required, to ensure that Arts and related Services strongly contribute in a prioritised, well managed manner, towards the achievement of elements of the Council's Recovery Plan, Community Safety Strategy, and in particular, the Council's Objectives as set out in the Community Plan, Performance Plan and Corporate Plan.



**BACKGROUND PAPERS**

None

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### **Comments Received in respect of the Draft Arts Strategy**

This table provides the collated list of the comments made by both Members and Arts Organisations to the Draft Arts Strategy.

**PLEASE NOTE THIS TABLE WILL BE UPDATED FOLLOWING THE HEALTH & LEISURE SCRUTINY COMMITTEE TO REFLECT THE COMMENTS OF MEMBERS**

<b>Comments</b>	<b>Recommended Action</b>
1 The Council should consider the provision of a 'grants scheme for local Arts Organisations	Options report to be presented to a future meeting of the Executive Cabinet
2. It was generally accepted that Bromsgrove now has an excellent performing arts venue that many local groups are enjoying the benefit of yet, in the view of local arts groups there needs to be further additional capital investment in the building to maximise its full potential.	Members views are requested
3. There was a request that the Council use its website to regularly update website users of its detailed plans regarding the implement of the Arts Strategy	Action plans to be included on the web site
4. A new Arts Forum for Bromsgrove district should be established with some support from the Council	Arts Development Officer to work with local Arts Groups to set up the Forum
5. An Arts Database should be set up detailing all Arts Organisations in the District	Arts Forum to produce in conjunction with Arts Development Officer
6. .A shared marketing database should be set up that is accessible by all arts organisations	Arts Forum to investigate further in conjunction with the County Arts Forum.
7. .Consideration needs to be given to developing a Visual Arts and Gallery facility in the district	Member's views are requested.
8. Arts Organisations and schools should work closer together	Arts Development Officer to work with Arts Organisations and schools to facilitate closer working arrangements

9. The new PFI Schools should be used to help improve the range of community arts facilities available.	Arts Development Officer to facilitate community use of the new schools by local arts organisations
10. Consideration should be given to providing more 'public art' around` the district	Arts Development Officer to facilitate in conjunction with planning officers and developers.
11. Street Theatre, bandstand programme and other events should be more widely promoted	Arts Development Officer to review the marketing strategy/plan to extend the area such events are promoted in.

**BROMSGROVE DISTRICT COUNCIL**

**EXECUTIVE CABINET**

**14TH DECEMBER 2005**

**REPORT ON STREET SCENE STRATEGY**

Responsible Portfolio Holder	Councillor Margaret Sherrey
Responsible Head of Service	Mike Bell - Head of Street Scene & Waste Management

**1. Summary**

- 1.1 This report summarises the work undertaken by the Scrutiny sub-group on the Street Scene Strategy endorsed by Executive on 28 September. It also makes recommendations for consideration by Executive Cabinet following the Health and Leisure Scrutiny Committee of the 29th November 2005.

**2. Recommendations**

- 2.1 That Members agree the views of the Committee and the prioritisation of key areas of the Depot Strategy.
- 2.2 That Members agree the implementation plan subject to funds being made available within the revenue budget for 2005/06.

**3. Background**

- 3.1 Executive approved in principle on 28 September 2005 the document 'Towards a clean, safe, and attractive Bromsgrove' a strategy for improving the services delivered by the Street Scene and Waste Management section from the Depot.
- 3.2 Executive requested that the Street Scene strategy be referred to the Health and Leisure Scrutiny Committee for consideration and comment. As a result a special meeting of the Health and Leisure Scrutiny Committee was held on 6th October at which a detailed presentation was made.
- 3.3 Executive also requested that the strategy should form the basis of a public consultation exercise to assist the Council in understanding its community needs and in setting its priorities for environmental improvement.
- 3.4 In addition it was recommended that the additional resource implications of the strategy be considered as part of the Council's Medium Term Financial Plan.

#### **4. Work of the Scrutiny Sub-group**

4.1 Following a decision made at the Scrutiny Committee held on 6th October, a sub group of members and officers met to scrutinise and consider the recommendations contained with the Street Scene Strategy for consideration at a further Scrutiny meeting.

4.2 Members were mindful of the need to identify key areas and priorities to refer on to the Health and Leisure Scrutiny Committee and ultimately the Executive for consideration.

#### 4.3 Key priorities

Members stressed that it was those areas which the public could see which were of paramount importance. Accordingly the following areas/issues were identified as the key priorities to be implemented:

- i) Street Cleansing
- ii) Refuse Collection
- iii) Grounds Maintenance

In addition it was considered important to formulate a Community Pride Team, which would employ up to four Wardens, and a Senior Warden. The team would aim to serve local needs through education, awareness and enforcement work, and the setting up of a telephone hotline to identify problem areas. Such a team would contribute significantly to the work of the key priority services identified above. It was noted that it was important that all Council Officers whose duties take them off-site should help to identify potential concerns through a more co-ordinated approach. Such teams should also be specifically engaging with the Spotlight meetings, Community Groups, Parish Councils, etc.

#### 4.4 Implementation Options

The Council Recovery Plan states that the Council will “Develop and Implement a Strategy for delivering sustainable service improvement to the street scene environment”. It further states that it will “Develop an implementation process”.

Members of Scrutiny Committee were given 6 options for implementing the Strategy ranging from full implementation with effect from 1st April 2005 to a phased option over a number of years. It was agreed at Scrutiny that Option 6 would be the preferred option as detailed within the following table.

##### Preferred Option.

To undertake the preparatory work to ensure the commencement of a phased introduction of the strategy to the following timescale:

		<b>2005/06</b>	<b>2006/07</b>	<b>2007/08</b>
	<b>Date</b>	<b>Cost</b>	<b>Cost</b>	<b>Cost</b>
Street Cleansing	April 2006	£22,000		
Refuse and Recycling	Nov 2006	£13,750	£19,250	
Commercial Services	Nov 2006		£3,300	
Grounds Maintenance	April 2007		£3,300	
Policy and Promotion	April 2007		£2,200	
Bulky Household Waste	Nov 2007		£7,700	
Community Pride	April 2008			£15,400
<b>Total interim support</b>		<b>£35,750</b>	<b>£35,750</b>	<b>£15,400</b>

This option would spread the cost of the implementation process and require additional support in the weeks and months immediately preceding the date of introduction. It also

introduces areas of work that will generate an overall cost saving towards the start of the process. i.e. recycling and commercial services. This option provides introduction of the Strategy over a period of up to 3 years allowing time for each phase to bed down before commencing the next but also achieves a realistic timescale when considering the level of change that is required. It would also need development of the Business Support unit for Street Scene and Waste Management Services prior to commencement of the first phase in April 2006.

The above timescales would enable the Community Pride function to be developed over a couple of years and enable the setting up of a Scrutiny Task Group to identify cross-cutting issues and to oversee its introduction across the Council.

4.5 In addition to the above, the following points were raised by the group:

- i) Consideration should be given to the setting up of a strategy for watercourse management. It was recognised that improvements to the way watercourses were managed throughout the District could contribute significantly to a cleaner, safer, and more attractive Bromsgrove.
- ii) The relationship/responsibilities between the District Council, the County Council, and the Highways Agency should be closely examined, and a dialogue should be encouraged at Member and Officer level in the interests of partnership working.
- iii) Members may wish to reconsider the setting up of a Nappy Laundering service.
- iv) Members should comment on the proposed staffing structure. If the strategy is to be implemented, whether in full or part, then an appropriate management and Business Support structures must be in place. Members were advised that the strategy sought to develop a fully supportive and effectively managed Business Support Team and as a result proposed to increase the existing team by one.

## **5. Financial Implications**

5.1 Assuming introduction of the Strategy as detailed in the preferred option from April 2006 the additional cost of implementation as detailed within the project plan would be a total of £35,750. This funding would need to be identified within the 2005/06 revenue budget

5.2 In addition further funding of £35,750 would be required during 2006/07 and £15,400 during 2007/08.

5.3 This is all in addition to the financial implications of the strategy as contained within the 'Towards a clean, safe, and attractive Bromsgrove' report, a summary of which is attached. Executive Cabinet recommended that the additional resources outlined in the strategy document be considered as part of the Council's Medium Term Financial Plan, which according to the Forward Plan will initially be considered in December 2005.

## **6. Legal Implications**

6.1 There are no specific legal implications arising from this report.

**7. Background Papers**

Towards a clean, safe, and attractive Bromsgrove - Executive report 28 September 2005.  
Report to Health and Leisure Scrutiny Committee 29th November 2005.

**8. Contact Officer**

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