



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY 2ND FEBRUARY 2011 AT 6.00 P.M.

THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Councillors R. Hollingworth (Chairman), G. N. Denaro (Vice-Chairman), Dr. D. W. P. Booth JP, Mrs. J. Dyer M.B.E., Mrs. M. A. Sherrey JP, R. D. Smith, M. J. A. Webb and P. J. Whittaker

AGENDA

1. To receive apologies for absence
2. Declarations of Interest
3. To confirm the accuracy of the minutes of the meetings of the Cabinet held on 5th January 2011 and 19th January 2011 (Pages 1 - 12)
4. Minutes of the meeting of the Overview Board held on 4th January 2011 (Pages 13 - 16)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes
5. Minutes of the meeting of the Joint Overview and Scrutiny Board held on 4th January 2011 (Pages 17 - 18)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes
6. Minutes of the meeting of the Performance Management Board held on 17th January 2011 (Pages 19 - 20)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes

7. Minutes (Part) of the meeting of the Shared Services Board held on 26th January 2011 (To follow) (Pages 21 - 22)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes
8. To receive verbal updates from the Leader and/or other Cabinet Members on any recent meetings attended in an ex-officio capacity (Pages 23 - 24)
9. Medium Term Financial Plan 2011/2012 - 2013/2014 - Presentation (Pages 25 - 26)
10. Integrated Performance and Finance Monitoring Report - Quarter 3 2010/2011 (Pages 27 - 60)
11. Enforcement and Fixed Penalty Notices for Environmental Services (Pages 61 - 72)
12. Recreation Road Marketing Exercise - Inclusion of a Bromsgrove DC Asset - Recreation Road North Car Park (Pages 73 - 80)
 - Appendices For Item 10 - Integrated Performance And Finance Monitoring Report Quarter 3 (Pages 81 - 114)
 - Appendices For Item 11 - Enforcement And Fixed Penalty Notices For Environmental Services (Pages 115 - 136)
 - Appendix For Item 12 - Recreation Road North Car Park (Pages 137 - 138)
13. To consider any other business, details of which have been notified to the Head of Legal, Equalities 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 (Pages 139 - 140)
14. To consider, and if considered appropriate, to pass the following resolution to exclude the public from the meeting during the consideration of item(s) of business containing exempt information:-

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

<u>Item No.</u>	<u>Paragraph(s)</u>	
15	1 and 4	"

15. Minutes (Part) of the meeting of the Shared Services Board held on 26th January 2011 (To follow) (Pages 141 - 142)
- (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

24th January 2011

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Agenda Item 3

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 5TH JANUARY 2011 AT 6.00 P.M.

PRESENT: Councillors G. N. Denaro (Vice-Chairman in the Chair),
Dr. D. W. P. Booth JP, Mrs. J. Dyer M.B.E., Mrs. M. A. Sherrey JP,
R. D. Smith, M. J. A. Webb and P. J. Whittaker

Observers: Councillor C. R. Scurrall

Officers: Mr. K. Dicks, Ms. S. Hanley, Ms. J. Pickering, Mr. H. Bennett,
Mr. J. Staniland, Mrs. C. Felton, Ms. A. de Warr and Ms. R. Cole

102/10 **APOLOGIES**

An apology for absence was received from Councillor R. Hollingworth.

103/10 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

104/10 **MINUTES**

The minutes of the meeting held on 1st December 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

105/10 **JOINT OVERVIEW AND SCRUTINY BOARD**

The minutes of the meeting of the Joint Overview and Scrutiny Board held on 23rd November 2010 were submitted.

RESOLVED that the minutes be noted.

106/10 **NORTH WORCESTERSHIRE JOINT COMMITTEE**

The minutes of the meeting of the North Worcestershire Joint Committee held on 25th November 2010 were submitted.

RESOLVED that the minutes be noted.

107/10 **SHARED SERVICES BOARD**

The minutes of the meeting of the Shared Services Board held on 9th December 2010 relating to non confidential and non exempt items were submitted.

RESOLVED that the minutes be noted.

108/10 **AUDIT BOARD**

The minutes of the meeting of the Audit Board held on 13th December 2010 were submitted.

RESOLVED:

- (a) that the minutes be noted; and
- (b) that it be noted that the recommendation contained at Minute No 37/10 relating to Protecting the Public Purse had been implemented.

109/10 **VERBAL UPDATES FROM THE LEADER AND/OR OTHER CABINET MEMBERS ON ANY RECENT MEETINGS ATTENDED IN AN EX-OFFICIO CAPACITY**

There were no updates on this occasion.

110/10 **MEDIUM TERM FINANCIAL PLAN 2011/12 - 2013/2014**

The Executive Director of Finance and Corporate Resources gave a presentation on the latest position on the Medium Term Financial Plan 2011/2012 – 2013/2014.

The Cabinet considered revenue and capital bids 2011/2012 – 2013/2014 together with the approved Capital Programme 2011/2012 – 2012/2013 and raised issues for Heads of Service to consider further.

RESOLVED:

- (a) that the revenue bids 2011/2012 - 2013/2014 as set out in Appendix A be noted and that the revenue bids for 2011/2012 be adjusted to reflect the following:
 - (i) the re-categorisation of the Fair Trade and New Road Parents Group bids (within the Equality and Diversity bid) to medium;
 - (ii) the bids relating to Strategic Housing (£10,000), Homelessness Support Post (£15,000) and Leisure Options Appraisal (£50,000) being deferred for consideration at the next Cabinet meeting at which the budget is considered.
- (b) that the capital bids 2011/2012 – 2013/2014 as set out in Appendix B be noted;
- (c) that Heads of Service be requested to review the budget with the aim of addressing the issues raised by Members and presenting a balanced position to the Cabinet meeting on 2nd February 2011.

111/10 **BROMSGROVE PARTNERSHIP'S ANNUAL REPORT**

The Cabinet considered the Annual Report of the Bromsgrove Partnership for 2009/2010.

It was noted that the report set out the performance of the Partnership against the priorities contained within the Sustainable Community Strategy for that period. The achievements of the Partnership and the progress made were welcomed.

RECOMMENDED that the Annual Report of the Bromsgrove Partnership for 2009/2010 be approved.

112/10 **CUSTOMER EXPERIENCE STRATEGY**

The Head of Customer Service gave a presentation to the Cabinet on the proposed new Customer Experience Strategy – Every Customer, Every Time.

It was noted that the Strategy focused on the key principle that “everybody matters” and was intended to build upon the good work previously undertaken in order to improve customer service and access to services. It was reported that the Strategy would be supported with a staff handbook and detailed guidance.

Members welcomed the development of the new Strategy as the next stage in the improvement of customer service and progress towards a “right first time, every time” service delivery.

RESOLVED that the Customer Experience Strategy – Every Customer Every Time be approved.

113/10 **REVIEW OF LICKEY END PARISH COUNCIL - USE OF FUNDS**

The Cabinet considered a report on the position relating to the assets of Lickey End Parish Council following the dissolution of the Parish Council. The Parish had forwarded its funds of £5,545 to the District Council and these were now being held in a suspense account.

It was noted that the Parish Council had requested that the funds be donated to the Help the Heroes Charity. In this regard, the Head of Legal, Equalities and Democratic Services reported that a further communication from the former Parish Clerk had been received prior to the meeting and she would welcome the opportunity to consider this in more detail. It was therefore

RESOLVED that further consideration of this matter be deferred until the next meeting of the Cabinet on 19th January 2011.

114/10 **LONGBRIDGE - MEMORANDUM OF UNDERSTANDING**

The Cabinet considered a report on the Longbridge Memorandum of Understanding (MoU).

It was reported that the MoU was a proposed multilateral agreement to establish the standards of co-operation between Bromsgrove District Council, Birmingham City Council and Worcestershire County Council with regard to the management and delivery of the Longbridge Area Action Plan.

It was noted that the MoU included Birmingham City Council's role as banker for "pooled" Longbridge Infrastructure Tariff funds.

RESOLVED:

- (a) that the non legally binding Longbridge Memorandum of Understanding be approved including the provision for Birmingham City Council to act as banker for "pooled" Longbridge Infrastructure Tariff developer contributions as detailed in Appendix 5 to the MoU;
- (b) that the Executive Director of Planning and Regeneration, Regulatory and Housing Services be authorised to make minor amendments to the MoU and Appendices in consultation with Birmingham City Council and Worcestershire County Council.

115/10 **THE MARKETING OF BROMSGROVE**

Consideration was given to a report on a proposal to implement a marketing campaign to promote the Economic Development of the District and the Regeneration of the Town Centre of Bromsgrove to various sectors. The campaign would include the creation of a Bromsgrove "identity" and the production of a web site and investment prospectus.

Members noted that the budget required at this stage would be £20,000 and felt more details were required regarding any on-going financial commitments and procurement and value for money issues.

RESOLVED that further consideration of the report be deferred until the next meeting of the Cabinet on 19th January 2011.

116/10 **REFUSE AND RECYCLING SERVICE**

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

Members paid tribute to the efforts of the staff within the refuse and recycling service in providing an excellent service during the recent extremely bad weather conditions.

The Chief Executive undertook to pass on the thanks of Members to the managers and staff concerned.

117/10 **SHARED SERVICES BOARD**

RESOLVED that consideration of this item be deferred until the next meeting of the Cabinet on 19th January 2011.

The meeting closed at 7.45 p.m.

Chairman

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 19TH JANUARY 2011 AT 3.00 P.M.

PRESENT: Councillors R. Hollingworth (Chairman), G. N. Denaro (Vice-Chairman), Dr. D. W. P. Booth JP, Mrs. J. Dyer M.B.E., Mrs. M. A. Sherrey JP, R. D. Smith, M. J. A. Webb and P. J. Whittaker

Observers: Councillor C. R. Scurrall

Officers: Mr. K. Dicks, Ms. S. Hanley, Ms. J. Pickering, Mr. J. Staniland, Mrs. C. Felton, Ms. R. Bamford, Mr. M. Dunphy and Ms. R. Cole

118/10 **APOLOGIES**

No apologies for absence were received.

119/10 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

120/10 **DRAFT CORE STRATEGY 2**

The Cabinet considered a report on the Draft Core Strategy 2. It was reported that the Draft Core Strategy set out for public consultation the vision, objectives and key policies which would guide the development of the District up to 2026.

The Portfolio Holder referred to the procedure which the Core Strategy had been subject to in order to reach this stage and to the further public consultation which it was intended would now take place. The Cabinet felt it was important that all Members of the Council played a part in publicising the Strategy and the importance in encouraging the public to participate in the consultation process.

Members also paid tribute to the work of officers within the Strategic Planning Section which had resulted in what Members felt was a clear and "reader friendly" document.

RECOMMENDED:

- (a) that the Draft Core Strategy 2 be approved for the purposes of public consultation;
- (b) that the public consultation period be from 21st January to 4th March 2011; and

- (c) that delegated authority be approved to enable the Strategic Planning Manager in consultation with the Portfolio Holder to make any further essential revisions to the draft prior to its publication.

121/10 **TOWN CENTRE DRAFT AREA ACTION PLAN**

The Cabinet considered a report on the Town Centre Draft Area Action Plan. It was reported that the Area Action Plan set out for the purposes of public consultation a set of planning policies to guide regeneration activities in the Town Centre.

Members paid tribute to the work of officers involved in the production of the Draft Area Action Plan. It was reported that as with the Core Strategy, there would be a detailed programme of public consultation, including the temporary use of premises within the Town Centre to publicise the Plan and to seek views from the public.

RECOMMENDED:

- (a) that the Bromsgrove Town Centre Area Action Plan be approved for the purposes of public consultation;
- (b) that the public consultation period be from 21st January to 4th March 2011;
- (c) that delegated authority be approved to enable the Strategic Planning Manager in consultation with the Portfolio Holder to make any further essential revisions prior to the draft prior to its publication.

122/10 **CONSULTATION ON LOCAL TRANSPORT PLAN**

The Cabinet considered a draft response to Worcestershire Local Transport Plan No.3 as set out in the appendix to the report.

Members generally supported the proposed response to the Local Transport Plan No.3 however it was felt that the response should be strengthened to reinforce the following matters:

- a request for full consultation by the County Council with the District Council prior to decisions being taken which would impact adversely on the District;
- further reference to the impact loss of services would have on employment particularly within rural areas;
- a request for more support for improvements to the transport infrastructure in Bromsgrove, including the redevelopment of Bromsgrove Railway Station;
- a serious concern regarding the lack of transport links between rural areas and the local hospitals.

RESOLVED that subject to the inclusion of the points referred to above, the response to the Worcestershire Local Transport Plan 3 be approved.

123/10 **BROMSGROVE LEISURE CENTRE OPTIONS APPRAISAL**

It was reported that this item had been withdrawn and would now be dealt with as part of the consideration of the Medium Term Financial Plan.

124/10 **THE MARKETING OF BROMSGROVE**

The Cabinet considered a report on proposals to promote Bromsgrove by way of the creation of a Bromsgrove “identity” and “product” as part of the economic development of the district and the regeneration of the Town Centre.

It was reported that the associated marketing campaign, including the creation of a “shop window” web site and investment prospectus, would promote Bromsgrove to investors, developers and retailers together with visitors and shoppers.

RECOMMENDED that the sum of £20,000 be allocated from balances in 2010/2011 to fund the production of a marketing campaign to promote Bromsgrove Town Centre and the wider district.

125/10 **REVIEW OF LICKEY END PARISH COUNCIL - USE OF FUNDS**

The Cabinet considered a report on the position relating to the assets of Lickey End Parish Council following the dissolution of the Parish Council. The Parish had forwarded its remaining funds of £5,545 to the District Council and these were now being held in a suspense account.

As reported at the previous meeting it was noted that the Parish Council had requested that the funds be donated to the Help for Heroes Charity. It was confirmed that whilst the District Council was obliged to consider the wishes of the Parish Council it was not required to abide by them.

Following a detailed discussion on the request from the Parish Council during which Members fully acknowledged the value of the excellent work undertaken by the Charity it was

RESOLVED that as the funds remaining following the dissolution of Lickey End Parish Council are public money and in view of the current extremely difficult financial circumstances faced by the Council, including likely cuts to many service areas, the sum of £5,545 be transferred to balances.

126/10 **SHARED SERVICES BOARD**

The minutes of the meeting of the Shared Services Board held on 11th January 2011 (part) were submitted.

RESOLVED that the minutes be noted.

127/10 **LOCAL GOVERNMENT ACT 1972**

RESOLVED that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the items of business the subject of the following minutes on the grounds that they involve the likely disclosure of "Exempt Information" as defined in part 1 of schedule 12A to the Act, as amended, the relevant part being as set out below and that it is in the public interest to do so.

<u>Minute No.</u>	<u>Paragraphs</u>
128/10	1 and 3
129/10	1 and 3

128/10 **SHARED SERVICES BOARD**

The confidential minutes of the Shared Services Board held on 9th December 2010 were submitted.

RESOLVED that the minutes be noted.

RECOMMENDED:

Human Resources and Organisational Development (HR and OD)– Business Case

that Human Resources and Organisational Development services for Bromsgrove District Council and Redditch Borough Council be delivered by a single shared HR and OD Team, hosted by Redditch Borough Council.

Policy, Performance and Partnerships (PPP) – Business Case

- (a) that Policy, Performance and Partnerships services be delivered by a single shared PPP Team, hosted by Bromsgrove District Council but, subject to further consideration of the location of staff; and
- (b) that Option 2 in the Business Case be approved, which delivers an annual saving of £77,000 to Redditch Borough Council and £11,000 to Bromsgrove District Council.

Building Control - North Worcestershire Based Shared Service – Business Case

- (a) that approval in principle be given to a Building Control Service for Redditch Borough Council, Bromsgrove District Council and Wyre Forest District Council, to be delivered by a single shared North Worcestershire Building Control Team, hosted by Bromsgrove District Council; and subject to prior consideration of a Business Case containing detailed financial information by the Shared Services Board; and
- (b) that an implementation plan be agreed between the three participating Councils with effect from such date as may be agreed; such matters to be included in the Business Case.

129/10 **SHARED SERVICES BOARD**

The confidential minutes of the meeting of the Shared Services Board held on 11th January 2011 were submitted.

RECOMMENDED:

North Worcestershire Economic Development Shared Service

- (a) that Bromsgrove District Council and Redditch Borough Council enter into arrangements to establish a new shared Economic and Regeneration Service across the North Worcestershire districts of Wyre Forest, Bromsgrove and Redditch, such service to be hosted on behalf of the three participating Councils by Wyre Forest District Council (the details of the proposed shared service being as set out in the implementation plan contained within the report);
- (b) that subject to such an agreement being concluded, relevant staff from Bromsgrove District Council and Redditch Borough Council be transferred to Wyre Forest District Council in accordance with the principles of TUPE, with effect from 1st June 2011;
- (c) that the financial arrangements for the new service, as set out in the Appendix attached to the report be approved in principle allowing the business case documentation to be presented to the full Council meetings for Bromsgrove District Council and Redditch Borough Council in January 2011 for final ratification and recommended to each authority as the basis for the new Economic Development and Regeneration Unit budget;
- (d) that authority be delegated to the Executive Director for Finance and Resources to undertake any necessary action relating to employee and union matters regarding the transfer of relevant employees to Wyre Forest District Council and, in consultation with the Executive Director of Planning and Regeneration, to make any residual staffing arrangements;
- (e) that authority be delegated to the Head of Legal, Equalities and Democratic Services, in consultation with the Executive Director for Planning and Regeneration, to agree the terms of any necessary service level agreements for implementation of the shared Economic Development and Regeneration Unit and to conclude such agreements; and
- (f) that as part of the said legal agreement, all necessary Cabinet / Executive and full Council functions be delegated to enable Wyre Forest District Council to deliver a shared Economic Development and Regeneration Service within the terms contained in the said agreement.

The meeting closed at 4.15 p.m.

Chairman

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW BOARD

TUESDAY, 4TH JANUARY 2011 AT 5.30 P.M.

PRESENT: Councillors S. R. Colella (Chairman), Mrs. M. Bunker (Vice-Chairman), Mrs. R. L. Dent, Mrs. C. J. Spencer and L. J. Turner

Observers: Councillor M. J. A. Webb

Officers: Ms. J. Pickering, Mr. G. Revans and Ms. A. Scarce

42/10 **APOLOGIES**

An apology for absence was received from Councillor Mrs. J. M. L. A. Griffiths.

43/10 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

No declarations of interest or whipping arrangements were received.

44/10 **MINUTES**

The minutes of the meeting of the Overview Board held on 2nd November 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

45/10 **CIVIL PARKING ENFORCEMENT PROPOSALS**

The Portfolio Holder for Community Services and the Head of Environmental Services were welcomed by the Board and provided an update on both the current position in respect of Civil Parking Enforcement (CPE) and car parking in general.

The Portfolio Holder for Community Services explained that it was the Council's intention to progress the implementation of CPE as it would be of benefit to the residents of Bromsgrove. The work that was currently being done in respect of CPE would be included within a report to Cabinet covering a review of the whole car parking strategy for the district and would be presented to Cabinet in the early part of the next financial year. The following areas were also discussed in more detail:

- The handover from Worcestershire County Council (WCC) of CPE and provision of funding from WCC.

- The cost of the implementation of CPE to the Council and the options for providing the service, for example a Shared Service or use of other providers.
- Any additional income which the Council would receive from CPE in the future.
- The areas within the district which CPE would cover, including the number of car parks the Council was responsible for and what would be covered under the CPE scheme.
- The number of enforcement officers currently in post and any additional staff needed to implement CPE.
- The cost effectiveness of car parking as a whole (including the enforcement times within the town centre and cost effectiveness of these).
- The possible implementation of resident parking schemes and costs attached to this (the Portfolio Holder for Community Services confirmed that at the Board's request, this would now be included within the review).

The Head of Environmental Services advised Members that, if everything went according to plan, CPE should be in place by mid 2011/12 financial year. The Portfolio Holder for Community Services advised that research had been completed which showed that BDC did not charge the most for car parking (some of the charges had not increased for 7 years). However, it was acknowledged that some improvements needed to be made, particular in changing people's perception of the service the Council provided for car parking.

46/10 **BRIEFING PAPER - GARDEN WASTE FUTURE DEVELOPMENTS**

The Portfolio Holder for Community Services drew Members' attention to the section within the briefing paper which showed that Bromsgrove District Council (BDC) now had one of the largest paid for garden waste services in the Country and that other councils who were considering moving to a paid garden waste service were looking to BDC for guidance in setting up such a service.

The Board were advised that currently 8,381 payments have been received for next year's service, around £260,000. This was double what had been collected by this time last year. The deadline was 14th January 2011 for payments, however the Head of Environmental Services confirmed that the Council would continue to take payments after that date. The Board discussed the following in more detail:

- The actual costs of providing the service, compared to the income it generated. (The Head of Environmental Services confirmed he would be able to provide an exact calculation of this at the end of the financial year.)
- How the scheme was staffed, considering that it only ran for 9 months of the year.

- The possibility of providing an annual service and the costs attached to this.
- The vehicles and maintenance of them. Currently with the “sidearm loading” vehicles the Council used, 6 were run in order to keep 3 on the road due to their unreliability. (The Head of Environmental Services confirmed that a capital bid had been put forward for 4 new vehicles.)
- The increased availability of brown bins in other areas due to the new vehicles, which would be able to provide access to areas not accessible with the old vehicles.
- The availability of a second brown bin to those residents which had requested them.

The Chairman thanked the Portfolio Holder for Community Services and the Head of Environmental Services for the comprehensive updates they had provided for the Board.

47/10 **LOCAL FOOD ECONOMY TASK GROUP (TASK GROUP CHAIRMAN: COUNCILLOR L. J. TURNER)**

Councillor L. J. Turner, Chairman of the Task Group, informed Members that after an initial, very informative meeting with the Economic Development & Town Centre Manager, the Task Group had unfortunately been put on hold. This was due to a number of reasons, including the by election, the unavailability of witnesses and workload pressures on the Committee Services team following a member of staff leaving.

It was confirmed that the decision as to whether the Task Group would be re-started would be made at a future Board meeting.

48/10 **QUARTERLY RECOMMENDATION TRACKER**

Members were advised that the Tracker contained a comprehensive summary of recommendations which had been made by various task groups. Officers confirmed that in respect of the Improving Residents’ Satisfaction Task Group and the Community Involvement in Local Democracy Task Group any recommendations which had not been commented upon within the Tracker would be picked up when the 12 month reviews of the task groups took place in June 2011, and that the Older Peoples’ Task Group would be reviewed in April 2011.

After further discussion it was

RESOLVED that the Board notes the Quarterly Recommendation Tracker and the completed items be removed.

49/10 **FORWARD PLAN OF KEY DECISIONS - 1ST JANUARY TO 30TH APRIL 2011**

Members queried the inclusion of several items as Non-Key decisions, for example the Draft Core Strategy and Draft Town Centre Area Action Plan. The Executive Director, Finance and Resources explained that such Non-Key

decisions were outside of the budget and policy framework and were decisions that would need to be made by full Council.

50/10 **QUESTIONS FOR WITNESSES AT MEETING TO BE HELD ON 1ST FEBRUARY 2011**

Following discussion it was confirmed that there were no items on the Work Programme for the meeting to be held 1st February 2011.

The meeting closed at 6.27 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE JOINT OVERVIEW AND SCRUTINY BOARD

TUESDAY, 4TH JANUARY 2011 AT 6.30 P.M.

PRESENT: Councillors S. R. Colella (Chairman), D. L. Pardoe (Vice-Chairman), A. N. Blagg, Mrs. M. Bunker, R. J. Deeming, Mrs. R. L. Dent, C. R. Scurrall, Mrs. C. J. Spencer, C. B. Taylor, C. J. Tidmarsh and L. J. Turner

Observers: Councillor M. J. A. Webb

Officers: Ms. J. Pickering and Ms. A. Scarce

38/10 APOLOGIES

An apology for absence was received from Councillor Mrs. J. M. L. A. Griffiths.

39/10 DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS

No declarations of interest were received.

40/10 MINUTES

The minutes of the meeting of the Joint Overview and Scrutiny Board held on 23rd November 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

41/10 CABINET RESPONSE TO THE INQUIRY INTO THE ALVECHURCH MULTI-USE GAMES AREA

The Chairman reminded Members that this item had been deferred from the previous meeting as the Portfolio Holder for Community Services had been unable to attend that meeting.

The Portfolio Holder for Community Services thanked Members for the opportunity to present the Cabinet Response to the Alvechurch Multi-Use Games Area (MUGA) Inquiry and confirmed that subject to the amendment of the wording on some of the recommendations, Cabinet had agreed them and had been pleased with the in depth report that the Board had produced. The Portfolio Holder confirmed that several residents, who did not necessarily agree with the outcome of the investigation, had complimented the Council on how the investigation had been conducted. Officers confirmed that a copy of both the final report and Cabinet Response had been sent to each of the petitioners.

Members asked that the recommendations be monitored and that a progress report be brought to the Board on a regular basis. Officers confirmed that the recommendations would now be added to the Board's Quarterly Recommendation Tracker and a full review of the implementation of the recommendations would be carried out in November 2011.

42/10 **QUESTIONS TO WITNESSES 1ST FEBRUARY 2011**

The Chairman reminded Members that the meeting on 1st February 2011 would be to formally receive details of the Council's Annual Budget in order for the Board's comments to be fed through to the Cabinet. Members agreed that the main questions would be the impact of the Comprehensive Spending Review on the budget, the effect of this on service delivery, the proposals in place, together with the risks and impact on the community and their perception of how it would affect them.

Members also asked for an update on the current position in respect of the Railway Station and what funding, if any, would be available for the project.

Officers also advised Members that, in respect of the Planning item, an informal Local Development Framework (LDF) Working Party had been arranged for 13th January 2011 at 6.00 p.m. in the Council Chamber, to which all Members had been invited. If Members of the Board had further questions which they would like to put to the Head of Planning and Regeneration, or if they were unable to attend the LDF Working Party meeting, she would then be invited to a future Board meeting.

The meeting closed at 6.48 p.m.

Chairman

Agenda Item 6

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PERFORMANCE MANAGEMENT BOARD

MONDAY, 17TH JANUARY 2011 AT 6.00 P.M.

PRESENT: Councillors C. B. Taylor (Chairman), Mrs. M. Bunker (Vice-Chairman),
S. R. Colella, Mrs. J. M. L. A. Griffiths and Ms. H. J. Jones

Officers: Mr. H. Bennett and Ms. A. Scarce

45/10 **APOLOGIES**

An apology for absence was received from Councillor Mrs. A. E. Doyle.

46/10 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

47/10 **MINUTES**

The minutes of the meeting of the Performance Management Board held on 15th November 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

48/10 **BROMSGROVE PARTNERSHIP ANNUAL REPORT 2009/10**

The Board considered the Bromsgrove Partnership's Annual Report 2009/10 and discussed the following in detail:

- The purpose and content of the annual report.
- The inclusion in future annual reports of endorsements from other partners.
- The provision of services for children and young people.
- The Trunk and the residents (and areas within the district) that benefited from the work undertaken by it.
- The work of the sub and theme groups.

Members queried the registered social landlord for the Perryfields housing scheme and during the discussion it was clarified that this was provided through a partnership formed between Bromsgrove District Housing Trust and West Mercia Housing Group. After further discussion it was

RESOLVED that the Bromsgrove Partnership's Annual Report 2009/10 be noted.

49/10 **SHARED SERVICES HIGHLIGHT REPORT**

The Board considered the Shared Service Progress Report and noted the following points:

- Progress that had been made with Shared Services and the possible changes to the time table due to the Budget Settlement.
- The format of the report had been amended and now included individual highlight reports for each shared service.
- The benefits of shared services to both Councils.
- Staff morale.

After further discussion it was

RESOLVED that the Shared Service Progress Report be noted.

50/10 **WORK PROGRAMME**

The Board considered the Work Programme and discussed the future of the Board.

RESOLVED that the Work Programme be noted.

The meeting closed at 6.33 p.m.

Chairman

Agenda Item 7

ENCLOSURES FOR THIS ITEM WILL FOLLOW

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Agenda Item 8

THERE ARE NO ENCLOSURES FOR THIS AGENDA ITEM

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Agenda Item 9

THERE ARE NO ENCLOSURES FOR THIS AGENDA ITEM

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DECEMBER (QUARTER 3) INTEGRATED FINANCE AND PERFORMANCE REPORT

Relevant Portfolio Holder	Cllr Roger Hollingworth
Relevant Head of Service	Hugh Bennett, Director of Policy, Performance and Partnerships
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To report to Cabinet on the Council's performance and financial position at 31 December 2010.

2. RECOMMENDATIONS

- 2.1 That Cabinet notes that 52% of PIs are stable or improving.
- 2.2 That Cabinet notes that that 57% of PI's that have a target are meeting their target as at the month end and 76% are projected to meet their target at the year end.
- 2.3 That Cabinet notes the performance figures for December 2010 as set out in Appendix 2.
- 2.4 That Cabinet notes the successes and areas for potential concern as set out in the 'Council Summary' below.
- 2.5 That Cabinet note the current financial position on Revenue and Capital as detailed in the report and requests officers to consider actions to enable the predicted overspend to be as mitigated as possible.
- 2.6 That Cabinet approves the budget virements between £15k and £100k, listed in Appendix 6.
- 2.7 That Cabinet notes complaints & compliments data. Details are shown in Appendix 4.

3. BACKGROUND

- 3.1 This report integrates the financial and performance information across the Council. The aim is to ensure officers and members can make informed and considered judgement of the overall position of the Council.

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4. KEY ISSUES

4.1 An integrated performance and finance report for each department, plus a council summary, is shown on the following pages.

4.1.1 Overall Council Summary	Quarter 3 (Oct-Dec) 2010/11
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Performance Summary

No. of PI's improving (I)	22	No. of PI's meeting YTD target	24	No. of PI's where est. outturn projected to meet target	32
No. of PI's Stable (S)	0	No. of PI's missing YTD target by < 10%	7	No. of PI's projected to miss target by < 10%	6
No. of PI's worsening (W)	20	No. of PI's missing YTD target by >10%	11	No. of PI's projected to miss target by >10%	4

Achievements

- The Council officers continued to provide services during the period of extreme bad weather. This included; full service at the Customer Service Centre, collection of refuse when safe to the staff and customers and for clearing snow to enable access. The extent of communication and the support given by the staff have all been positively commented on by the community
- Successful transfer of the Gypsy and Traveller site to an external partner and secure funding from the Government
- Developed budget projections to meet the reduced grant settlement for 2011/12
- Presented the budget options and priorities to the Budget Jury
- The bonfire was delivered and was recognised as being a great success
- Sports development officers have succeeded in raising awareness and funding for disability sporting opportunities
- Council officers have undertaken the first stages of transformation within the Revenue and Benefits department
- Diwali event held at the Spadesbourne Suite which was very successful
Development of Shared Service plans have been presented to members to deliver savings and enhanced services

Issues

- Overall performance is less good than at this time last year, 57% of PI's are on target year to date compared to 73% this time last year and 76% are projected to meet year end target, compared to 89% this time last year.
- Sickness management continues to be actively undertaken by officers to reduce the levels of long and short term sickness within the Council. A performance clinic was recently held; the corporate sickness management group is to be re-convened.
- The grant settlement received was significantly lower than previously assumed. Officers are continuing to address the budget shortfall with the aim to present a

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balanced budget in February 2011.

- The savings for the future may impact on staff morale and therefore regular staff briefings are being held to ensure communication is delivered in a consistent way to all staff.

Revenue Budget summary Quarter 3 (Oct – Dec) 2010/11 – Overall Council

Service Head	Revised Budget 2010/11 £'000	Budget April - Dec £'000	Actual spend April - Dec £'000	Variance to date April - Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Environmental Services	4,538	1,634	1,525	-109	4,571	33
Community Services	3,395	1,451	1,293	-158	3,201	-194
Pre-Regulatory Services	1,019	456	447	-9	1,017	-2
Leisure & Cultural Services	1,917	969	930	-39	1863	-54
Planning & Regeneration	1,442	415	408	-7	1,420	-22
Customer Services	129	386	350	-36	95	-34
Finance & Resources	1,526	1,650	1,518	-132	1,541	15
Legal, Equalities & Democratic Services	1,015	791	757	-34	965	-50
Policy, Performance & Partnerships	73	424	419	-5	71	-2
Business Transformation	4	935	908	-27	-32	-36
Corporate Services	141	222	308	86	255	114
Regulatory Services	0	-120	-260	-140	0	0
SERVICE TOTAL	15,199	9,213	8,603	-610	14,967	-232
Exceptional Income (Fleming VAT)	0	0	-106	-106	-106	-106

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Interest on Investments	-87	-65	-58	7	-72	15
COUNCIL SUMMARY	15,112	9,148	8,439	-709	14,789	-323

Financial Commentary

- The year end underspend of £323k includes £106k of income relating to the successful claim by the Council of entitlement to prior year VAT refunds. The general services underspend of £232k relates to a number of factors including;
 - Additional grant received for concessionary fares services (Community Services)
 - The shortfall of income in car parking of £250k being offset by vacancies and service restructures (Environmental Services)
 - The corporate target of savings being achieved by vacancies and more efficient practices (Corporate Services offset by savings realised in other departments)
- The year end position for 2010/11 in relation to Regulatory Services reflects the agreement by the Joint Committee that any under spends be ringfenced back to the service in 2011/12 to fund transformation and the impact of restructures, this is projected to equate to £220k.

Capital Budget summary Quarter 3 (Oct – Dec) 2010/11 – Overall Council

Department	Revised Budget 2010/11 £'000	Actual spend April – Dec £'000	Variance To date April – Dec £'000	Projected outturn £'000	Projected variance £'000
Finance & Resources	636	513	-123	550	-86
Business Transformation	93	69	-24	83	-10
Environmental Services	320	150	-170	268	-52
Planning & Regeneration	193	68	-125	104	-89
Regulatory Services	491	50	-441	181	-310
Community Services	1,924	1,190	-734	1,242	-682

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Leisure & Cultural Services	889	544	-345	935	46
Budget for Support Services Recharges	136	102	-34	136	0
Total	4,682	2,686	-1,996	3,499	1,183

Financial Commentary:

- The capital expenditure with the Regulatory Services function is being jointly funded by the partners in accordance with the Business Case. The variance at the end of quarter 3 is because the service is subject to a transformation review before a decision is made as to which IT system to purchase.

A large proportion of the current underspend within Community Services is due to the Houndsfield Lane Caravan Site. Due to the funding secured from external agencies It is unlikely that there will be any spend on this budget . The capital funds will be released back to the reserve for use in future capital projects across the Council

4.1.2 Environmental Services	Quarter 3 (Oct-Dec) 2010/11
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Performance Summary

No. of PI's improving (I)	1	No. of PI's meeting YTD target	3	No. of PI's where est. outturn projected to meet target	4
No. of PI's Stable (S)	0	No. of PI's missing YTD target by < 10%	0	No. of PI's projected to miss target by < 10%	0
No. of PI's worsening (W)	3	No. of PI's missing YTD target by >10%	1	No. of PI's projected to miss target by >10%	0

Achievements

- Snow clearance and communication – lots of praise from the public for our efforts to collect refuse; for clearing snow when unable to collect and for good communication on what was happening during the bad weather.
- 40 refuse staff completed a Level 2 NVQ on Waste Management operation
- We are now an approved CPC (Drivers Certificate of Professional Competence) training centre

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Issues
<ul style="list-style-type: none">• A number of difficulties were faced by operational services as a result of the extreme weather. These were managed by extensive communication with the public to mitigate inconvenience as much as possible.• Sickness management continues to be actively undertaken by officers to reduce levels of long and short term sickness.

Revenue Budget summary Quarter 3 (Oct – Dec) 2010/11 – Environmental Services

Service Head	Revised Budget 2010/11 £'000	Profiled Budget April - Dec £'000	Actual spend April - Dec £'000	Variance to date April - Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Waste Management Policy	-24	-18	-13	5	-4	20
Depot / Transport	-107	133	252	119	-81	26
Car Parks / Civil Enforcement Parking	-931	-826	-536	290	-680	251
Cemeteries / Crematorium	72	13	33	20	105	33
Streets & Grounds	2,548	1,150	837	-313	2,254	-294
Transport & Waste	2,980	1,182	952	-230	2,977	-3
TOTAL	4,538	1,634	1,525	-109	4,571	33

Financial Commentary
<ul style="list-style-type: none">• As previously reported Car Park income is significantly less than budget, an unavoidable pressure has been put into the MTFP to reflect this. The projected outturn includes the re-instatement of the 10 minute parking increment and the loss of income due to the Council absorbing the VAT increase.• The over spend within the Cemeteries service is partially offset by the under spend included within the Streets and Grounds service as these services overlap. It also includes an unbudgeted expenditure of £9k for the locking of cemetery gates..• Depot/Transport overspend is mainly due to there being no vacancies within this service area.• During the budget process some quick wins were highlighted within the Streets and Grounds Service, where possible these savings have been implemented in the

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current year. Additional savings have been made during this year while processes are reviewed and posts remain unfilled however these savings are not sustainable for future years without a detrimental effect to service delivery.

Capital Budget summary Quarter 3 (Oct – Dec) 2010/11 Environmental Services

Service	Revised Budget 2010/11 £'000	Actual spend April – Dec £'000	Variance To date April – Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Depot Services	30	5	-25	30	0
Vehicle & Equipment replacement programme	170	119	-51	212	42
Other schemes	120	26	-94	26	-94
TOTAL	320	150	-170	268	-52

Financial Commentary:

- Underspends relate to delays in schemes where officers are looking at sharing contracts for works with other Councils with the aim to make savings.

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4.1.3 Community Services	Quarter 3 (Oct-Dec) 2010/11
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Performance Summary

No. of PI's improving (I)	8	No. of PI's meeting YTD target	8	No. of PI's where est. outturn projected to meet target	10
No. of PI's Stable (S)	0	No. of PI's missing YTD target by < 10%	4	No. of PI's projected to miss target by < 10%	3
No. of PI's worsening (W)	9	No. of PI's missing YTD target by >10%	5	No. of PI's projected to miss target by >10%	3

Achievements

- Successfully transferred the Houndsfield Lane Gypsy & Traveller Caravan Site to Rooftop and assisted in securing Gov't grant.
- Reviewed Emergency Plan, updated Key rest Centre information and installed Red boxes in 4 of 5 Key Rest Centres.
- Lead on the development of countywide procedures for the HIA.
- Secured SP funding Step up support worker to provide support to cases with high needs in private tenancies.
- Maintained use of temporary accommodation well within target and minimal use of B&B.
- Enabled increased number of homelessness preventions
- Continued development of CCTV and Lifeline to promote service across the community
- Continued partnership working with other agencies

Issues

- No major issues to be raised during this quarter

Revenue Budget summary Quarter 3 (Oct – Dec) 2010/11 – Community Services

Service Head	Revised Budget 2010/11 £'000	Profiled Budget April - Dec £'000	Actual spend April – Dec £'000	Variance to date April - Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Housing Strategy	2,213	637	589	-48	2,156	-57
Community Safety & Transport	651	409	398	-11	631	-20

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Travel Concessions	464	348	249	-99	347	-117
Community Cohesion	67	57	57	0	67	0
TOTAL	3,395	1,451	1,293	-158	3,201	-194

Financial Commentary

- Housing Strategy - The under spend within this area largely relates to savings being made on a number of schemes during the period.
 - Houndsfield Lane Caravan Site was sold in August 2010, which has resulted in a reduction in both income and expenditure.
 - Housing Enabling salary budgets are also underspent due to maternity leave and a reduction in the hours worked by a member of staff.
 - The Homeless Bed and Breakfast budget is also largely underspent and it is thought that this will still be the case at the end of this financial year.
- Community Safety – Original monitoring suggested that Community Safety would be overspent, due to the large maintenance sums that are paid for equipment and systems. However latest projections suggest that this area is likely to be underspent. This is largely due to savings being realised as a result of shared services.
- Travel Concessions - This service is under spent at this time, this position is projected to be maintained to the end of the financial year in the projected outturn. This is due to the increased grant income received during 2010-11.

Capital Budget summary Quarter 3 (Oct – Dec) 2010/11 Community Services

Service	Revised Budget 2010/11 £'000	Actual spend April – Dec £'000	Variance To date April – Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Strategic Housing	1,720	986	-734	1,038	-682
CCTV/Lifeline	204	204	0	204	0
TOTAL	1,924	1,190	-734	1,242	-682

Financial Commentary:

- Capital expenditure commitments are increasing with in excess of £500k of Disabled Facilities Grants and £80k of Discretionary Grants already committed. Traditionally the first two quarter's expenditure is lower due to the nature of grant approvals, and it has only been in the third quarter where increased spending has occurred.
- A large proportion of the current underspend is due to the Houndsfield Lane Caravan

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Site. Due to funding secured from other agencies it is unlikely that there will be any spend on this budget . The capital funds will be released in to the capital reserve to be utilised for future schemes.

- The £700k budget for Affordable Housing across the district has not yet been spent. The first tranche payment is due to be paid over in the final quarter once the legal agreements have been approved and completed.

4.1.4 Leisure and Cultural Services	Quarter 3 (Oct-Dec) 2010/11
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Performance Summary

No. of PI's improving (I)	3	No. of PI's meeting YTD target	5	No. of PI's where est. outturn projected to meet target	6
No. of PI's Stable (S)	0	No. of PI's missing YTD target by < 10%	1	No. of PI's projected to miss target by < 10%	0
No. of PI's worsening (W)	3	No. of PI's missing YTD target by >10%	0	No. of PI's projected to miss target by >10%	0

Achievements

Sports Development achievements:

- The Rugby Festival was a great success, supported by local clubs and many teams from local schools.
- The Multi Skills festival attracted over 50 children, who were signposted to local clubs.
- The 2010 Funshine Festival was at Upton Warren lake where 32 carers and participants enjoyed archery, bell boating and sailing.
- The Sports Development Team came second in this year's BAFTA awards.
- Highlights of the year were National and Regional awards and the high levels of external funding achieved.
- BECAN has been awarded £4400 for an inclusive celebration event to mark the successful allocation of over £42k to purchase specialised sports equipment.
- BECAN in partnership with Bromsgrove Blaze Basketball Club have successfully started the new Wheelchair Basketball Club at the Ryland Centre.
- The Health Improvement project 'All Together Now' in partnership with bdht received a commendation at the COMPACT awards for it work in training support workers to deliver older people's multi skill sessions and a large of bank of equipment.
- The Boccia club has been accepted into the South Midlands Community league, receiving a £500 charitable donation from Bromsgrove Roundtable to attend.

Events delivery achievements:

- The bonfire 2010 was a great success delivered for the 2nd year in partnership with

Primrose Hospice – the attendance figures were high with great weather conditions, a great programme of music and another spectacular firework display.

- Christmas Lights switch on events were delivered in Bromsgrove and Redditch – both events extremely well attended and singer/performances from new sources were also a great success even with the heavy budget cuts implemented to make savings.

Dolphin Centre achievements

- Gym usage has remained high, as class usage is very successful and continues to be so.

Issues

Sports Development issues:

- A parent raised concerns over inclusive provision at a multi skills session. The session has been assessed; the coaches have now been booked onto an inclusive coaching course and have discussed the issue with the disability officer. New steps are in place to improve discipline throughout the sessions and the child's behaviour is being monitored to ensure he is suitable for the session.
- The team has been very short staffed, with main coaches leaving at the same time. 5 new coaches have now been employed and clearance will hopefully be ready for the new year.
- The announcements of the School Sport Partnership cuts had impacted, as the teams currently work very closely. Their campaigning in the media also led to queries regarding our stabilities from residents and schools. Staff have reassured residents that our delivery will be continuing as normal.

Dolphin Centre Issues

- Targets not met during winter period. This is in part due to the inclement weather which was extreme throughout December. This is also an industry trend leading up to the Christmas period. School usage has been less due to schools finishing for Christmas.

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Revenue Budget summary Quarter 3 (Oct – Dec) 2010/11 – Leisure and Cultural Services

Service Head	Revised Budget 2010/11 £'000	Profiled Budget April - Dec £'000	Actual spend April - Dec £'000	Variance to date April - Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Parks & Open Spaces	447	180	193	13	458	11
Allotments	71	9	10	1	74	3
Promotions	337	191	227	36	366	29
Sports & Recreation Development	229	137	97	-40	183	-46
Sports Centres	766	404	355	-49	716	-50
Leisure Services	67	48	48	0	66	-1
TOTAL	1,917	969	930	-39	1,863	-54

Financial Commentary

- Parks & Open Spaces - Commuted Sums, end of drawdown period from developer contributions, leaving a budget deficit of £12k
- Promotions – due to the economic downturn sponsorship has decreased. Officers are reviewing the situation and will endeavor to mitigate the shortfall during 2010/11. It is anticipated that there will be a deficit at the end of year.
- Promotions – Actual cost of the firework display was £10k, overall budget deficit of £25k.
- Sports & Recreation Development – The underspend is due to vacancies within the section, this service is to be reviewed as part of the shared services

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Capital Budget summary Quarter 3 (Oct – Dec) 2010/11 Leisure and Cultural Services

Service	Revised Budget 2010/11 £'000	Actual spend April – Dec £'000	Variance To date April – Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Sports Facilities	593	438	-155	593	0
Parks & Cemeteries	15	16	1	16	1
Sanders Park	55	0	-55	55	0
Risky Play / Diversionary Scheme at Catshill	12	62	50	62	50
Other Schemes	214	28	-186	209	-5
TOTAL	889	544	-345	935	46
Financial Commentary: <ul style="list-style-type: none">• Risky play / diversionary scheme at Catshill – Additional Government Grant funding of £50k is to be received.					

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4.1.5 Planning and Regeneration	Quarter 3 (Oct-Dec) 2010/11
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Performance Summary

No. of PI's improving (I)	2	No. of PI's meeting YTD target	2	No. of PI's where est. outturn projected to meet target	2
No. of PI's Stable (S)	0	No. of PI's missing YTD target by < 10%	0	No. of PI's projected to miss target by < 10%	1
No. of PI's worsening (W)	1	No. of PI's missing YTD target by >10%	1	No. of PI's projected to miss target by >10%	0

Achievements

- Excellent appeal performance. Five appeals have been decided in the last quarter and all have been dismissed. This builds on the excellent performance of the two previous quarters when again we didn't lose a single planning appeal. This demonstrates the robustness of the decisions made and is an excellent quality check.
- Commenced Shared Services work with Land Charges.
- Team member of Development Control achieved Member of the Royal Town Planners Institute status
- Flexible working between the councils enabled secondments from RBC, (one to Enforcement and one to DC) to cover vacancies and openings at BDC
- Core Strategy and Area Action Plan under development for consideration and consultation in 2011

Issues

- No major issues to be raised for this quarter

Revenue Budget summary Quarter 3 (Oct – Dec) 2010/11 – Planning and Regeneration

Service Head	Revised Budget 2010/11 £'000	Profiled Budget April - Dec £'000	Actual spend April - Dec £'000	Variance to date April - Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Building Control	3	-68	-64	4	8	5
Development Control	878	165	146	-19	851	-27
Strategic Planning	406	270	252	-18	380	-26

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Economic & Tourism Development	169	95	92	-3	158	-11
Emergency Planning	35	22	9	-13	17	-18
Land Charges	-72	-87	-42	45	-18	54
Town Centre Development	23	18	15	-3	24	1
TOTAL	1,442	415	408	-7	1420	-22

Financial Commentary;

- Land charges income is still continuously below budget. Personal search fee has now been taken by the Government, it is hoped the abolition of HIPs will encourage more full Searches. This should hopefully maintain our third quarter income at that achieved in the first half year.
- The income for development control and building control is on target for the 3rd quarter of this financial year. We have also received some new income, pre-application fees, in development control for 10/11 which has now been incorporated and set as a budget for 11/12.
- There are under spends within this department which are due to vacancies some of which have now been filled. This will result in a reduction in the level of the under spend by the end of the financial year.
- It has been projected that the emergency planning budget will not all be spent by year end.

Capital Budget summary Quarter 3 (Oct – Dec) 2010/11 Planning and Regeneration

Service	Revised Budget 2010/11 £'000	Actual spend April – Dec £'000	Variance To date April – Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Town Centre Development	170	44	-124	80	-90
Demolition of Market Hall conversion to car park	23	24	1	24	1
TOTAL	193	68	-125	104	-89

Financial Commentary:

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- This is the Council's contribution towards the cost of a Project Management Team for the redevelopment of Bromsgrove Town Centre.
- It is planned to spend some of the budget this year but it may be required to roll a balance over to 2011/12 to continue the project.

4.1.6 Worcestershire Regulatory Services

Quarter 3 (Oct - Dec) 2010/11

Performance Summary

Director of Policy, Performance and Partnerships met with head of WRS to agree method of reporting performance and achievements/issues for the shared service.

Revenue Budget summary 3 (Oct – Dec) 2010/11 – Regulatory Services

Service Head	Revised Budget 2010/11 £'000	Profiled Budget April – Dec £'000	Actual spend April – Dec £'000	Variance to date April – Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
TOTAL	0	-120	-260	-140	0	0

Financial Commentary

- Regulatory Services full year budgets amount to zero, due to contributions from all other councils.
- The year end projection of a balanced budget reflects the decision of the Joint Committee that any underspends be ringfenced to fund transformation and the impact of future restructures.

Capital Budget summary Quarter 3 (Oct – Dec) 2010/11 Regulatory Services

Service	Revised Budget 2010/11 £'000	Actual spend April – Dec £'000	Variance To date April – Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Worcestershire Enhanced Two Tier Programme (WETT)	491	50	-441	181	-310
TOTAL	491	50	-441	181	-310

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Financial Commentary:

- Capital spend is still lower than anticipated although expenditure levels are now increasing with the purchase of software licenses, etc to allow remote working by staff within the Service area. The delay on the IT expenditure is due to the decision to undergo transformation of the service prior to establishing its ICT needs.

4.1.7 Pre-Regulatory

Quarter 3 (Oct-Dec) 2010/11

Revenue Budget summary Quarter 3 (Oct – Dec) 2010/11 – Pre-Regulatory

Service Head	Revised Budget 2010/11 £'000	Profiled Budget April - Dec £'000	Actual spend April - Dec £'000	Variance to date April - Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Environmental Health	1,045	490	490	0	1044	-1
Licensing	-39	-40	-52	-12	-45	-6
Land Drainage	13	6	9	3	18	5
TOTAL	1,019	456	447	-9	1017	-2

Financial Commentary:

- Environmental Health transferred to Regulatory Services 1st June 2010.
- Pension backfunding costs are to be absorbed by the partner Councils, once the actuarial review has been finalised.

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4.1.8 Customer Services	Quarter 3 (Oct-Dec) 2010/11
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Performance Summary

No. of PI's improving (I)	5	No. of PI's meeting YTD target	5	No. of PI's where est. outturn projected to meet target	5
No. of PI's Stable (S)	0	No. of PI's missing YTD target by < 10%	0	No. of PI's projected to miss target by < 10%	0
No. of PI's worsening (W)	0	No. of PI's missing YTD target by >10%	0	No. of PI's projected to miss target by >10%	0

Achievements

- Customer Service Advisor (Melanie Gane) won Hub superstar Award for her services to customers
- Customer Service Team won the Team of the Year award at the 2010 BAFTA's
- Successfully supported the Brown Bin invoicing for 2011 (17000 invoices) which was undertaken in November 2010
- Successfully supported the first phase of the Revenues and Benefits transformation project collecting data during December 2010
- Positive feedback in local press for providing and maintaining excellent customer service during the extreme weather conditions, (keeping the service centre open for customers to access information)

Issues

- **Green Waste – renewal of scheme**

Although this resulted in a peak in demand, changes to the way we deal with payments vastly reduced the impact on the CSC service delivery. An increase in automated telephone payments and the ability to make payments on line channelled customers to these cheaper payment option. There is still some work to do to more fully streamline the work around the annual renewals and we would be keen to see a move towards Direct Debit as the primary payment method (with a small reduction in cost to incentivise taking into account the recognised saving this would bring to the Council)

- **Adverse Weather Conditions**

The snow brought with it a huge peak in demand especially in respect of waste collections and highways issues. This will have impacted on overall performance as it is difficult to resources adequately for these unexpected events. However, much more regular communications and a clear plan in respect of collections significantly improved the situation compared with last year.

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Revenue Budget summary Quarter 3 (Oct – Dec) 2010/11 – Customer Services

Service Head	Revised Budget 2010/11 £'000	Profiled Budget April - Dec £'000	Actual spend April - Dec £'000	Variance to date April - Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Customer Services	129	386	350	-36	95	-34
TOTAL	129	386	350	-36	95	-34

Financial Commentary;

The underspend within the Customer Services Department is mainly due to a number of vacancies within the department.

4.1.9 Finance and Resources	Quarter 3 (Oct-Dec) 2010/11
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Performance Summary

No. of PI's improving (I)	3	No. of PI's meeting YTD target	1	No. of PI's where est. outturn projected to meet target	4
No. of PI's Stable (S)	0	No. of PI's missing YTD target by < 10%	2	No. of PI's projected to miss target by < 10%	1
No. of PI's worsening (W)	4	No. of PI's missing YTD target by >10%	4	No. of PI's projected to miss target by >10%	1

Achievements

- Continued support and provision of financial information for Worcester Regulatory Services Board and Committee
- Percentage of Invoice payments within 10 days reached 90% for December
- Green Waste invoices sent out to customers within December which has allowed us to improve monitoring and increase income levels
- Budget Projections presented to CMT and Members over the quarter to ensure how the significant reduction in grant settlement can be addressed within the Council
- Support to the Budget Jury in developing plans for the future savings and the impact on the community
- Presentation to Members on the HR & OD Shared service to deliver significant savings
- Continued support on procurement to ensure contracts provide value for money
- Terms and conditions review undertaken and initial discussions held with union representatives to identify impact on staff

Issues

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- The impact of the grant settlement has resulted in the finance team having to spend a significant amount of time in analysing the grant and the potential impact on the Council
- The terms and conditions review may impact on staff morale and the team are developing communication and consultation plans to inform staff and unions in the future

Revenue Budget summary Quarter 3 (Oct – Dec) 2010/11 – Finance and Resources

Service Head	Revised Budget 2010/11 £'000	Profiled Budget April - Dec £'000	Actual spend April - Dec £'000	Variance to date April - Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Central Overheads	145	108	105	-3	143	-2
Accounts & Financial Mgmt	57	469	510	41	82	25
Human Resources & Welfare	36	292	265	-27	55	19
Grants & Donations	91	89	81	-8	85	-6
Property, Assets & Facilities Mgmt	-47	481	374	-107	-99	-52
Revenues & Benefits	1,244	211	183	-28	1,275	31
TOTAL	1,526	1,650	1,518	-132	1,541	15

Financial Commentary

- The projected overspend is due to a number of factors including; additional rental income being received from assets owned by the Council offset by costs relating to additional procurement support to generate efficiencies in the future and the increase in bank charges.

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Capital Budget summary Quarter 3 (Oct – Dec) 2010/11 Finance and Resources

Service	Revised Budget 2010/11 £'000	Actual spend April – Dec £'000	Variance To date April – Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Alterations to Council Buildings in compliance with DDA	36	0	-36	0	-36
Remedial Work to Council Buildings following Stock Conditions Survey	50	0	-50	0	-50
Purchase of George House, Worcester Road	550	513	-37	550	0
TOTAL	636	513	-123	550	-86

Financial Commentary:

- Remedial Works at the Council House have been put on hold pending a review of the space required by both the employees and services of the Council.

4.1.10 Legal, Equalities and Democratic Services	Quarter 3 (Oct-Dec) 2010/11
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Performance Summary

There are no corporately reported PI's for this team.

Achievements <ul style="list-style-type: none">▪ Launched e-petitions facility on 15 November, one month ahead of statutory
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<p>deadline and first district council in Worcestershire to do so.</p> <ul style="list-style-type: none">▪ Supported new joint Independent Remuneration Panel for Worcestershire District Councils.▪ Undertook review of Council's Committee Structure for reporting to full Council.▪ Participated in successful open evening for potential councillors.▪ Reviewed induction arrangements for May 2011 and collated induction pack for the new Marlbrook Ward councillor.▪ Very successful Black History Month series of events including the biggest staff event held so far which included staff from Redditch and a small secondary event at Redditch▪ Third very successful Diwali event▪ First ever Inter Faith week event held in partnership with the Bromsgrove Muslim Community Trust which was extremely successful and reached a very wide range of people from all sections of the community
<p>Issues</p> <ul style="list-style-type: none">▪ Scrutiny Officer resigned and the post has not been filled due to financial constraints. The Committee Services staffing structure will be reviewed as part of the Shared Services process.▪ Issues to note are differences in outlook and approach to community events between the Bromsgrove Indian Community Forum and the Bromsgrove Muslim Community Trust which need to be managed to ensure that differences of treatment and levels of support do not arise. Also, the levels of funding are, as always, under pressure as community expectations are high and increasing in a climate where funding for community events is under great pressure.

Revenue Budget summary Quarter 3 (Oct – Dec) 2010/11 – Legal, Equalities and Democratic Services

Service Head	Revised Budget 2010/11 £'000	Profiled Budget April - Dec £'000	Actual spend April - Dec £'000	Variance to date April - Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Democratic Services & Member Support	805	394	383	-11	790	-15
Elections & Electoral Services	185	116	94	-22	154	-31
Legal Advice & Services	25	281	280	-1	21	-4
TOTAL	1,015	791	757	-34	965	-50

Financial Commentary;

- The under-spend on Elections this is due to shared services with Redditch Borough Council and savings now being identified in the first full year of the joint service.

4.1.11 Policy, Performance and Partnerships | Quarter 3 (Oct-Dec) 2010/11

Performance Summary

There are no corporately reported PI's for this team.

Achievements

- Together Bromsgrove Plus launched as part of Older person's day in October, delivering the outcomes of a Task group
- Annual Report launched in November on the website
- Bafta awards ceremony organised with members of the team being nominated – and some winning!
- Joined the Council up to an i-phone app which will see residents being able to access Council services on their mobiles.
- Xmas edition of Together Bromsgrove issued
- PPP shared service restructure received initial approval (now subject to Cabinet/Full Council approval).
- Bromsgrove Partnership Annual Report completed which detailed the considerable range of achievements by the Partnership e.g. The Trunk, U Decide, Together Bromsgrove Plus, considerable progress on town centre, Gilbert Court and so on.
- Updated reporting format for Shared Services agreed which will ensure we have strong project management and focus on realising the benefits from each business case.
- Excellent feedback from the Budget Jury, which included the Jury being featured on BBC Midland's News.
- Continued work on the Mosaic (market segmentation product) which will see two pilots in quarter 4 to evaluate the product.
- Business planning process managed with all business plans being considered by all day CMT, as part of budget deliberations. This included bids, but also options for change (savings) which is particularly relevant in current climate.

Issues

- Delivery of PPP restructure in quarter 1 2011/12 will be a key area of focus for the team.
- Localism Bill -what will the detail actually mean?

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- PPPs contribution to new systems thinking approach, in particular, different data requirements.

Revenue Budget summary Quarter 3 (Oct – Dec) 2010/11 – Policy, Performance and Partnerships

Service Head	Revised Budget 2010/11 £'000	Profiled Budget April - Dec £'000	Actual spend April - Dec £'000	Variance to date April - Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Printing	0	58	58	0	0	0
Corporate Admin / Central Post	85	157	151	-6	81	-4
Policy & Performance	-12	209	210	1	-10	2
TOTAL	73	424	419	-5	71	-2

Financial Commentary;

- At this time of the year expenditure is in line with expectations and therefore no major variances have arisen in the 3rd quarter of 10/11.

4.1.12 Business Transformation

Quarter 3 (Oct-Dec) 2010/11

Performance Summary

There are no corporately reported PI's for this team.

Achievements

Key achievements for ICT:

Completed the installation of virtual servers at BDC and RBC
Bought the RBC and BDC ICT Helpdesk services together under one system
Migrated all suitable business applications onto the new virtual server environment
Completed disaster recovery for core applications
Completed phase 1 of the ICT shared service on time and within budget

Key achievements for OD:

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Completed the shared Workforce Plan project
Completed a shared HR Strategy
Completed a shared OD Strategy
Completed a shared Work Force Plan
Conducted Investors in People spot checks at BDC and RBC ahead of re-assessment.
Started to develop a new shared PDR procedure inline with the Transformation agenda

Key achievements for Transformation:

Carried out scoping work for Revenues and Benefits transformation at BDC and RBC
Setup Programme Offices at both locations
Currently delivering systems thinking orientation training for CMT
Gathering current performance measures from all departments
Gathering current budgets and procurement data from all departments
Developing initial systems thinking orientation training for Members
Developed a shared service framework to support the delivery of shared services at BDC and RBC
Drafted a Communication Plan for shared services & transformation projects

Issues

No major issues this quarter.

Revenue Budget summary Quarter 3 (Oct – Dec) 2010/11 – Business Transformation

Service Head	Revised Budget 2010/11 £'000	Profiled Budget April - Dec £'000	Actual Spend April - Dec £'000	Variance to date April - Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
IT Services	4	935	908	-27	-32	-36
TOTAL	4	935	908	-27	-32	-36

Financial Commentary

- Overall there is a saving within the Business Transformation department this is due to reduced expenditure in some areas, although there have been additional costs incurred for the departmental restructure for the shared services and severance costs.

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Capital Budget summary Quarter 3 (Oct – Dec) 2010/11 Business Transformation

Service	Revised Budget 2010/11 £'000	Actual spend April – Dec £'000	Variance To date April – Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Internet/ Intranet Development	3	0	-3	3	0
Government Connect Scheme	1	0	-1	1	0
Spatial Project Phase 1	1	0	-1	0	-1
Spatial Project Phase 2	5	0	-5	0	-5
Councillors Remote Access	4	0	-4	0	-4
Increased Bandwidth for Internet Link	10	0	-10	10	0
ICT Shared Service – Phase 1	69	69	0	69	0
TOTAL	93	69	-24	83	-10

Financial Commentary:

- The spend for some of these schemes has been delayed whilst a review of the projects is being undertaken.
- The spatial project has now been completed and no further expenditure is expected.

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Revenue Budget summary Quarter 3 (Oct – Dec) 2010/11 – Corporate Resources

Service Head	Revised Budget 2010/11 £'000	Profiled Budget April - Dec £'000	Actual Spend April - Dec £'000	Variance to date April - Dec £'000	Projected outturn 2010/11 £'000	Projected variance 2010/11 £'000
Corporate Resources	141	222	308	86	255	114
TOTAL	141	222	308	86	255	114

Financial Commentary

.The full year corporate savings target of £163k is included within the Corporate Resources budget and is being met by savings generated across the Departments. The allocation of savings will be adjusted at year end and in future years.

4.2 Sundry Debtors

Sundry Debt is raised by the Council to ensure effective recovery of debts owing. The outstanding balance at 31/12/10 was £831k (balance to 30/09/10 was £1,252k) which includes:-

Type of Debt	Amount £'000
Car Parking Fines	54
Lifeline debts	30
Rents/Hire Charges	58
Building Regulations	10
Trade Waste and Cesspool emptying	25
Developer Contributions – s106 monies	182
Housing Schemes	27
Enhanced Recycling	55
Licensing	8
Cemeteries	3
Sponsorship	7
Shared Services	59
Contributions from other organisations	22
Garden Waste	267
Sports Development	6
Salary Overpayments	5

The Garden Waste debt of £267k relates to the recent invoices issued to customers of the service. It is anticipated that these will all be paid by March when the service commences again.

Officers are reviewing S106 contributions to identify the position on the developments and to discuss with developers

The age of the debt is represented as follows:

Age of Debt	Balance as at 30/09/10 £'000	Balance as at 31/12/10 £'000
Under 30 days (not yet due)	339	590
Up to 1 month	220	5
1 – 2 months	491	33
3 – 6 months	65	32
Over 6 months	137	171

Debts recovery is originally carried out by the Exchequer Section with 2 reminders being sent to debtors. Debts over 90 days are currently under review and recovered by the legal team.

5.0 TREASURY MANAGEMENT

The Council's Treasury Management Strategy has been developed in accordance with the Prudential Code for Capital Finance prudential indicators and is used to manage risks arising from financial instruments. Additionally treasury management practices are followed on a day to day basis.

5.1 Credit Risk

Credit risk arises from deposits with banks and financial institutions, as well as credit exposures to the Council's customers. Credit risk is minimised by use of a specified list of investment counterparty criteria and by limiting the amount invested with each institution. The Council receives credit rating details from its Treasury Management advisers on a daily

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basis and any counterparty falling below the criteria is removed from the list.

The Council has not had and does not expect any default losses by any of its counterparties in relation to investments.

Due to market conditions the Council has reduced its credit risk for all new investments by only investing in the highest rated instruments and has shortened the allowable length of investments in order to reduce risk.

The credit criteria in respect of financial assets managed in-house by the Council are as follows:

Financial Asset Category	Criteria (Fitch ratings)	Maximum Investment
Deposits with banks	Short Term: F1+/F1 Support: 1,2,3 Long Term: minimum 'AA-'/A	£3million/£2million
Deposits with building societies	Short Term: F1+/F1 Support: 1,2,3 Long Term: minimum 'AA-'/A	£3million/£2million
Deposits with Debt Management Account – Deposit Facility (DMADF)		£no upper limit *

Fitch Ratings is an international credit rating agency (one of three nationally recognised rating agencies alongside Moody's and Standard & Poor's). Fitch Rating's long-term credit ratings are set up along a scale from 'AAA' to 'D' where 'AAA' designates the best quality companies, reliable and stable through to 'D' where the company has defaulted on obligations and Fitch believes that it will generally default on all or most of its obligations. Fitch's short term ratings indicate the potential level of default within a 12 month period. F1+ is the best quality grade, indicating exceptionally strong capacity of obligor to meet its financial commitment

At 31 December short term investments comprise:

	31 March 10 £	31 Dec 10 £
Deposits with DMADF*	0	3,000
Deposits with Banks/Building Societies	8,360	18,800
Total	8,360	21,800

- *Investments with the DMADF are guaranteed by HM Treasury. Following advice from the Council's treasury advisors, from a credit perspective no upper limit was imposed on investments with the DMADF.
- In the period to March 2011 cash available for investment is expected to reduce significantly. This arises due to the differing payment and collection profiles *to* precepting bodies and *from* local taxpayers.

5.2 Income from investments

An investment income target of £87k has been set for 2010/11 using a projected return rate of 0.75% – 1.50 %. During the past financial year bank base rates have dropped to 0.5% and current indications are projecting minimal upward movement for the short term.

In the 9 months to 31 December 2010 the Council received income from investments of £58k. In March 2010 the Council placed £1million in a one year deposit attracting 1.85% in order to maximise available returns within our risk criteria. Accrued interest on this deposit is included in the figures referred to above.

Details of the Council's performance for the Treasury Management function to the end of Quarter 3 of 2010/11 are included at Appendix 7.

6.0 REVENUE BALANCES AND EARMARKED RESERVES

6.1 Revenue Balances

The revenue balances brought forward at 1 April 2010 were £1.266m. It is anticipated that a further £134k will be transferred to balances during 2010/11, however of this £2.5k has been released to fund the proposed dissolution of Lickey End Parish Council.

6.2 Earmarked Reserves

The Council maintains a number of reserves which have been set up to earmark resources for future spending plans. The funding to be utilised from these reserves equates to £195k. Details are shown in Appendix 5.

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7.0 CAPITAL RECEIPTS

- 7.1 The Capital Programme was approved by Members in January 2010, the effect of the level of Capital Spend to 2012/13 on capital receipts is estimated below:

Capital Programme	2010/11 £'000	2011/12 £'000	2012/13 £'000
Balance b/fwd	5,133	2,172	799
Actual funding to date (April – Sept)	-1,575		
Estimated use for the remainder of the year	-1,486	-2,148	-967
Received in year	100	685	100
Funding from Earmarked Reserves		90	
Balance c/fwd	2,172	799	-68

- 7.2 The figures in the above table include general capital receipts for the funding of projects throughout the District. In addition, an estimate of capital receipts has been made of £100k per annum in relation to any sales of assets. Although this figure is increased to £685k in 2011/12 for further anticipated receipts.

8. FINANCIAL IMPLICATIONS

- 8.1 Covered in the report.

9. LEGAL IMPLICATIONS

- 9.1 None

10. POLICY IMPLICATIONS

- 10.1 None

11. COUNCIL OBJECTIVES

- 11.1 Performance reporting & management links to the Improvement objective

12. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

- 12.1 Risk considerations covered in the report. There are no Health & Safety considerations

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13. CUSTOMER IMPLICATIONS

13.1 Performance Improvement is a Council Objective

14. EQUALITIES AND DIVERSITY IMPLICATIONS

14.1 None.

15. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

15.1 None

16. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

16.1 None

17. HUMAN RESOURCES IMPLICATIONS

17.1 None

18. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

18.1 Sound performance management and data quality are key to achieving improved scores in the Use of resources judgement. This performance report supports that aim.

19. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

19.1 None

20. HEALTH INEQUALITIES IMPLICATIONS

20.1 Not applicable

21. LESSONS LEARNT

21.1 Not applicable

22. COMMUNITY AND STAKEHOLDER ENGAGEMENT

22.1 None

23. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	No
Chief Executive	No
Executive Director (S151 Officer)	Yes
Executive Director – Leisure, Cultural, Environmental and Community Services	No
Executive Director – Planning & Regeneration, Regulatory and Housing Services	No
Director of Policy, Performance and Partnerships	Yes
Head of Service	Yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	No
Corporate Procurement Team	No

24. WARDS AFFECTED

All

25. APPENDICES

- Appendix 1 Performance Summary for April – Dec 2010
- Appendix 2 Detail Performance report for April – Dec 2010
- Appendix 3 Detailed figures to support the performance report
- Appendix 4 Customer feedback
- Appendix 5 Current Position (April – Dec) on Earmarked Reserves
- Appendix 6 Virements for approval by Cabinet
- Appendix 7 Performance for the Treasury Management Function for April – Dec 2010

26. BACKGROUND PAPERS

None

27. KEY

PI - Performance Indicator

NI - National Indicator (a PI defined by government and used by all Councils)

LPI - Local Performance Indicator – (a PI defined by Bromsgrove, District Council to measure performance on local priorities)

CAA - Corporate Area Assessment – the methodology used by the Audit Commission to judge the performance of Councils and partners

AUTHORS OF REPORT

Hugh Bennett, Director of Policy, Performance and Partnerships

Teresa Kristunas, Head of Finance and Resources

John Outhwaite, Senior Policy and Performance Officer

Debbie Randall, Accountancy Services Manager

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ENFORCEMENT & FIXED PENALTY NOTICES FOR ENVIRONMENTAL SERVICES

Relevant Portfolio Holder	Mike Webb
Relevant Head of Service	Guy Revans
Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 This report outlines the opportunities for improving environmental enforcement within Bromsgrove District. With the addition of an Environmental Enforcement Officer, Bromsgrove District Council will be in a position to continue improving Street Cleansing performance
- 1.2 Comparisons with neighbouring Councils and in particular with Redditch Borough Council identify the importance and effectiveness of environmental enforcement.
- 1.3 This report draws attention to the shift in environmental enforcement issues being dealt with at a local level within local authorities and moving away from the jurisdiction of the local police force through the amendments to legislation in the Clean Neighbourhoods and Environment Act (CNEA) 2005 and the Dogs (Fouling of Land) Act 1996.

2. RECOMMENDATIONS

- 2.1 **Members note and approve the utilisation of savings within the Environmental Services Department to fund an Environmental Enforcement Officers Post.**
- 2.2 **Members note the benefits of introducing a fully integrated enforcement strategy and task officers with writing and presenting the same to Cabinet and Full Council in due course for adoption.**
- 2.3 **Members note the need for the adoption of that the range of powers relating to environmental enforcement available through the CNEA 2005 and the Dogs (Fouling of Land) Act 1996 and the need for these to be detailed in the aforementioned Strategy.**
- 2.5 **Members note the need to draft and approve a scheme of delegation that will enable the issuing and enforcement of fixed penalty notices**

and task officers with determining the extent of this scheme and presenting the same for approval in due course.

3. BACKGROUND

- 3.1 In order to reduce crime and the fear of crime within a neighbourhood, it is imperative that signs of even low level crimes such as environmental crimes, are removed or reduced, as litter and dirty streets, graffiti, dumped rubbish and cars all give a feeling of unease whilst at the same times encouraging similar criminal behaviour. Environmental crimes ultimately have an adverse impact on the quality of the local environment and residents' quality of life.
- 3.2 To mitigate against environmental crime, a sound environmental strategy is required which focuses on not only the traditional aspects of environmental management, such as litter picking and sweeping and enforcement but also the softer elements such as advice giving and education (including both perpetrators and observers). However, by ensuring cases which do lead to enforcement are well publicised, a clear message will be sent out to other potential perpetrators of crime environmental crime.
- 3.3 Under the Environmental Protection Act (EPA) 1990, the Council has a legal duty to keep streets and public spaces clean and clear of litter and refuse. A range of powers for local authorities came into effect under the Clean Neighbourhoods and Environment Act (CNEA) 2005. The CNEA has extended local authority powers to deal with issues that are considered environmental crime.
- 3.4 There is increasing expectation from residents regarding enforcement against environmental crime. This is particularly pertinent as other Worcestershire¹ authorities have been using Fixed Penalty Notices (FPNs) for some years and the expectation to provide a similar level of same service within this District is not unreasonable.
- 3.5 Historically Environmental Service has taken a line of no enforcement and instead relied on educating residents where the opportunity arose with positive messages through the press. Awareness campaigns on dog fouling and litter have been carried out using local school children to produce imagery for posters and leaflets and local business have been

¹ Redditch Borough Council, Wyre Forest District Council, Wychavon District Council, Worcester City Council and Malvern District Council

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sent leaflets on fly-tipping through the annual business rates mailer. Education and enforcement however need to sit hand in hand in order to give the advisory approach enough authority to become effective. Limited enforcement activities have been undertaken including warning letters and 2 attempted prosecutions for fly-tipping. The Council has other legislation it can use to deal with environmental problems. For example Planning legislation relating to unkempt land and fly-posting will be used by Regulatory Service where officers will decide which is the best legislation to use and where necessary co-ordinate enforcement action.

- 3.6 An environmental enforcement strategy needs to be transparent, making clear what is acceptable and unacceptable and the consequences of non compliance ensuring consistency and proportionality across all offences.
- 3.7 A graduated 5 stage approach is proposed as a fundamental principle when applying any enforcement activity ranging from stage 1 for less serious offences, through to stage 5 as detailed below;

Stage 1	Advice given
Stage 2	Verbal caution
Stage 3	Written caution
Stage 4	Fixed penalty notice
Stage 5	Court proceedings

The Environmental Enforcement Officer would be given complete discretion towards the severity of the penalty. It should also be noted it is not necessary to progress through the stages and offences can be taken to stage 5 on a first account if this is considered appropriate.

- 3.8 Redditch Borough Council allow flexibility in the approach as laid out in 3.7 whereby the perpetrator of the crime may be allowed to pay for a contractor to clean up the resulting litter or fly posting etc. This allows the Council to direct resources where they are required and the incident in question to be dealt with at no cost to the Council. The perpetrator will therefore bear the full cost of the clean up, whilst foregoing the prescribed Fixed Penalty Notice (FPN) which can be higher than the associated FPN itself. (See Appendix A for a breakdown of enforcement activities for RBC)
- 3.8 Essential to the success of any environmental enforcement strategy is an enforcement officer post that will be responsible for applying proportionate enforcement action for environmental crimes where necessary. An environmental enforcement officer position would compliment street

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cleansing activities and enable thorough investigations of environmental crime as well as acting as a deterrent by having a presence in targeted locations.

- 3.9 The environmental enforcement officer would follow up on environmental crimes and carry out full investigations including gathering evidence, taking witness statements, undertaking PACE² interviews, preparing case files and attending court proceedings. Outcomes from all investigations will fall into one of the 5 categories outlined about in 3.7.
- 3.10 In particular the officer would pursue enforcement action relating to flytipping, general littering dog fouling, abandoned cars and graffiti and fly-posting. It is envisaged the officer would target particular hotspot areas as well as undertaking reactive investigations from across the district. Hotspot areas for fly-tipping have been included in Appendix C for reference.
- 3.11 The creation of the new environmental enforcement officer post will be reliant upon the deletion of an existing street cleansing post which is concerned in the main with fly-tipping clearance; the work of which will be covered by other street cleansing staff. Both posts in question fall within a grade 5 banding (subject to job evaluation) and therefore the new post will be funded through existing resources.
- 3.12 It is understood that the community safety team also wishes to use the powers requested by this report, in undertaking duties against antisocial behaviour.
- 3.13 Many local authorities have chosen to use FPNs as an enforcement mechanism in combating environmental crimes. The use of FPNs is considered to be an effective deterrent against environmental crime providing they are used as part of a wider environmental approach. The CNEA extends the range of offence that FPNs may be issued for as well as allowing local authorities discretion to agree the level to be charged.
- 3.14 Redditch Borough Council has employed the use of FPNs and 2 environmental enforcement officers since 2005. The officers have used enforcement actions to support operational activities and deter and penalise accordingly for litter and fly-tip offences, dog fouling and offences relating to waste receptacles. (See Appendix A for a full

² Police and Criminal Evidence Act Interview as outlined in the Police and Criminal Evidence Act, 1984

breakdown of category and number of actions from 2006 to date for RBC.)

- 3.15 In particular, fly-tipping is a crime which is of significant concern for Bromsgrove District. During 2006-2010 5,164 incidents were recorded and responded to; this is the highest level within the county. For all other authorities in Worcestershire there is an overall decreasing trend in the number of reported fly-tips, conversely for Bromsgrove the figures show an upward trend. (See Appendix C.)

4. KEY ISSUES

- 4.1 The employment of one full time Environmental Enforcement Officer to address environmental crime within the District is essential to ensure an improvement in litter, flytipping and waste related crimes.
- 4.2 Fixed Penalty Notices should be adopted as an enforcement option as this will provide the Council with a full arsenal of appropriate enforcement measures to tackle environmental crimes.
- 4.3 Since 2002 a review of the legislative framework for providing and maintaining a clean and safe local environment has been carried out to accompany the cross-Government report *Living Places - Cleaner, Safer, Greener*. The issues of giving people clean, safe and green places to live are defining issues not only for communities, but also for local government. There is an increasing commitment of Central Government to these issues and this is reflected in the Clean Neighbourhoods Act 2005 which offers a wide range of new powers relating to waste/cleansing enforcement including:
- *Offence of dropping litter*
 - *Litter clearing notices*
 - *Street litter control notices*
 - *Free distribution of printed matter*
 - *Nuisance and Abandoned Vehicles*
 - *Graffiti and fly-posting*
 - *Extension of graffiti removal regime to fly-posting*
 - *Deposit and disposal of waste*
 - *Use of fixed penalty receipts*
 - *Abandoned shopping trolleys*

5. FINANCIAL IMPLICATIONS

- 5.1 In employing one full time environmental enforcement officer the standard associated costs of employment will need to be taken into account plus an annual salary commensurate with approximately Grade 5 (£27k) (subject to Job Evaluation).
- 5.2 There is a vacancy anticipated within the street cleansing team in 2011/12. It is proposed that the funding associated with the vacant post is allocated to meet the costs relating to the enforcement officer. Officers are satisfied that the work of the enforcement officer will mitigate the impact of reducing the operatives within the street cleansing service and make the role more pro-active within the community.
- 5.3 It is assumed that the level of income relating to the provision of the service be relatively small. In addition any receipts made from FPNs are currently confined to being directed towards spend by the Council within the area of Environmental Crime and cannot be utilised to offset the general costs of the Council.
- 5.4 No monies are required to be vired across into the Street Cleansing budget, however the establishment list will need to be brought into line with any change in staffing structure to reflect staffing cost requirements.
- 5.5 Officers will consider ways in which the environmental enforcement service can be delivered as a shared service with Redditch Borough Council.

6. LEGAL IMPLICATIONS

- 6.1 The Environmental Protection Act 1990 is a key piece of legislation with regards to waste and the Council's responsibilities on dealing with it.
- 6.2 The Clean Neighbourhoods and Environment Act, 2005 is fundamental to allowing authorised officers of the Council to serve Fixed Penalty Notices on perpetrators of environmental crimes.
- 6.3 The Dogs (Fouling of Land) Act 1996 underlines the offence of a person in charge of a dog failing to remove the faeces from footpaths, footways and carriageways.

- 6.4 The Refuse Disposal (Amenity) Act, 1978 is the legislation that governs the correct disposal and abandonment of vehicles.

7. POLICY IMPLICATIONS

- 7.1 If the recommendations are upheld Environmental Services will develop an enforcement strategy including operational procedures for undertaking enforcement activities. This strategy will require Council approval prior to implementation.

8. COUNCIL OBJECTIVES

- 8.1 One Community
8.2 Value for Money
8.3 Town Centre

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

- 9.1 The main risks associated with the details included in this report are:

- Increasing Environmental Crime
- Unsafe communities (real and perceived)
- Negative Impact on street cleanliness and associate National Indicators³

- 9.2 Currently the risks identified in are not addressed by any risk register and will be added to the Environmental Services risk register in due course.

10. CUSTOMER IMPLICATIONS

- 10.1 Residents of the District will benefit from the Council undertaking environmental enforcement as the environmental quality of areas will subsequently improve.

- 10.2 Publicity will be undertaken to raise awareness of environmental crimes through the activities of the environmental enforcement officer. This will be particularly pertinent at the launch of the new enforcement activities

³ NI195 as a measure of litter, detritus, graffiti and fly posting is currently under review.

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where full coverage will be given to the environmental crimes covered and the new range of enforcements available to the Council.

- 10.3 The press will be fully utilised to ensure enforcement actions receive a high profile. This itself acts as effective promotion of the activities being undertaken and as a deterrent to potential perpetrators.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

- 11.1 The recommendations should not have an impact on equalities; however, all the procedures will take into account an assessment of issues around equality.

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

- 12.1.1 Through using enforcement to tackle environmental crimes it is envisaged the amount of time spent reacting to situations such as fly-tipping will decrease. This will enable the street cleansing team to concentrate efforts on the general day to day tasks of cleansing and away from these environmental crime elements; as such costs for reactive street cleansing tasks may reduce over a period of time.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

- 13.1 The recommendations should not have an impact on climate change, carbon implications or biodiversity directly; however, any procedures will take into account any issues around climate change.

14. HUMAN RESOURCES IMPLICATIONS

- 14.1 The creation of the new Environmental Enforcement Officer Post will be overseen by Human Resources and will be governed by relevant policies and procedures (see appendix D for an example of job description and person specification as used by RBC).

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

- 15.1.1 In undertaking enforcement activities for environmental crime, Environmental Services will be able to improve performance on actions

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against fly-tipping (formerly monitored by NI196) and also to show continuing improvement on monitoring street cleaning activities (formerly NI195).

15.1.2 With the introduction of enforcement activities, over time there should be a marked reduction in environmental crimes as outlined in 4.3.

16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

16.1 There are significant innate links with community safety and environmental crime. In tackling environmental crime issues there should be a positive influence on community safety matters in the District.

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 None.

18. LESSONS LEARNT

18.1 In using enforcement actions, other Local Authorities have brought about a reduction in the level of environmental crimes experienced. It is envisaged that on introducing enforcement within Environmental Services a similar level of reduction will be attained. .

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 None

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	Yes
Executive Director (S151 Officer)	Yes
Executive Director – Leisure, Cultural, Environmental and Community Services	Yes

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Executive Director – Planning & Regeneration, Regulatory and Housing Services	Yes
Director of Policy, Performance and Partnerships	Yes
Head of Service	Yes
Head of Resources	Yes
Head of Legal, Equalities & Democratic Services	Yes
Corporate Procurement Team	No

21. WARDS AFFECTED

All Wards

22. APPENDICES

Appendix A Details of RBC offences FPN's issued 2006 to Sep 2010

Appendix B Overview of FPN's

Appendix C BDC Total Flytips by location 2010 to date

Appendix D Environmental Enforcement Officer Job Description and Person Specification

Appendix E Powers for Adoption

23. BACKGROUND PAPERS

None

24. KEY

**Clean Neighbourhoods and Environment Act
Environmental Protection Act
Fixed Penalty Notices**

**CNEA
EPA
FPN's**

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Redditch Borough Council

RBC

AUTHOR OF REPORT

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RECREATION ROAD MARKETING EXERCISE – INCLUSION OF A BDC ASSET – RECREATION ROAD NORTH CAR PARK

Relevant Portfolio Holder	Cllr Del Booth
Relevant Head of Service	John Staniland
Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 The Area Action Plan has identified Recreation Road as the potential site for regeneration as an Extra-Care Village. A consortium of Private and Public landowners along Recreation Road has been created.
- 1.2 The consortium intends to conduct a marketing exercise of the site to ascertain interest from developers and care operators. It is proposed that the small Recreation Road North Car Park owned by Bromsgrove District Council is included in the marketing exercise.

2. RECOMMENDATIONS

- 2.1 **That Cabinet approve in principle the incorporation of the Recreation Road North Car Park within the Recreation Road Consortium's proposed marketing exercise for the Recreation Road Development Site.**
- 2.2 **That Cabinet notes that the marketing is to be carried out by the commercial property consultant engaged by the Consortium, John Dillon.**
- 2.3 **That Cabinet delegates authority to the Regeneration Programme Manager to finalise and sign the agreement for the marketing exercise.**

3. BACKGROUND

- 3.1 The Recreation Road development site runs along the length of the road, which is orientated on an East/West axis and is currently open to two-way traffic running. The site currently consists of 8 separately owned plots with a variety of land uses in evidence.
- 3.2 One of the 8 plots is the long stay 'Recreation Road North' Long Stay Car Park owned by Bromsgrove District Council.
- 3.3 The Recreation Road development site has been included within the Bromsgrove Town Centre Area Action Plan and will be developed as high density residential. It has been classified as C2/C3 to provide for a

- retirement living complex. It is intended that this would primarily be an 'Extra-Care' facility.
- 3.4 There is very little retirement accommodation in Bromsgrove at present. There is however a great demand for it. There is a particular need for Extra Care provision, which allows older people to maintain independent living in a supported environment. Any such development would have a suitable proportion of shared ownership to ensure adequate affordable housing is provided.
- 3.5 The site is adjacent to a residential area. Its proximity and ease of access of this site to the Health Centre, Recreation Ground, car parking, and the Town Centre, makes it an ideal location for an Extra Care development.
- 3.6 The site is currently in mixed ownership, with approximately half of the land area owned by the Public Sector. The marketing of the site as one area would make the proposed scheme deliverable in early phases of the overall town centre development plan.
- 3.7 It also means that the value of the District Council land can be fully realised. As a small 'stand-alone' site it has limited potential for redevelopment and hence limited value. Failure to include it within the overall development site, would severely compromise the ability to regenerate this key area of the Town Centre. The amenity needs of older people within an Extra-Care development may also provide an opportunity to upgrade the Recreation Ground as part of the overall development proposition for the area.
- 3.8 The Area Action Plan proposes a rationalisation of car parking provision in the town centre. The Recreation Road North Long Stay Car Park currently only operates at an average 50% capacity and the spaces lost in its redevelopment will be compensated for redirecting vehicles to the under-used Churchfields Multi-Storey, thereby mitigating any loss of car parking revenue.
- 4. KEY ISSUES**
- 4.1 Appendix A shows the landownership along Recreation Road. The Town Centre Regeneration Team together with County Council Property Services have facilitated the creation of a Public/Private 'Recreation Road Consortium' to allow for the pooled redevelopment / regeneration of different land holdings along Recreation Road, rather than a piecemeal approach across 8 separate sites.

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- 4.2 The final make up of the Consortium will be dictated by the yield the joint development approach will realise. The Consortium has therefore committed to undertaking a three-month marketing exercise with the costs divided depending upon each owner's specific area of land. They wish to use JP Dillon Commercial Property Consultants for this purpose as he already represents private interests along Recreation Road.
- 4.3 JP Dillon's rates are equivalent to other commercial agents.
- 4.4 Cabinet are therefore being asked to approve the inclusion of the car park within this marketing exercise of the site.
- 4.5 A further Cabinet Report will be submitted with the results of the Marketing Exercise and if appropriate to consider the sale of the Car Park within a formal Consortium arrangement.

5. FINANCIAL IMPLICATIONS

- 5.1 The lowest forecast price per acre is predicted to be £1 million per acre. At this rate BDC would potentially enjoy a capital receipt of approximately £330,000, subject to environmental surveys and site preparation costs. However the marketing exercise will seek to ascertain what higher yield, if any, is possible.
- 5.2 The cost of this initial phase of the marketing of the site to Bromsgrove District Council (being the smallest land owner within the Consortium) will be relatively small; £441.25. This will be covered by the Town Centre budget.
- 5.3 A marketing agreement document for the landowners to sign has been drafted by Worcestershire County Council and approved by the Recreation Road Consortium. Sarah Sellers, Senior Solicitor, has approved the document on behalf of Bromsgrove District Council.

6. LEGAL IMPLICATIONS

- 6.1 None as a result of this report other than the commitment to pay the share of the marketing costs indicated. Any consideration, decision or agreement to sell the Car Park land as a result of the marketing exercise will be subject to a further Cabinet Report.

7. POLICY IMPLICATIONS

- 7.1 Meets the Council priority of improving the Town Centre viability.

8. COUNCIL OBJECTIVES

- 8.1 Town Centre Regeneration

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

- 9.1 These risks are being controlled within the overall Risk and Issues Register of the Town Centre Regeneration Programme, which is managed by the Regeneration Programme Manager and overseen by The Town Centre Steering Group, the Portfolio Holder and the Head of Service.
- 9.2 If this marketing exercise is not commenced now, there is a danger of the various land owners selling their sites separately, which would lead to piece-meal developments. This would prevent an early and co-ordinated regeneration opportunity via a pooled development and the loss of the potential extra-care village from Bromsgrove Town Centre.
- 9.3 A separate disposal of the BDC owned car park may risk a lower yield as the size of the site does not lend itself to a stand alone redevelopment and therefore may be worth more as part of a larger site.

10. CUSTOMER IMPLICATIONS

- 10.1 The Housing Strategy Manager and Bromsgrove District Housing Trust (BDHT) have shown that there is a demand for such a facility in Bromsgrove due to the ageing demographic of the district.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

- 11.1 The completion of a marketing exercise will gain interest from developers regards the development of a Care Village or retirement facility. The next step would be the sale of the site and development of the facility following Planning Approval, which will ensure a sufficient affordable element in included in the plans.
- 11.2 The creation of such a facility within the town centre will mean that the older community and those with disabilities would have the option of

receiving the care they require in a convenient location i.e. close to the High Street and new Health Centre, and opposite a green open space.

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

- 12.1 The Consortium's selection of JP Dillon Commercial Property Consultants is being verified by Bromsgrove District Council to ensure that the fees are competitive.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

- 13.1 The expected carbon footprint of a new Care Village / retirement facility would be examined during the Planning process.

14. HUMAN RESOURCES IMPLICATIONS

- 14.1 Some work has been required for the Legal Department during the process.

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

- 15.1 The Governance and Performance Management of the Regeneration Programme is managed by the Regeneration Programme Manager and overseen by The Town Centre Steering Group, the Portfolio Holder and the Head of Service.

16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

- 16.1 A new Care Village / retirement facility will be designed with Community Safety and Crime Reduction in mind; these will be considered during the Planning process.

17. HEALTH INEQUALITIES IMPLICATIONS

- 17.1 The new Bromsgrove Health Centre is adjacent to the proposed development site, meaning that the occupants, who will be some of the frailer and more vulnerable members of the Community, will be next door to 'state of the art' Health Care.
- 17.2 The Recreation Ground will have an important role to play for the whole development proposition in the area by contributing to the green and open

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space amenity value for the occupants of the Care Village. This should also help ensure a quality space for all residents of Bromsgrove.

18. LESSONS LEARNT

- 18.1 Benchmarking is being carried out to ensure that the costs of the marketing exercise is competitive.

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

- 19.1 The marketing of the Recreation Road site has been discussed for some months at the Bromsgrove Town Centre Steering Group, which is attended by Cllrs Hollingworth, Dent and Tibby, Kevin Dicks, John Staniland, and others. The portfolio holder Del Booth has also been kept informed.
- 19.2 The Recreation Road development site is also included within the Town Centre Area Action Plan, which is due to be released during January 2011 for public consultation. This document has been the subject of wide public consultation and also discussed and approved by a variety of groups; namely:
- Bromsgrove Town Centre Steering Group
 - Bromsgrove District Council Cabinet
 - Local Development Framework Working Group
 - Town Centre Stakeholder's Forum

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	Yes – via Town Centre Steering Group
Executive Director (S151 Officer)	Yes – via Lead Solicitor
Executive Director – Leisure, Cultural, Environmental and Community Services	No
Executive Director – Planning & Regeneration, Regulatory and Housing Services	Yes
Director of Policy, Performance and Partnerships	No

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Head of Service	Yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	Yes – via Lead Solicitor
Corporate Procurement Team	Yes – via Lead Solicitor

21. WARDS AFFECTED

- 21.1 A new Care Village / retirement facility would be in the St Johns Ward. However, the entire district would benefit from such a facility.

22. APPENDICES

Appendix 1: Site Plan of Recreation Road

Description: A Plan of the properties currently located along Recreation Road

23. BACKGROUND PAPERS

Bromsgrove District Council Cabinet Report November 2007

24. KEY

Not applicable

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SUMMARY - Period 6/Quarter 2 (September) 20010/11					
Monthly/Quarterly (September) performance			Estimated Outturn		
	No.	%age ³		No.	%age ³
Improving or stable.	26	59%	On target	26	59%
Declining	18	41%	Missing target by less than 10%	7	16%
No data	9		Missing target by more than 10%	11	25%
			No data ²	9	
Total Number of Indicators reported this period ¹	53		Total Number of Indicators reported this period ¹	53	

SUMMARY - Period 7 (October) 20010/11					
Monthly (October) performance			Estimated Outturn		
	No.	%age ³		No.	%age ³
Improving or stable.	24	80%	On target	18	72%
Declining	6	20%	Missing target by less than 10%	5	20%
No data	8		Missing target by more than 10%	2	8%
			No data ²	13	
Total Number of Indicators reported this period ¹	38		Total Number of Indicators reported this period ¹	38	

SUMMARY - Period 8 (November) 20010/11					
Monthly (November) performance			Estimated Outturn		
	No.	%age ³		No.	%age ³
Improving or stable.	16	42%	On target	27	66%
Declining	22	58%	Missing target by less than 10%	5	12%
No data	6		Missing target by more than 10%	9	22%
			No data ²	3	
Total Number of Indicators reported this period ¹	44		Total Number of Indicators reported this period ¹	44	

SUMMARY - Period 9/Quarter 3 (December) 20010/11					
Monthly (December) performance			Estimated Outturn		
	No.	%age ³		No.	%age ³
Improving or stable.	22	52%	On target	24	57%
Declining	20	48%	Missing target by less than 10%	7	17%
No data	11		Missing target by more than 10%	11	26%
			No data ²	11	
Total Number of Indicators reported this period ¹	53		Total Number of Indicators reported this period ¹	53	

Notes

- 1 - This figure shows the total number of indicators reported in Appendix 2 for this period. This will vary as some indicators are reported monthly, some quarterly, some annually (but in different periods - depending on when they become available).
- 2 - Some of the indicators do not have all the performance elements, for instance some do not have targets because they are new indicators this year, others are activity measures (e.g. monthly call volume). These indicators will be included in the 'no data' count where comparisons cannot be made.
- 3 - The percentage figure shown is the percentage of the number of indicators for which relevant data is available this period, not the total number of indicators reported this period.

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Ref	Description	Freq. of reporting	Cum or Snap?	2009/10 outcome	2010/11												Comments			
					Sep. Target	Sep. Actual	Target & Trend	Oct Target	Oct Actual	Target & Trend	Nov Target	Nov Actual	Target & Trend	Dec Target	Dec Actual	Target & Trend				
Environment Department																				
NI 191	Residual household waste per household (KG)	M	C	581.13	286.17	273.96	W	333.26	317.10	I	381.83	363.42	W	434.87	409.48	W	578.00	570.00	I	Projecting for year end the outturn has worsened slightly this month back to original target of 578 kg/ household. Some bring bank and trade tonnage for Nov/Dec are yet to be received
NI 192	Percentage of household waste-re-used, recycled and composted	M	C	37.4	44.10	45.39	I	35.56	46.47	W	23.39	45.74	W	41.04	43.55	W	40.00	40.00	I	Reject rate stands at 7.5%. Some Bring bank tonnages are yet to be received which will slightly increase NI towards target. Year end outturn has increased back to 40%.
	Number of missed waste collections	M	C	1107	750	700	W	875	762	I	1,000	849	W	1,125	911	I	1,500	1,030	I	62 missed collections in December
	Town Centre Car Park Usage (av per month)	M	S	126,928 (ave)	126,875	128,770	W	29,280	30,686	I	29,280	30,651	W	29,280	23,531	W	>29,280	>29,280	I	Snow in December adversely affected car park usage

Community Services

					2,640	2,925	I	3,087	3,375	I	3,520	3,791	I	3,968	4,134	I	5,266	5,432	I	The adverse weather during December has had a positive impact on the level of crime and disorder within the district. There were only 328 criminal offences in December which is considerably lower than any other single month this year and brings the year to date total to 99 offences under target. At the pace of this direction of travel the end of year target could/should be met. Bromsgrove CSP are currently setting their 2010/11 priorities which will focus the work for crime prevention and interventions for the year to come.
					186	173	I	217	197	I	247	223	S	279	247	I	370	338	I	Bromsgrove continues to be a hotspot for domestic burglary due to its locality to major conurbations and transport links. In December a policing operation was delivered throughout the district to tackle robberies at convenience stores and cash in transit robberies. This operation had a positive knock on effect as significant policing presence on the major transport routes deterred domestic burglary offences. Bromsgrove CSP are working with policing teams to tackle the annual spike in offences during January by delivering an awareness campaign in the media and by targeted known offenders within the community.

Ref	Description	Freq. of reporting	Cm or Smp?	200/10 outturn	200/011															
					Sep. Target	Sep. Actual	Target & trend	Oct Target	Oct Actual	Target & trend	Nov Target	Nov Actual	Target & trend	Dec Target	Dec Actual	Target & trend	Target	Est. Outturn	Est. Outturn Target & Trend	Comments
	The number of violent crimes	M	C	1046	554	612	I	641	710	I	719	797	I	797	872	I	1,038	1,113	I	December was the best performing month year to date in terms of violent crime offences and is the only month to achieve its monthly target. New Year was exceptionally quiet and this achievement was assisted by high visibility presence in the town centre by local policing and neighbourhood wardens as part of operation Christmas presence. The direction of travel against this performance indicator has been positive for the last 5 months with the exception of October and although we will achieve an end of year reduction we should achieve an outturn which would represent similar levels as last year with no significant increase.
	The number of robberies	M	C	44	27	25	I	32	28	I	36	32	W	41	35	W	54	48	I	The volume of offences remains low with Bromsgrove with only 3 offences throughout December.
	The number of vehicle crimes	M	C	672	333	340	I	389	412	W	444	466	I	500	520	I	664	684	I	December's frosty weather caused a problem with vehicle crimes as either cars were being stolen or items taken out of unlocked cars whilst people left their keys in the ignition. This resorted to officers patrolling the district early in the morning to act as a deterrent and to give raise caution to drivers. However we were still able to achieve a monthly target and it is likely that we will either achieve a reduction against this performance indicator or a similar level to last year.
	The number of Criminal Damage Incidents	M	C	908	458	450	I	532	502	I	608	558	W	667	600	W	890	823	I	Only 42 offences during December the lowest number of offences in a single month year to date. This will be linked to the adverse weather conditions and the decrease in ASB levels. This end of year target should be met.
	Monthly Shopmobility Centre Usage	M	S	144 (ave)	160	221	I	160	217	W	160	192	W	140	145	W	160	160	I	Above target, despite adverse weather
	Community transport leases	M	C	n/a	840	1,662	I	980	n/a	n/a	1,120	n/a	n/a	1,400	n/a	n/a	1680			Figures not available

Ref	Description	Freq. of reporting	Cm or Snp?	200/10 outcome	Sep. Target	Sep. Actual	Target & trend	Nov Target	Nov Actual	Target & trend	Dec Target	Dec Actual	Target & trend	200/011			Comments
														Target	Est. Outcome	Est. Outcome Target & Trend	
	Average time (weeks) from referral to completion for category 1 DFGs	Q	C	44	34	68	I	n/a	n/a	n/a	34	45	I	34			compared with 10 cases completed to last quarter). The comments are however the same as last quarter, as we are still feeling the effects from the last years financial problems. Figures These show a significant improvement on last quarter's figures for Category 1 cases (high priority) and Category 2 (medium priority) however Category 3 (low priority) cases have longer waiting times. This is a repercussion to the last financial year, all cases were placed on hold as the budget had been fully approved and spent.
	Average time (weeks) from referral to completion for category 2 DFGs	Q	C	63	35	63	I	n/a	n/a	n/a	35	65	I	35			As above
	Average time (weeks) from referral to completion for category 3 DFGs	Q	C	63	52	88	I	n/a	n/a	n/a	52	84	I	52			As above
	Percentage of DFG budget allocated to approved schemes (activity measure)	Q	C	100.00	n/a	49	n/a	n/a	n/a	n/a	n/a	49	n/a	n/a			On target to spend all budget
	Percentage of DFG budget spent (activity measure)	Q	C	100.00	n/a	35	n/a	n/a	n/a	n/a	n/a	35	n/a	n/a			On target to spend all budget
	Private dispersed Lifeline customer numbers - new customers	M	S		18	13	W	18	20	W	18	9	W	18	215		Snowy conditions, Christmas closure and staff taking annual leave meant that we did not achieve many new installations
	Private dispersed Lifeline customer numbers - Leavers	M	S		12	12	W	12	4	I	12	6	W	12	137		Very few cancellations recorded as staff were unable to get out to remove and collect equipment.
	Private dispersed Lifeline customer numbers - net gain	M	S		6	1	W	6	16	I	6	3	W	6	78		New leaflets for the service will enable us to begin a new marketing launch in the next 2 months.
	Private dispersed Lifeline customer numbers - total private dispersals	M	S		637	653	I	643	682	I	655	685	W	655	n/a		Business growth is above the set target
	Number of lifeline calls received (activity measure)	M	S		n/a	11,942	n/a	n/a	12,277	n/a	n/a	15,876	n/a	n/a	n/a		The number of calls were very high, particularly over the snowy period. Christmas eve and Tuesday the 28th were particularly busy.
	% of lifeline calls answered within 1 minute	M	S		98.50%	99.80%	I	98.50%	99.05%	I	98.50%	99.10%	I	98.50%	98.50		Response times were very prompt, quicker than the specified target.
Ni 155	Number of affordable homes delivered	Q	C	88	40	40	I	n/a	n/a	n/a	60	55	W	60	65		55 affordable housing units delivered in the first 3/4 of this financial year. On course to meet our projected figure of 65 units by year end but falling short of our target of 80 units per year. However we have already exceeded the overall 5 year target (2006-2011) to deliver 400 affordable housing units.
Ni 156	Number of households occupying temporary accommodation	Q	S	14	34	10	I	n/a	n/a	n/a	34	19	W	34	15		We continue to meet our target of less than 34 clients in Temporary accommodation
	Number of CCTV incidents (activity measure)	M	C		n/a	342	n/a	n/a	350	n/a	n/a	315		n/a			Activity Measure

Ref	Description	Freq. of reporting	Cum or Smp?	2009/10 outturn	200/011												Comments	
					Sep. Target	Sep. Actual	Target & Trend	Oct Target	Oct Actual	Target & Trend	Nov Target	Nov Actual	Target & Trend	Dec Target	Dec Actual	Target & Trend		
	% of CCTV incidents which are proactive monitoring	M	C		n/a	26	n/a	n/a	n/a	45	n/a	n/a	n/a	23	n/a	38		Activity Measure
	Number of CCTV evidential seizures	M	C		n/a	38	n/a	n/a	n/a	48	n/a	n/a	n/a	39	n/a	33		Activity Measure

Leisure & Cultural Services

	Number of locally delivered diversionary sessions	M	C	163	115	151	W	133	166	I	147	166	W	152	166	W	185	185	Still exceeding year to date targets but no activity for December. This was due to weather at this time of year and no coordinated programme in conjunction with Community Safety. Persevering to establish regular sessions and activities.
	Numbers of users attending diversionary activities.	M	C	617	479	709	W	548	804	I	580	804	W	610	804	W	750	850	Still exceeding year to date targets but no activity for December. This was due to weather at this time of year and no coordinated programme in conjunction with Community Safety. Persevering to establish regular sessions and activities.
	Number of over 60's swimming usages	M	C		n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		N/A	N/A	No longer running due to funding cuts. But over 60's swimming figures dating back to August will be available as of January reporting to measure the impact.
	Number of people attending Age Well scheme	Q	C		n/a	n/a	n/a	N/A	N/A		N/A	N/A		N/A	N/A		n/a (baseline in 10/11)	n/a (baseline in 10/11)	Community currently being engaged, actual attendance figures will be available for the month of February via Age Well Scheme pilot.
	Number of attendances at arts events	M	C	23,728	21,468	21,513	I	22,327	22,394	I	25,352	25,449	I	25,481	25,636	W	25,636	25,750	Target exceeded. The People Dancing Project was launched in December in Bromsgrove Town Centre. Where images of people were projected onto buildings surrounding the Houseman Statue. We facilitated the launch of Lis Berreen's new poetry book aimed at children: Lis is a local poet who has worked with the council on the Jubilee Bandsland, Street Theatre and Christmas programmes.
	Artix usage (community use)	Q	S	60,250	32,400	32,596	W	N/A	N/A		N/A	N/A		50,442	51,005	I	64,500	64,500	Target exceeded. During this quarter total attendances at live events and at workshops have increased compared to the last quarter, there has also been an increase in the percentage of capacity sold of directly promoted performances and cinema. A highlight of this quarter includes the annual pantomime by All and Sundry Theatre Company

Ref	Description	Freq. of reporting	Cm or Smp?	200/10 outturn	200/011														
					Sep. Target	Sep. Actual	Target & Trend	Oct Target	Oct Actual	Target & Trend	Nov Target	Nov Actual	Target & Trend	Dec Target	Dec Actual	Target & Trend	Est. Outturn	Est. Outturn Target & Trend	Comments
	Dolphin Centre Usage	M	C	415,407	206,468	194,493	W	242,390	227,183	W	278,019	256,674	W	304,083	274,589	I	413,000	390,000	Target not met due to the festive period and inclement weather. We had several bookings and parties cancelled due to the weather. We also had a reduced timetable due to reduced opening hours, swim school did not run for 2 weeks and there was no school swimming. Estimated outturn has been reduced to reflect actual attendance to December plus targets for January February and March.
	Sports development usages	M	C	30,095	14,307	16,145	I	17,371	20,592	I	20,911	24,552	I	22,082	26,544	I	30,600	35,000	Target exceeded due to success of School Festivals, Sport Unlimited, Exercise Mobility, Multi Skills and PSP sessions. Regular programmes have seen increase in numbers to contribute to overall increase in usages.

Finance & Resources Department

N1181	% taken to process HB/CT benefit claims or change events (days)	M	C	9.12	12.00	12.55	W	12.00	12.26	I	12.00	12.49	W	12.00	12.52	I	12	12.00	Throughout December, staffing issues continued with the phased return of one long term sickness absentee. The other is expected to return early in the new year. However, the monthly performance improved when compared to December, and we remain on target to meet the target of 12 days.
	% of HB overpayments recovered during the quarter of the outstanding debt.	Q	S	8.00	25.00	13.00	I							25.00	19.00	I	25.00		A designated overpayment officer has contributed to an improvement but it is still short of the target. Further recovery methods and more pro-active recovery work in the coming months should lead to further improvement and reductions in the outstanding debt.
	% of the outstanding HB overpayments debt written off during the quarter	Q	S	1.08	2.00	0.91	W							2.00	3.90	W	2.00		A lot of pro active overpayment work, following the recruitment of a designated overpayment officer. Has lead to an increase in write offs. This is because on close inspection, a lot of the older debts had not been chased properly and are now irrecoverable. In addition to this, debtors have absconded and cannot be traced.
	Total annual savings as identified in MTFP (£'000)	Q	C		418	378	I			N/A				736	495	W	981	660.00	Some of the savings identified within the MTFP are not likely to be met; this is mainly due to the reduced expected income for the car parks.
	Percentage of invoices paid within 10 days of receipt	M	C	83.00	90.00	89.74	I	90.00	90.16	I	90.00	89.39	W	90.00	89.46	I	90.00	85.00	The invoices paid within 10 days is under target. In December there were 73 late invoices this is mainly to the authorisation of invoices during the Christmas period.
FP001	Percentage of invoices paid within 30 days of receipt	M	C	98.00	98.00	99.02	W	98.00	98.97	W	98.00	98.34	W	98.00	98.26	W	98.00	98.00	On Target

Ref	Description	Freq. of reporting	Cm or Snp?	200/10 outturn	200/011										Comments				
					Sep. Target	Sep. Actual	Target & Trend	Oct Target	Oct Actual	Target & Trend	Nov Target	Nov Actual	Target & Trend	Dec Target		Dec Actual	Target & Trend	Est. Outturn	Est. Outturn Target & Trend
LPI (formerly BV12)	The average number of working days lost due to sickness.	M	C	9.12	4.26	4.58	W	4.97	5.52	W	5.68	6.74	W	6.39	7.83	W	8.75	10.44	Although there was a slight decrease in the number of reported absences, the projected outturn remains RED

Customer Services

	Monthly Call Volumes Customer Contact Centre (activity measure)	M	S		n/a	6,628	n/a	n/a	6,315	n/a	7,816	6,667		n/a			n/a		Severe weather experienced during the run up to the Christmas holiday period has influenced call demand this month, buoying up demand at a time when calls were expected to decline. However calls to the contact centre did fall by 15% compared to last month.
	Monthly Call Volume Council Switchboard (activity measure)	M	S		n/a	4,085	n/a	n/a	3,646	n/a	3,806	3,949		n/a			n/a		Switchboard calls show a small increase of 4% compared to last month. The severe weather experienced in the run up to the Christmas holiday period has influenced call demand, buoying up demand at a time when call volumes are expected to fall
	Resolution at First Point of Contact all services (percentage)	M	S	95.00	85.00	96	I	85.00	98	I	97	98	I	85.00	85.00	95.00	95.00	95.00	Performance during December remains above target and is consistent with year to date performance
	Page 88 of Calls Answered	M	S	85.00	85.00	93.00	S	85.00	95.00	I	92.00	93.00	I	85.00	85.00	85.00	85.00	85.00	Performance remains above target and is consistent with last month
	Average Speed of Answer (seconds)	M	C	20	20.00	19.50	I	20.00	18.20	I	17.60	16.70	I	20.00	20.00	20.00	20.00	20.00	The continual improvement trend is sustained this month supported by the monthly performance during December exceeding target.
	Number of complaints received (Council wide)	M	C	200	n/a	118	I	n/a	130	W	141	146	I	n/a	n/a	decreasing	decreasing	decreasing	Complaints in December were: Errors in Benefit Claims 2, Garden Waste Collection 1, Missed Bins 2
	Number of compliments received	M	C	60	n/a	49	W	n/a	58	I	65	73	I	n/a	n/a	increasing	increasing	increasing	There were more Compliments than Complaints in December. Compliments in December were: Excellent Service and advice from Customer Service Centre 3, Table Tennis Club for Older men organised by Sports Development 1, Excellent service and going the extra mile for the Waste Team 4

Legal, Equalities and Democratic Services

There are no Corporately reported PIs for this department

Planning & Regeneration

Ni 157	The percentage of major planning applications determined within 13 weeks	M	C	83.00	85.00	71.40	W	85.00	70.80	W	69.20	70.37	I	85.00	85.00	80.00	85.00	85.00	This is the third time in the last 9 months that just one application has been determined in a month. This last quarter has seen a reduction in applications determined in this category to just 6 as opposed to say 11 in the first quarter.
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Ref	Description	Freq. of reporting	Cum or Smp?	200/10 outturn	200/011												Comments			
					Sep. Target	Sep. Actual	Target & Trend	Oct Target	Oct Actual	Target & Trend	Nov Target	Nov Actual	Target & Trend	Dec Target	Dec Actual	Target & Trend		Est. Outturn	Est. Outturn Target & Trend	
NI 157	The percentage of minor planning applications determined within 6 weeks	M	C	87.80	85.00	90.60	I	85.00	88.00	W	85.00	87.80	I	85.00	88.24	I	85.00	85.00	85.00	Numbers of this application type reflect those of November and are average for this application type. Two applications were not determined in time; 10/0848 (new gate at Alcester road) was as the result of needing to create a new address and delays in erecting site notice. 6 St Catherine's road Blackwell went over as a result of being called to Committee
NI 157	The percentage of other planning applications determined within 8 weeks	M	C	91.00	90.00	94.90	W	90.00	94.00	W	90.00	94.10	I	90.00	94.03	W	90.00	90.00	90.00	The number of applications determined in this category represented another small increase in relation to the average in this group (50). Four applications went over time including: 10/0925 Bournham in Dodford due to issues with Snow, 10/0840 a Sunrays went over as a result of the need for advertising to address the setting of a conservation area. 10/0906 a garden wall at Chapel land went over due to need to consult neighbours and 10/0956 outbuildings at Brake Lane went over due to volume of work and issues with snow.

Regulatory Services

There are no Corporately reported PIs for this department

Policy, Performance and Partnerships

There are no Corporately reported PIs for this department

Business Transformation

There are no Corporately reported PIs for this department

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2010/11 Monthly Performance figures

Ref	Description	Freq	Cum or Snap	Apr.	May.	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.		
NI 191	Residual Household waste per household (kg)	M	Target	47.55	47.84	47.60	48.38	47.12	47.68	47.09	48.57	53.04	46.98	44.23	48.21		
			Actual	50.30	42.13	46.11	47.30	41.73	46.40	43.14	46.31	46.06					
			numerator	1,964.54	1,645.47	1,801.04	1,847.40	1,629.90	1,812.29	1,685.13	1,808.98	1,799.22	1,808.98	1,799.22			
			denominator	39,059	39,059	39,059	39,059	39,059	39,059	39,059	39,059	39,059	39,059	39,059			
NI 192	Percentage of household waste re-used, recycled and composted	M	Target	42.36	46.38	44.98	44.30	43.72	40.96	36.56	23.39	29.30	32.34	29.03	36.41		
			Actual	39.97	44.48	46.70	42.51	44.11	52.94	52.43	40.18	24.62					
			numerator	1,308.048	1,318.193	1,578.827	1,366.005	1,286.334	2,038.770	1,859.882	1,214.851	745.745					
			denominator	3,272.728	2,963.633	3,381.089	3,213.475	2,916.234	3,851.060	3,547.390	3,023.831	3,028.648					
	Number of missed waste collections	M	Target	125	125	125	125	125	125	125	125	125	125	125	125		
			Actual	167	120	151	119	59	84	84	87	62					
			Target	126,875	126,875	126,875	126,875	126,875	126,875	126,875	126,875	126,875	126,875	126,875	126,875	126,875	
			Actual	125,929		127,936	136,570	130,147	29,869	30,686	30,651	23,531					

Environment Department

Community Services

	Total crimes	M	Target	433	447	433	447	447	433	447	433	447	447	404	447	
			Actual	485	505	472	535	506	460	463	423	348				
	The number of domestic burglaries	M	Target	30	31	30	31	31	30	30	31	31	31	28	31	
			Actual	25	17	35	48	33	17	25	26	24				
	The number of violent crimes	M	Target	88	91	92	96	97	90	90	87	78	78	80	74	87
			Actual	107	97	99	120	99	91	100	85	75				
	The number of robberies	M	Target	4	5	4	5	5	4	5	4	5	5	4	5	
			Actual	6	6	3	4	5	1	4	4	3				
	The number of vehicle crimes	M	Target	55	56	55	56	56	55	56	55	56	56	51	56	
			Actual	47	62	40	45	86	59	72	54	55				
	The number of criminal damage incidents	M	Target	74	77	59	93	74	81	74	76	59	63	70	90	
			Actual	64	83	78	79	70	76	52	56	42				
	Shopmobility Centre Usage	M	Target	160	160	160	160	160	160	160	140	140	160	160	160	
			Actual	141	133	148	207	214	221	217	192	145				

NUMBER OF CCTV INCIDENTS	UNIT	Actual	315	336	80	173	320	342	379	350	315			
%age of CCTV incidents which are proactive monitoring	M	Target	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
		Actual	60	71	34	19	36	26	45	23	38			
Number of CCTV evidential seizures	M	Target	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
		Actual	33	24	12	19	45	38	48	39	33			

Leisure & Cultural Services

Number of locally delivered diversionary sessions	M	Target	16	19	18	21	25	16	18	14	5	5	12	16
		Actual	30	3	15	23	80	0	15	0	0	0		
Numbers of users attending diversionary activities.	M	Target	56	69	82	96	124	52	69	32	30	20	42	48
		Actual	64	8	149	133	355	0	95	0	0	0		
Number of over 60's swimming usages	M	Target	1,275	1,325	1,450	1,450	1,450	1,375	1,250	1,200	950	875	1,000	1,150
		Actual	1,272	1,195	1,378	1,403	N/A	N/A	N/A	N/A				
Number of people attending 'Age Well' scheme	Q	Target	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
		Actual	N/A	N/A	N/A	N/A	N/A	14	N/A	N/A	N/A	N/A	N/A	N/A
Number of attendances at arts events	M	Target	91	568	660	4,222	15,080	847	859	3,025	129	63	111	95
		Actual	100	485	665	4,618	14,773	872	881	3,055	187			
Artrix usage	Q	Target	N/A	N/A	16,125		N/A	14,800	N/A	N/A	18,042			
		Actual	N/A	N/A	17,696	2,700	N/A	14,900	N/A	N/A	18,409			
Dolphin Centre Usage	M	Target	34,056	37,709	34,321	34,563	31,105	34,813	35,922	35,630	26,064	36,000	38,571	40,403
		Actual	34,301	33,016	31,061	32,519	32,533	30,983	32,690	29,491	17,995			
Sports development usages	M	Target	1,966	2,514	2,849	2,686	2,351	1,941	3,064	3,540	1,171	1,983	2,754	3,781
		Actual	2,060	2,856	2,738	3,221	2,243	3,027	4,447	10,448	1,992			

Finance & Resources Department

NI 181	M	Target	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
		Actual	19.61	16.68	15.60	13.65	11.12	13.88	9.87	12.85				
		numerator	21,202	35,180	55,762	64,182	71,695	10,571	7,906	17,479	10,013			
		denominator	1,081	2,109	3,574	4,701	5605	951	801	1,259	779			
% of HB overpayments recovered during the quarter of the outstanding debt.	Q	Target			25			25			25			
		Actual			8		13				19			
Maximum % of the outstanding HB overpayments debt written off during the quarter	Q	Target			2		2				2			
		Actual			0		0.91				3.90			
Total annual savings as identified in the MTFP (£'000)	Q	Target			207		418							
		Actual			119		260				116			
Percentage of invoices paid within 10 days of receipt	M	Target	90.00	90.00	90.00	90.00	99.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00
		Actual	86.69	79.55	88.29	95.64	96.20	92.09	92.72	83.95	90.08			
Percentage of invoices paid within 10 days of receipt	M	Target	98.00	98.00	98.00	98.00	98.00	98.00	98.00	98.00	98.00	98.00	98.00	98.00
		Actual												

30 days of receipt	...	Actual	99.61	98.64	98.63	99.53	98.86	98.89	98.68	93.84	97.69		
The average number of working days lost due to sickness.	M	Target	0.71	0.71	0.71	0.71	0.71	0.71	0.71	0.71	0.71	0.79	0.78
		Actual	0.78	77.00	0.49	0.73	0.78	1.02	0.92	1.21	1.16		

Customer Services

Monthly Call Volumes Customer Contact Centre (activity measure)	M	Target	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
		Actual	9,914	6,992	7,465	6,818	6,284	6,628	6,315	7,816			
Monthly Call Volume Council Switchboard (activity measure)	M	Target	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
		Actual	4,799	4,127	4,565	4,430	3,638	4,085	3,646	3,806			
Resolution at First Point of Contact all services (percentage)	M	Target	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00			
		Actual	97.00	97.70	96.00	93.00	97.00	96.31	97.70	97.00			
% of Calls Answered	M	Target	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00			
		Actual	86.00	89.00	92.00	93.00	93.00	93.20	95.00	92.00			
Average Speed of Answer (seconds)	M	Target	20	20	20	20	20	20	20	20			
		Actual	34	22	16	14	12	13	9	14			
Number of complaints received (Council wide)	M	Target	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
		Actual	34	25	17	17	18	7	12	11			
Number of compliments received (Council wide)	M	Target	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
		Actual	9	5	5	13	8	7	9	7			

Planning & Regeneration

N1157	M	C	Target	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	
			Actual	66.60	75.00	100.00	0.00	80.00	75.00	66.60	50.00	100.00	
			numerator	4	3	1	0	4	3	2	1	1	
N1157	M	C	denominator	6	4	1	1	5	3	2	1		
			Target	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	
			Actual	88.23	88.00	88.00	85.70	95.00	100.00	76.00	86.40	90.90	
N1157	M	C	numerator	15	15	22	18	18	19	19	19	20	
			denominator	17	17	25	21	19	19	25	22	22	
			Target	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	
			Actual	94.30	95.80	94.00	95.34	95.00	91.00	94.60	93.30		
			numerator	49	46	50	41	64	50	53	56		
			denominator	52	48	53	43	67	55	56	60		

Policy, Performance and Partnerships
 Corporately reported PIs for this department are only reported quarterly

Customer Feedback How did we do?



- Putting the Customer first
- October to December 2010



Bromsgrove
District Council

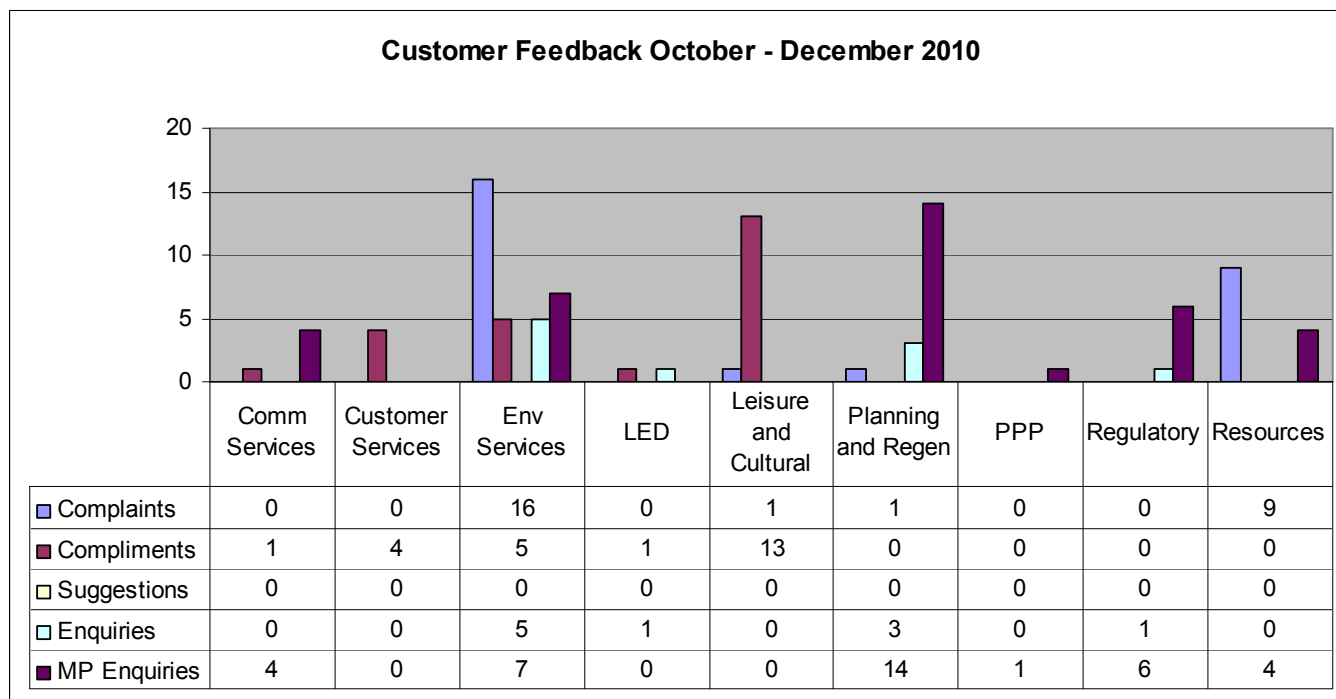
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Section1 Corporate Overview

Only services that have received feedback are featured in this report.

1.1 Customer Feedback received



During this quarter:

- A total of 27 complaints were received which is 15 less than last quarter- a significant decrease which has been consistent since the second quarter of this year.
- 36 enquiries from the local MP were received on behalf of residents and these were mostly objections to planning applications, perceived health hazards and community issues.
- 1 Ombudsman cases was received during this quarter. This has been investigated by the LGO and their decision was that there was no finding of maladministration by the Council.

1.2 Compliments Received

Excellent service at CSC	4
Sports Development courses	6
Spadesbourne Suite and team	1
Events in Sanders Park	6
Quality of service – Housing Team	1
Quality of service – Waste Collection	5
Quality of service – Allotments Team	1
Total	24

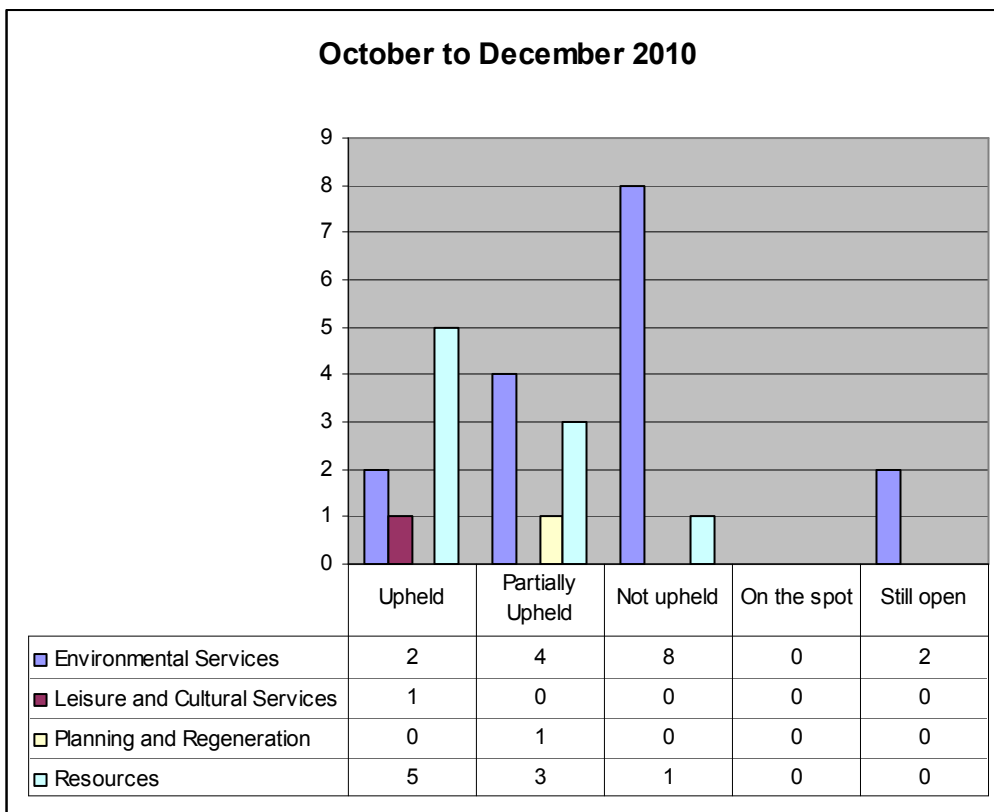
During this quarter:

- A total of 24 compliments were received.

1.3 Complaint Issues

Missed Bins	4
New Bin delivery delay	1
Bins not replaced properly	2
Assisted collection problems	1
Attitude of parking team	1
Parking	4
Garden waste charges	1
Hedges	1
Condition of Cemetery	1
Planning Applications	1
Sports course	1
Business rates	1
Council Tax	5
Housing Benefit claims	3
Total	27

1.4 Complaint Results



During this quarter:

- 30% of complaints were not upheld
- 59% were found to be justified – these included errors in council tax information and benefits claims(8), bins not replaced properly(2), missed bins (2), garden waste charges(1), assisted bin collection(1), planning objection (1) lack of customer care re sports development course(1)

1.5 Complaint response

	Within 10 days	After 10 days	Still open
Environmental Services	12	2	2
Leisure and Cultural Services	1	0	0
Planning and Regeneration	1	0	0
Resources	8	1	0
Total	22	3	2

During this quarter:

- We dealt with 81% of complaints within 10 days
- We dealt with 11% of complaints between 10 – 20 days.
- Where the complaint took longer to investigate than our 10 day standard, 100% of customers were contacted to let them know.

Section 2

Identified Trends and Recommendations for Improvement Actions

2.1 Identified Trends

The number of complaints has dropped significantly again this quarter with received cases showing a 28% decrease on 2009/10 figures.

2.2 Recommendations for Improvement Actions.

Complaints for the Waste Team have dropped significantly this year. Last year the majority of the complaints received were about the new garden waste service and the suspension of collections during the severe weather. A new severe weather strategy was introduced earlier in 2010 which saw the Waste and Communication Teams from Bromsgrove and Redditch Councils along with staff from the Hub and the County Council working together to establish a contingency plan and risk assessment. This resulted in customers being given regular updates about collections. Also, the Waste Teams were able to use salt supplied from the County Council to help clear snow when collections were suspended due to weather conditions. We can see that the successful application of this strategy has caused a significant decrease in complaints.

Another key factor in this decrease is the focus on the customer in the Personal Development Reviews for all staff in the Waste Teams. Each team member was encouraged to focus on customer care and reducing the number of missed bins. This has produced excellent results and the number of customer compliments has increased.

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**Bromsgrove District Council
Earmarked Reserves Schedule
2010/11 April to December 2010**

Appendix 5

Description	B/fwd 2010/11 £'000	Approved/ Reported Qtr 1/2 £'000	Additional receipts to Qtr 3 £'000	Additional usage to Qtr 3 £'000	Total Movement from B/fwd £'000	Current Position 2010/11 December £'000	Expected trf/use remainder 10/11 £'000	Projected balance 31 March 2011 £'000	Additional Information
Building Control Partnership Reserve	-22	0			0	-22		-22	11/12 Budget - Planned release to GF
Unspent Plan. Del. Grant reserve	-27	27			27	0		0	For draw down over 5 years from 11/12 - Barnsley Hall football pitches
Liveability Reserve	-16	0			0	-16		-16	Potential liability arising from ongoing legal cases
LPSA Reserve	-5	0			0	-5	5	0	
Litigation Reserve	-50	0			0	-50		-50	
Sports Partnerships Reserve	-19	0			0	-19	10	-9	Funding post
Area Committees	-21	0			0	-21		-21	11/12 Budget - Planned release to GF
Local Plans Inquiry	-243	0			0	-243	73	-170	11/12 Budget - Planned release to GF
Housing - Nightstop	-6	0			0	-6		-6	11/12 Budget - Planned release to GF
Housing needs assessments and surveys	-2	0			0	-2		-2	Planned use in 11/12
Council Chamber equipment	-7	6			6	-1	1	0	
Town Centre Development	-18	18			18	0		0	
Site Status/JE	-146	0			0	-146	146	0	
Shared Services Agenda incl Joint CE	-444	15	-105	0	-90	-534	190	-344	To fund costs relating to extension of shared services
Business Start up grants	-6	0			0	-6	6	0	
Youth Provision Reserve	-32	0		22	22	-10		-10	11/12 Budget - Planned release to GF
Activity Referral Scheme	-4	3			3	-1	1	0	
Town centre Market Stalls	-4	0			0	-4		-4	Planned use in 11/12
Alcohol Abuse Reserve	-6	0		6	6	0		0	
Local Strategic Partnership	-25	3			3	-23		-23	
Recycling Extension	-129	0		27	27	-102	27	-75	Planned use in 11/12
Town Centre Conservation Grants	-5	5			5	0		0	
Equalities	-5	0			0	-5		-5	11/12 Budget - Planned release to GF
Legal Monitoring Dept	-24	24			24	0		0	
Market Hall Demolition	-23	23			23	0		0	
Town Centre Electricity	-6	6			6	0		0	
Parks and Recreation	-2	0			0	-2	2	0	

Description
Housing - Education Initiative
Community Safety - WCC & LNP Funding
Sports - H & W SP - Sports Unlimited Grant
Housing - Homelessness
Housing - Mortgage Rescue
DWP - In & Out work
DWP - Rules - Temp Accomodation
Repairs & Renewals Fund
ICT refresh
VFA Subscriptions

B/fwd 2010/11 £'000	Approved/ Reported Qtr 1/2 £'000	Additional receipts to Qtr 3 £'000	Additional usage to Qtr 3 £'000	Total Movement from B/fwd £'000	Current Position 2010/11 December £'000	Expected trf/use remainder 10/11 £'000	Projected balance 31 March 2011 £'000	Additional Information
-3	0			0	-3		-3	Planned use in 11/12
-25	0	25	25	25	0		0	
-13	5			5	-8		-8	Planned use in 11/12
0	0			0	0		0	
0	0			0	0		0	
0	0			0	0		0	
0	0			0	0		0	
0	0			0	0		0	
				0	0		0	Transfer to reserve approved as part of 10/11 budget
0	0			0	0		-30	Transfer to reserve approved as part of 10/11 budget
0	0	-100		-100	-100		-100	Transfer to reserve approved as part of 10/11 budget - Planned use in 11/12
0	-20			-20	-20		-20	Planned use in 11/12
-1338	115	-205	80	-11	-1,349	431	-918	

Is the virement for 2010/11 Only or for future years?	Virement From:			Virement To:			Reason for virement
	Account	Cost Centre	Amount £	Account	Cost Centre	Amount £	
Future Years	A01 – Monthly Salaries	CM08	-26,209	A01 – Monthly Salaries	CC03	26,209	Post transferred to Customer Services
Future Years	D53 – Postage & Packing	ES01	-32,284	D53 – Postage & Packing	CD45	32,284	Budgets transferred to correct cost centre
Future Years	A01 – Monthly Salaries	PS00	-40,000	A01 – Monthly Salaries	PS02	40,000	Learning & OD Manager Post transferred as part of Shared Services
Future Years	A01 – Monthly Salaries D01 – Equipment Purchase D47 – Consultants Fees J36 – Income Misc	LP05	-62,370 -580 -1,740 5,000	A01 – Monthly Salaries D01 – Equipment Purchase D47 – Consultants Fees J36 – Income Misc	TW00	62,370 580 1,740 -5,000	Tree Service transferred from Planning and Regeneration to Environment as part of management restructure

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Quarterly Treasury Report Q3 2010/11

1. Background

The Treasury Management Strategy for Bromsgrove District Council has been underpinned by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2009, which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year.

The Code of Practice recommends that members should be informed of Treasury Management activities at least twice a year, but preferably quarterly. This report therefore ensures this authority is embracing Best Practice in accordance with CIPFA's recommendations.

Treasury management is defined as: "The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

2. Economic Background

- The Comprehensive Spending Review announced on 20 October 2010 set out how the Coalition Government will carry out the UK's deficit reduction plan over the next 4 years with the aim of eliminating the structural deficit by 2015. Particular focus was given to "reducing welfare costs and wasteful spending". Departmental budgets (other than health and overseas aid) are to be cut by an average of 19%, with around £81 billion cut from public spending overall, over 4 years resulting in a loss of around 490,000 public sector jobs. The Office of Budget Responsibility's (OBR), the new fiscal watchdog, verdict on the CSR was that there was a better than even chance of hitting the fiscal mandates and that the rebalancing of the economy could be relatively pain-free.
- The Bank of England's November Quarterly Inflation Report showed inflation remaining above the 2% target throughout 2011. In the Bank's view the recovery in economic activity was likely to continue, with GDP growth more likely to be above the historical average than below it for much of the 2-year forecast period.
- The headline inflation rate, Consumer Price Inflation (CPI), rose to 3.3% year-on-year to November 2010 and was expected to remain at a discomfortingly high rate into 2011. However, wage inflation remained benign with annual rate for average weekly earnings only 2.2% to October 2010.
- The UK economy grew in the third calendar quarter of 2010 by 0.8%, twice as much as economists forecast, as services and construction helped sustain the recovery's momentum. The annual growth rate increased to 2.8%. The Monetary Policy Committee maintained the Bank Rate at 0.5%, and although the MPC maintained Quantitative Easing at £200bn, minutes of the Committee's meetings showed the MPC was clearly ready to resume asset purchases if the economy slowed faster than expected.
- The US Federal Reserve (the Fed) kept rates on hold at 0.25% following signs of a slowdown in American growth and low core inflation. The Fed revised down its growth forecast for 2011 to 3.3%yoy from 3.8%yoy, while the jobless rate was revised up to 9.0% from 8.5% for Q4 2011.

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- The European Central Bank maintained rates at 1.00% but, at its meeting in December, extended the liquidity provision regime for a further three months. The markets questioned the sustainability of the Euro peripheral countries' debt and deficit reduction programmes - with Ireland and Portugal the main casualties - and also the core countries' commitment to the European project. The Republic of Ireland received an €85 billion aid package from the EU and the IMF.

3. Investment Activity

The Guidance on Local Government Investments in England gives priority to security and liquidity and the Council's aim is to achieve a yield commensurate with these principles.

Investments

	Balance on 01/04/2010 £000s	Investments Made £000s	Investments Repaid £000s	Balance on 31/12/2010 £000s	Increase/ Decrease in Investments
Short Term Investments	8,350	62,100	48,650	21,800	13,450
TOTAL INVESTMENTS	8,350	62,100	48,650	21,800	13,450

Security of capital remained the Council's main investment objective. This was maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2010/11. This restricted new investment to the following (*please amend as appropriate*):

- the Debt Management Office
- Other Local Authorities
- AAA-rated Stable Net Asset Value Money Market Funds
- Deposits with UK Banks and Building Societies systemically important to the UK banking system and deposits with select non-UK Banks (Australia, Canada, Finland, France, Germany, Netherlands, Spain, Switzerland and the US).
Counterparty credit quality is assessed and monitored with reference to: Credit Ratings (Council's minimum long-term counterparty rating of A+ across all three rating agencies, Fitch, S&P and Moody's); Credit Default Swaps; GDP of the country in which the institution operates; the country's net debt as a Percentage of GDP; Sovereign Support Mechanisms /potential support from a well-resourced parent institution; Share Price.
- Bonds issued by Multilateral Development Banks, such as the European Investment Bank
- Pooled funds (collective investment schemes) meeting the criteria in SI 2004 No 534 and subsequent amendments.

Credit Risk

Counterparty credit quality has progressively strengthened/been maintained through the first half of the year, as can be demonstrated by the Credit Score Analysis summarised below:

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Date	Value Weighted Average – Credit Risk Score	Value Weighted Average – Credit Rating	Time Weighted Average – Credit Risk Score	Time Weighted Average – Credit Rating
31/03/2010	3.93	AA-	4.29	AA-
30/06/2010	4.23	AA-	4.34	AA-
30/09/2010	4.28	AA-	4.35	AA-
31/12/2010	3.80	AA-	3.79	AA-

Scoring:

-Value weighted average reflects the credit quality of investments according to the size of the deposit

-Time weighted average reflects the credit quality of investments according to the maturity of the deposit

-AAA = highest credit quality = 1

-D = lowest credit quality = 15

-Aim = A+ or higher credit rating, with a score of 5 or lower, to reflect current investment approach with main focus on security

Counterparty Update

- The Council added two new UK banks to the approved counterparty list in Q3 2010/11: National Westminster Bank plc (NatWest) and Standard Chartered Bank.
 - NatWest is a wholly owned subsidiary of the Royal Bank of Scotland plc (RBS). NatWest remains integral to the RBS Group, and the bank's long-term ratings have remained unchanged over the past 12 months and meet the minimum of 'A+' or equivalent across all three rating agencies. The Council has set a group limit for the RBS Group to include investments with RBS and NatWest. This limit is equal to 1 ½ times the individual limit of the parent bank.
 - The long-term rating for Standard Chartered Bank was upgraded to A1 (A+ equivalent) by Moody's in November, due to its recent \$5.2bn rights issue. The Bank is strongly positioned to accommodate increases in capital requirements as a result of regulatory changes. Standard Chartered was one of the eight UK institutions given automatic access to the UK Government's Credit Guarantee Scheme (CGS) in October 2008, meaning that it could be deemed to be of systemic importance to the UK Banking System.

The Council's budgeted investment income for the year has been estimated at £87k.

The UK Bank Rate has been maintained at 0.5% since March 2009. Short-term money market rates have remained at very low levels. New deposits for periods up to one year have been made at an average rate of 0.5%. The Council anticipates an investment outturn of £87k for the whole year.

England Template: Quarterly Treasury Report – Q3 2010/11**4. Compliance with Prudential Indicators**

The Council can confirm that it has complied with its Prudential Indicators for 2010/11, which were set in March 2010 as part of the Council's Treasury Management Strategy Statement.

5. Outlook for Q4

At the time of writing this activity report in January 2011, the outlook for interest rates is as follows:

	Dec-10	Mar-11	Jun-11	Sep-11	Dec-11	Mar-12	Jun-12	Sep-12	Dec-12	Mar-13	Mar-13
Official Bank Rate											
Upside risk	-	0.25	0.25	0.25	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Central case	0.50	0.50	0.50	0.75	1.00	1.25	1.50	2.00	2.50	2.75	2.75
Downside risk	-	-	-	- 0.25	- 0.50	- 0.50	- 0.50	- 0.50	- 0.50	- 0.50	- 0.50

- The recovery in growth is likely to be slow, uneven and more “Square root” than “V” shaped.
- The path of base rates reflects the fragility of the recovery and the significantly greater fiscal tightening of the emergency budget. With growth and underlying inflation likely to remain subdued, the Bank will stick to its lower for longer stance on policy rates.
- Uncertainty surrounding Eurozone sovereign debt and the risk of contagion will remain a driver of global credit market sentiment.
- The economy has been growing at around or a little above trend during 2010. However, the outlook for growth remained highly uncertain and inflation remained above the 2% target. Banks still face a significant challenge in repairing their balance sheets, but funding conditions had eased in recent months, potentially easing some of the limitations to growth from constrained credit supply.
- Consumer Price Inflation is stubbornly above 3% and will likely spike above 4% in January 2011 as VAT, Utilities and Rail Fares are increased.
- Unemployment remains near a 16 year high at just under 2.5 million, and is set to increase further as the Public Sector shrinks. Meanwhile, employment is growing but this is due to part time work, leaving many with reduced income.

6. Summary

In compliance with the requirements of the CIPFA Code of Practice this report provides members with a summary report of the treasury management activity during the third quarter of the financial year 2010/11. As indicated in this report, none of the Prudential Indicators have been breached and a prudent approach has been taking in relation to investment activity with priority being given to security and liquidity over yield.

7. Other Information

- As mentioned in the debt management section (section 3 of the report), announced in the Spending Review on 20th October 2010 was the instruction from HM Treasury to the PWLB to increase the interest rate on all new loans by an average of 1% above UK Government

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Gilts. PWLB Circular 147 was released on the same day which detailed the changes to the rate setting system. The new borrowing rates for fixed loans increased by approximately 0.87% across all maturities, and variable rates by 0.90%. Premature repayment rates did not benefit from the corresponding increase and the PWLB's methodology remained unchanged. HM Treasury determined that these changes ensured that the rate at which loans are made available to local authorities better reflected the availability of capital funding post-Spending Review and would encourage optimal borrowing and investment decisions.

England Template: Quarterly Treasury Report – Q3 2010/11**Appendix****Capital Financing Requirement**

Estimates of the Council's cumulative maximum external borrowing requirement for 2010/11 to 2012/13 are shown in the table below:

	31/03/2010 Actual £000s	31/03/2011 Estimate £000s	31/03/2012 Estimate £000s	31/03/2013 Estimate £000s
Capital Financing Requirement	0	0	0	0
Cumulative Maximum External Borrowing Requirement	0	0	0	0

In the revised Prudential Code (November 2009), it states 'Where there is a significant difference between the net and gross borrowing position the risks and benefits associated with this strategy should be clearly stated in the annual strategy.'

Balances and Reserves

Estimates of the Council's level of Balances and Reserves for 2010/11 to 2012/13 are as follows:

	31/03/2010 Actual £000s	31/03/2011 Estimate £000s	31/03/2012 Estimate £000s	31/03/2013 Estimate £000s
Balances and Reserves	7.863	3.751	2.617	2.118

Prudential Indicator Compliance**(a) Authorised Limit and Operational Boundary for External Debt**

- The Local Government Act 2003 requires the Council to set an Affordable Borrowing Limit, irrespective of their indebted status. This is a statutory limit which should not be breached.
- The Council's Affordable Borrowing Limit was set at £6.5m for 2010/11.
- The Operational Boundary is based on the same estimates as the Authorised Limit but reflects the most likely, prudent but not worst case scenario without the additional headroom included within the Authorised Limit.
- The Operational Boundary for 2010/11 was set at £5.5m.
- The Executive Director of Finance and Resources confirms that there were no breaches to the Authorised Limit and the Operational Boundary during the period from 01/04/10 to 31/12/10.

(b) Upper Limits for Fixed Interest Rate Exposure and Variable Interest Rate Exposure

- These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates.

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- The upper limit for variable rate exposure allows for the use of variable rate debt to offset exposure to changes in short-term rates on our portfolio of investments.

	Limits for 2010/11 £/%
Upper Limit for Fixed Rate Exposure	100%
Compliance with Limits:	Yes
Upper Limit for Variable Rate Exposure	100%
Compliance with Limits:	Yes

(c) Maturity Structure of Fixed Rate Borrowing

- This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

Maturity Structure of Fixed Rate Borrowing	Upper Limit %	Lower Limit %	Actual Fixed Rate Borrowing as at 31/12/10	% Fixed Rate Borrowing as at 31/12/10	Compliance with Set Limits?
Under 12 months	100%	0%	0	0	Yes
12 months and within 24 months	100%	0%	0	0	Yes
24 months and within 5 years	100%	0%	0	0	Yes
5 years and above	100%	0%	0	0	Yes

(d) Total principal sums invested for periods longer than 364 days

- This indicator allows the Council to manage the risk inherent in investments longer than 364 days.
- The limit for 2010/11 was set at £2m.
- One investment has been made for a period greater than 364 days during this period. The Council have placed £1m in a one year deposit.

England Template: Quarterly Treasury Report – Q3 2010/11**Money Market Data and PWLB Rates**

The average, low and high rates correspond to the rates during the financial year and rather than those in the tables below

Bank Rate, Money Market Rates

Date	Bank Rate	O/N LIBID	7-day LIBID	1-month LIBID	3-month LIBID	6-month LIBID	12-month LIBID	2-yr SWAP Bid	3-yr SWAP Bid	5-yr SWAP Bid
01/04/2010	0.50	0.35	0.35	0.42	0.51	0.81	1.26	1.54	2.07	2.82
30/04/2010	0.50	0.30	0.30	0.43	0.53	0.83	1.29	1.70	2.23	2.95
31/05/2010	0.50	0.45	0.50	0.61	0.60	0.85	1.35	1.46	1.89	2.58
30/06/2010	0.50	0.35	0.35	0.45	0.61	0.94	1.38	1.40	1.79	2.42
31/07/2010	0.50	0.40	0.40	0.50	0.71	1.01	1.46	1.36	1.75	2.39
31/08/2010	0.50	0.40	0.55	0.50	0.71	1.00	1.45	1.20	1.47	2.02
30/09/2010	0.50	0.30	0.25	0.51	0.72	1.01	1.46	1.24	1.51	2.05
31/10/2010	0.50	0.48	0.40	0.51	0.72	1.01	1.46	1.26	1.53	2.08
30/11/2010	0.50	0.40	0.51	0.51	0.72	0.88	1.46	1.32	1.66	2.30
31/12/2010	0.50	0.40	0.40	0.51	0.72	1.01	1.47	1.49	1.94	2.61
Minimum	0.50	0.30	0.25	0.42	0.51	0.75	1.00	1.13	1.37	1.92
Average	0.50	0.39	0.41	0.49	0.66	0.96	1.40	1.40	1.78	2.42
Maximum	0.50	0.55	0.55	0.80	0.75	1.01	1.47	1.75	2.31	3.04
Spread		0.25	0.30	0.38	0.24	0.26	0.47	0.62	0.94	1.11

Following an announcement in the Comprehensive Spending Review on 20th October 2010, following instruction from HM Treasury, the PWLB has increased the interest rate on all new loans by an average of 1% above UK Government Gilts. PWLB rates were suspended at 12.30pm on 20th October, and the rate changes were reflected in borrowing rates from 1.35pm on the same day.

- The new borrowing rate for fixed rate loans whether borrowed on an EIP, Annuity or Maturity loans have increased by around 0.87% across all maturities.
- The premature repayment rates do not benefit from the corresponding increase and the PWLB's methodology remains unchanged.
- Variable rate loans :
 - if entered into *after* 12.30pm on 20th October 2010, will be 0.90% higher than previously, so a premium of 0.90% should be added to the variable rates published on the PWLB's website.

England Template: Quarterly Treasury Report – Q3 2010/11**PWLB Borrowing Rates – Fixed Rate, Maturity Loans**

Change Date	Notice No	1 year	4½-5 yrs	9½-10 yrs	19½-20 yrs	29½-30 yrs	39½-40 yrs	49½-50 yrs
01/04/2010	064/10	0.81	2.84	4.14	4.21	4.60	4.61	4.63
30/04/2010 12:15	089/10	0.85	2.86	4.13	4.20	4.61	4.61	4.60
28/05/2010 12:15	127/10	0.73	2.46	3.76	3.83	4.36	4.38	4.38
30/06/2010 12:16	171/10	0.67	2.27	3.54	3.62	4.22	4.28	4.27
30/07/2010 12:16	217/10	0.70	2.29	3.55	3.62	4.32	4.41	4.40
31/08/2010 12:15	259/10	0.63	1.84	3.05	3.13	3.82	3.93	3.93
30/09/2010 12:15	303/10	0.64	1.88	3.14	3.86	4.00	4.03	4.02
29/10/2010 12:16	346/10	1.58	2.90	4.23	5.06	5.20	5.22	5.20
30/11/2010 12:15	390/10	1.56	3.05	4.40	5.18	5.26	5.25	5.23
31/12/2010 09:19	430/10	1.65	3.33	4.58	5.18	5.23	5.20	5.16
Minimum		0.60	1.81	3.05	3.82	3.93	3.93	3.92
Average		0.96	2.50	3.79	4.50	4.57	4.57	4.56
Maximum		1.77	3.45	4.75	5.41	5.47	5.46	5.43

PWLB Repayment Rates – Fixed Rate, Maturity Loans

Change Date	Notice No	1 year	4½-5 yrs	9½-10 yrs	19½-20 yrs	29½-30 yrs	39½-40 yrs	49½-50 yrs
01/04/2010	064/10	0.56	2.38	3.82	4.35	4.36	4.26	4.19
30/04/2010 12:15	089/10	0.62	2.43	3.83	4.37	4.38	4.33	4.30
28/05/2010 12:15	127/10	0.50	2.04	3.44	4.12	4.15	4.11	4.10
30/06/2010 12:16	171/10	0.44	1.86	3.23	3.98	4.05	4.00	3.97
30/07/2010 12:16	217/10	0.47	1.88	3.23	4.08	4.18	4.13	4.10
31/08/2010 12:15	259/10	0.40	1.45	2.73	3.57	3.70	3.66	3.62
30/09/2010 12:15	303/10	0.41	1.48	2.82	3.62	3.77	3.76	3.73
29/10/2010 12:16	346/10	0.47	1.61	3.03	3.93	4.09	4.07	4.03
30/11/2010 12:15	390/10	0.45	1.75	3.20	4.06	4.15	4.10	4.06
31/12/2010 09:19	430/10	0.54	2.04	3.39	4.07	4.12	4.05	3.99
Minimum		0.37	1.40	2.73	3.51	3.70	3.66	3.62
Average		0.49	1.85	3.23	4.01	4.10	4.06	4.02
Maximum		0.68	2.53	3.94	4.47	4.46	4.38	4.35

England Template: Quarterly Treasury Report – Q3 2010/11**PWLB Variable Rates**

	1-M Rate	3-M Rate	6-M Rate			
01-Apr-2010	0.6500	0.6500	0.7000			
30-Apr-2010	0.6500	0.6500	0.7000			
28-May-2010	0.6500	0.6500	0.7000			
30-Jun-2010	0.6500	0.7000	0.7000			
30-Jul-2010	0.6500	0.7000	0.7000			
31-Aug-2010	0.6500	0.6500	0.7000			
30-Sep-2010	0.6500	0.7000	0.7000			
Borrowing undertaken pre-CSR				Borrowing undertaken post-CSR		
	1-M Rate	3-M Rate	6-M Rate	1-M Rate	3-M Rate	6-M Rate
29-Oct-2010	0.6600	0.6700	0.6900	1.5600	1.5700	1.5900
30-Nov-2010	0.6700	0.6700	0.6900	1.5700	1.5700	1.5900
31-Dec-2010	0.7000	0.7000	0.7500	1.6000	1.6000	1.6500
Minimum	0.6500	0.6500	0.6800	1.5600	1.5600	1.5800
Average	0.6607	0.6715	0.7022	1.5767	1.5824	1.6080
Maximum	0.7000	0.7500	0.7500	1.6000	1.6500	1.6500

Appendix

Appendix A – Details of RBC offences FPN's issued 2006 to Sep 2010

Year	Type of Offence	Advice Given	Verbal Caution	Written Caution	Fixed Penalties	Court Proceedings	Year end Total
2006	Litter / Fly Tips	47	129	87	33	6	341
	Dog Fouling	21	8	4	4	0	
	Waste receptacle	na	na	na	na	na	
2007	Litter / Fly Tips	61	116	81	27	5	449
	Dog Fouling	23	3	4	6	2	
	Waste receptacle	107	13	1	0	0	
2008	Litter / Fly Tips	42	86	44	11	5	233
	Dog Fouling	12	0	0	1	1	
	Waste receptacle	20	10	0	1	0	
2009	Litter / Fly Tips	60	101	51	18	5	294
	Dog Fouling	15	1	7	3	0	
	Waste receptacle	18	12	3	0	0	
2010	Litter / Fly Tips	88	69	13	0	2	214
	Dog Fouling	10	5	0	0	0	
	Waste receptacle	16	10	1	0	0	
Total		540	563	296	104	26	

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Appendix B – Overview of FPNs

Offence	Amount	Who can issue FPNs	Section & Legislation	Qualifying functions for which receipts may be used*	Recommended level of FPN
Nuisance Parking	Amount fixed at £100	Local authority authorised officers	s.6(1) Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> functions under Refuse Disposal (Amenity) Act 1978 functions under sections 99-102 Road Traffic Regulation Act 1984 enforcement of sections 3 and 4 Clean Neighbourhoods and Environment Act 2005 	Fixed £100
Abandoning a vehicle	Amount fixed at £200	Local authority authorised officers	s.2A(1) Refuse Disposal (Amenity) Act 1978	<ul style="list-style-type: none"> Functions under the Refuse Disposal (Amenity) Act 1978 functions under sections 99-102 Road Traffic Regulations Act 1984 enforcement of sections 3 and 4 Clean Neighbourhoods and Environment Act 2005 	Fixed £200
Litter	Can be set at local level (between £50-£80). Default £75	Litter authority ² authorised officers, including persons not directly employed by the authority such as Police Community Support Officers	s.88(1) Environmental Protection Act 1990	<ul style="list-style-type: none"> Litter-related functions under Part 4, Environmental Protection Act 1990 Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003 Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005 	£50
Street litter control notices and litter clearing notices	Can be set at local level (between £75-110). Default £100	Principal Litter authority authorised officers	s.94A(2) Environmental Protection Act 1990	<ul style="list-style-type: none"> Litter-related functions under Part 4, Environmental Protection Act 1990 Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003 Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005 	£75
Unauthorised distribution of literature on designated land	Can be set at local level between £50-£80). Default £75	Principal litter authority authorised officers, including persons not directly employed by the authority	Schedule 3A, para. 7(2) Environmental Protection Act 1990	<ul style="list-style-type: none"> Litter-related functions under Part 4, Environmental Protection Act 1990 Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003 Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005 	£75
Graffiti and fly-	Can be set at	Local authority ²	s. 43 Anti-social	<ul style="list-style-type: none"> Litter-related functions under Part 4, Environmental Protection Act 	£50

Appendix B – Overview of FPNs

Offence	Amount	Who can issue FPNs	Section & Legislation	Qualifying functions for which receipts may be used*	Recommended level of FPN
posting	local level (between £50-£80). Default £75	authorised officers, including persons not directly employed by the authority such as Police Community Support Officers	Behaviour Act 2003	1990 <ul style="list-style-type: none"> Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003 Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005 	
Failure to produce authority (waste transfer notes)	Amount fixed at £300	Officers of Waste collection authorities/ Environment Agency	s. 5B(2) Control of Pollution (Amendment Act 1989	<ul style="list-style-type: none"> functions, including enforcement concerning offences, under section 5 Control of Pollution (Amendment) Act 1989 	Fixed £300
Failure to furnish documentation (waste carrier's licence)	Amount fixed at £300	Officers of Waste collection authorities/ Environment Agency	s. 34A(2) Environmental Protection Act 1990	<ul style="list-style-type: none"> functions including enforcement concerning offences, under Part 2 Environmental Protection Act 1990 	Fixed £300
Offences in relation to waste receptacles	Can be set at local level (between £75-£110). Default £100	Waste collection authority authorised officers	s.47ZA(2) Environmental Protection Act 1990	<ul style="list-style-type: none"> Functions, including enforcement concerning offences, under Part 2 Environmental Protection Act 1990 	£75
Offences under Dog Control Orders	Can be set at local level (between £50-£80). Default £75	Authorised officers of primary and secondary authorities, including persons not directly employed by the	s. 59(2) Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> Litter-related functions under Part 4, Environmental Protection Act 1990 Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003 Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005 	£50

Appendix B – Overview of FPNs

Offence	Amount	Who can issue FPNs	Section & Legislation	Qualifying functions for which receipts may be used*	Recommended level of FPN
		authority such as Police Community Support Officers			
Failure to nominate key-holder (within an alarm notification area) or to notify local authority in writing of nominated key-holder's details	Can be set at local level (between £50-£80). Default £75	Local authority authorised officers, including persons not directly employed by the authority	s. 73(2) Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> • Functions under Chapter 1, Part 7 Clean Neighbourhoods and Environment Act 2005 • functions under the Noise Act 1996 • functions under sections 79 to 82 of the Environmental Protection Act 1990, in connection with statutory nuisances and noise 	
Noise from dwellings	Can be set at local level (between £75-110). Default £100	Local authority officers	s. 8 noise Act 1996	<ul style="list-style-type: none"> • functions under the Noise Act 1996 • functions under Chapter 1, Part 7 Clean Neighbourhoods and Environment Act 2005 • functions under sections under 79 to 82 of the Environmental Protection Act 1990, in connection with statutory nuisances and noise. 	£75
Noise from licensed premises	Amount fixed at £500	Local authority officers			Fixed £500

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Appendix C – BDC Total Flytips by location 2010 to date

Area	Number recorded	Area	Number recorded
Wythall	238	Bell Heath	5
Bromsgrove	131	Bournheath	5
Frankley	103	Burcot	5
Romsley	92	Chadwich	5
Beoley	73	Druids Heath	5
Hagley	51	Fockbury	5
Rubery	50	Stoke Heath	5
Tardebigge	31	Stoke Pound	5
Alvechurch	27	Finstall	4
Weatheroak	27	Portway	4
Hopwood	23	Aston Fields	3
Primrose Hill	23	Blackwell	3
Hunnington	20	Cofton	3
Catshill	16	Hanbury	3
Dodford	16	Holy cross	3
Burcot	15	Kings Norton	3
Hollywood	14	Lickey End	3
Belbroughton	13	Marlbrook	3
Brockhill	11	Upper Bentley	3
Clent	11	Lower Bentley	2
Fairfield	11	Oakalls	2
Rednal	10	Beacon Hill	1
Stoke Prior	9	Breme Park	1
Barnt Green	8	Lickey	1
Headley Heath	8	Lickey Hills	1
Tutnall	8	Sidemoor	1
Wildmoor	8	Stoney Bridge	1
Charford	7	Timberhonger	1
Lydiate Ash	6	Total	1146

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JOB DESCRIPTION

POST TITLE	ENFORCEMENT OFFICER (Litter, waste and dog fouling)
DIRECTORATE	ENVIRONMENT & PLANNING
POST REF	EPD
GRADE	SCALE 5
RESPONSIBLE TO	ENVIRONMENTAL HEALTH MANAGER
RESPONSIBLE FOR	NO DIRECT SUPERVISION OF STAFF
DATE WRITTEN	UPDATED SEPTEMBER 2008

1. JOB PURPOSE

Responsible for:

- Promotion and enforcement of the provisions of part IV of the Environmental Protection Act 1990 with regard to the control of litter and waste and the provisions of the Dog fouling of Land Act 1996 with regard to dog fouling and other legislation applicable to the post.

2. KEY TASKS: FUNCTIONAL

General

Enforcement Work

- To monitor and police the Borough of Redditch for contraventions under the provisions of the Environmental Protection Act 1990 and the Dogs Fouling of Land Act 1996.
- To respond to public and other enquiries regarding litter, waste and dog fouling enforcement and to respond to these appropriately.
- To undertake investigation into reports of littering, fly-tipping, dog-fouling and other similar offences.
- To pursue enforcement action where appropriate in response to an investigation.
- To issue Fixed Penalty Notices for litter, fly-tipping and dog fouling offences where appropriate

- To prepare and submit relevant cases for prosecution and assist legal services in presenting prosecution cases to court, attending as a witness when necessary.
- To ensure effective and efficient recording of work details and case progression including the use of computer software.
- To prepare reports and statistics on all enforcement work undertaken.
- To work with both the Waste Management Manager and Environmental Health Manager in developing and carrying out the post.
- To build a good working relationship with key service areas, including cleansing and waste collection teams, and the waste management team in undertaking enforcement work.

Publicity and monitoring

- To assist the communications team, Environmental Health Manager and Waste Management Manager in developing publicity for enforcement action taken
- To assist the Environmental Health Manager and Waste Management Manager in promoting and developing relevant enforcement work
- To attend neighbourhood groups and other similar community groups to advise on enforcement action

3. KEY TASKS: ALL STAFF

- To ensure efficiency, effectiveness and equality in service delivery.
- To operate within Financial and Standing Order regulations, and manage within allocated budgets.
- Performance manage, plan and evaluate the training and development of staff where required.
- Operate within all Council policies on the employment of staff, including recruitment, conditions of employment, pay and benefits, discipline, grievance, performance management and equalities.
- To exercise proper integrity in respect of confidential matters and personal information obtained during the execution of the duties of this post.
- To reflect the Council's core values and objectives in undertaking the duties of this post.

Appendix D – Example Job description for Environmental Enforcement Officer Post

- To carry out duties and responsibilities required under the Data Protection Act 1998; in particular, to take all reasonable care that no unauthorised loss or disclosure of personal data occurs.
- To understand and comply with the legal requirements of the Health and Safety at Work Act (1974), and any other relevant regulations as detailed in the Council's general and departmental Safety Policy Statement.
- To undertake such other reasonable duties as may be requested.

The duties and responsibilities outlined above are intended to be an indication of the scope and nature of the post and are subject to review from time to time.



PERSON SPECIFICATION

This list will be used to assess all candidates, to decide who will be short listed and, after interview, who will be offered the job.

It is important that you take this into account when you are writing your application form, and if possible structure your application around the headings below.

If you want any further information on what is meant by any of the requirements, please contact **Name** on (01527) 64252 ext. **1234**

If you have any questions about the selection and scoring processes contact Human Resources on (01527) 64252

If you have a disability but feel that you could meet the requirements of the job with reasonable adjustment please indicate this in your application.

JOB TITLE	Enforcement Officer (Litter, waste and dog fouling)
DIRECTORATE	Environment and Planning
REF NO	EPD

Area	What candidates will need to prove	How this will be assessed
<p><u>Knowledge/Experience</u> <i>The level and areas needed to be able to do the job</i></p>	<ul style="list-style-type: none"> • At least 2 years experience of undertaking enforcement work. • Experience of environmental services such as cleansing and waste collection. • Experience of carrying out awareness raising/promotional work. • Experience of letter and report writing. • Sound knowledge of Part IV of the Environmental Protection Act 1990 and the Dogs Fouling of Land Act 1996. • Knowledge of other legislation relevant to the post. 	<p>Application/interview</p>

Appendix D – Example Job description for Environmental Enforcement Officer Post

	<ul style="list-style-type: none"> • Knowledge of IT systems, spreadsheets and databases. 	
<u>Qualifications</u>	<ul style="list-style-type: none"> • Minimum standard of 4 GCSE subjects or equivalent. 	Application/interview
<u>Skills & Abilities</u> <i>The skills which are critical to success in this role</i>	<ul style="list-style-type: none"> • Ability to communicate effectively to different audiences and work as part of a team. • Reliable, self motivated and capable with dealing with potentially hostile people/situations. • Ability to prioritise workloads and meet deadlines/targets. • Ability to develop, implement and follow policies/procedures. • Ability to deal with complaints and resolve complex issues. • Ability to solve problems on own initiative within limited resources. • Capable of making informed decisions. 	Interview
<u>Special Requirements</u>	<ul style="list-style-type: none"> • Full clean driving licence. • Willingness to work flexible hours. • It will be a requirement of the post that a uniform is worn when undertaking site based enforcement work. • Demonstrates an understanding of Health and Safety. • Demonstrates an understanding of the Data Protection Act and in dealing with confidential matters. 	Application/interview

These requirements are subject to reasonable adjustments where applicants fall within the Disability Discrimination Act, and declare this in their application.

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CNEA powers for Adoption are summarised below:

3.15 **Abandoned Vehicles**

The Act removed the requirement for the application of a 24 hour notice to a vehicle, and also introduced a fixed penalty as an alternative to prosecution for the act of abandoning a vehicle.

3.15.1 Section 2 of the (Refuse, Disposal (Amenity) Act 1978 (RDAA) makes it an offence to abandon a motor vehicle, or anything that has formed part of a motor vehicle on any land forming part of a highway. A person guilty of such an offence may be liable on summary conviction to a fine not exceeding level 4 (currently £2,500) on the standard scale or a term not exceeding 3 months imprisonment, or both.

3.15.2 The CNEA inserts a new Section in Section 2A of the RDAA which allows for a (fixed amount) **FPN of £200** to be issued for the offence of abandonment as an alternative to prosecution. This may be used where we get a repeated problem of a person abandoning a vehicle/s.

3.15.3 The CNEA has removed the requirement to affix a 24 hour notice to a vehicle that is deemed fit for destruction. All such vehicles can be removed immediately.

3.15.4 The CNEA has amended legislation relating to disposal of vehicles that do not display a current licence or registration mark, enabling them to be destroyed immediately after removal.

3.15.5 Current Situation:

The removal and disposal of abandoned vehicles is currently provided by Portway Motor Services as part of a joint contract with Redditch Borough Council, Wyre Forest District Council and Worcester City Council. The removal of the 24 hour notice was taken out of Council procedures in 2005; however the use of FPNs was not adopted at this time.

3.15.6 Recommendation:

Under these proposals officers would develop a policy that would adopt the above powers and through an environmental enforcement officer, serve fixed penalty notices for the act of abandonment of a vehicle as outlined above; this would complement the current contract arrangements in place.

3.16 Cars on the highway

The Act creates two new offences to help local authorities deal with nuisance parking: offering for sale two or more vehicles, or repairing a vehicle, on the road as part of a business.

3.16.1 Sale of vehicles

A person commits an offence if he leaves two or more motor vehicles parked within 500m of each other on a road or roads where they are exposed or advertised for sale, or he causes two or more motor vehicles to be so left.

3.16.2 Repairing of vehicles

A person who carries out restricted works on a motor vehicle on a road is guilty of an offence; however an element of 'reasonableness' must be applied.

3.16.3 The penalty on conviction is currently £2,500 on the standard scale. However, FPNs can be issued when a nuisance vehicle offence has been committed. **The amount of the FPN for either offence is fixed at £100.**

3.16.4 Current Situation:

BDC did not adopt these powers from the CNEA 2005 therefore the Council do not enforce these offences.

3.16.5 Recommendation:

Under these proposals officers would develop a policy that would adopt the provisions from the CNEA to deal with nuisance parking on the highway, particularly for residential areas where residents and/or businesses are repairing or selling vehicles on the highway. The proposal would also ensure that the environmental enforcement officer would have the authority to serve a fixed penalty notice for offences outlined above.

3.17 **Litter**

The Act clarifies the offence of dropping litter, anywhere, including private land (where there is access with or without payment) and rivers, ponds and lakes. It also confirms that cigarette butts and discarded chewing gum are litter.

3.17.1 These powers extend the Council's ability to take enforcement action using FPNs of **between £50 to £80** at the discretion of the Council.

3.17.2 The Act also gives local authorities new powers (litter clearing notices) to require businesses and individuals to clear litter from their land.

3.17.3 This provides for the Principal Litter Authority (The Council) to take action where a duty body (for example, a school or train station) is failing to keep its land clear of litter. As the Principal Litter Authority, the Council will work in partnership with landowners and occupiers to resolve problems caused by heavily littered land. Before issuing the notice, the Council should encourage the occupier/owner of the land to clear it.

3.17.4 If remedial action is not taken where a duty body has failed to clear the land as a result of the action above, a litter abatement notice can be served setting timescales within which the clearance must take place and the specific standard of cleanliness that must be attained. Where the duty body does not comply with the litter abatement notice they may be served with a fine not exceeding £2,500 (together with a £125 daily charge for each day following conviction that the litter remains).

3.17.5 Litter clearance notices can now also be served on all types of land, public and private – such as retail parks or privately owned industrial areas. These can be served without prior designation of a Litter Control Area and it is an offence not to comply with them.

3.17.6 In issuing Litter Clearing Notices, the Council should consider their role in helping to keep the land clear, e.g. to issue FPNs. The Council should also work closely with the landowner to tackle other factors such as graffiti and abandoned vehicles that may be contributing to a poor environmental quality.

3.18 The Act strengthens existing powers for local authorities to require local businesses to help clear up litter they generate (street litter control notices). These powers are primarily aimed at preventing food and drink packaging and other food eaten 'on the go' as well as litter coming from cash points, lottery tickets etc dropped outside shops and banks. The powers now cover movable structures – such as burger vans and market stalls. Proprietors should be educated and encouraged to work together with the Council to keep their area clean. A FPN of **between £75 and £110** may be issued.

Appendix E – Powers For Adoption

3.18.1 The Act also enables local authorities to restrict the distribution of flyers, hand-outs and pamphlets that can end up as litter. Local authorities can designate areas by Order, where it is an offence to distribute free printed materials such as leaflets and flyers. It is an offence for a person to distribute any free printed matter, or to cause another person to do so, without the consent of the authority, on any land that the authority has designated under this Schedule.

3.18.2 Council's are encouraged to work with retailers and businesses to minimise problems, before imposing restrictions. Authorised officers can seize any materials that are being distributed in contravention of such an Order, and can issue a Fixed Penalty Notice of **between £50 and £80** may be issued. Free newspapers are included and covered by this power.

3.18.3 Current Situation:

The Council has not adopted any powers to issue FPNs for litter related offences as described above.

3.18.4 Recommendation:

Under these proposals officers would develop a policy to adopt the provisions from the CNEA to deal with litter offences as outlined above. An environmental enforcement officer would require the authority to serve the fixed penalty notices, litter clearance notices, Litter abatement notices and Street litter control notices in the circumstances outlined above.

3.19 Defacement

The Act Extends graffiti removal notices (as introduced by the Anti-social Behaviour Act 2003) to include fly-posting and strengthens the legislation to make it harder for beneficiaries of fly posting to evade prosecution. The Act also enables local authorities to recover the costs of removing illegal posters.

3.19.1 Graffiti/fly-posting removal notices ('defacement notices') can be served on owners, occupiers or operators – such as telecommunications companies whose property is defaced with graffiti or fly-posting.

3.19.2 The act removes the loophole which allowed owners of premises or events advertised to prove that the advertisement was placed without their knowledge and that they took reasonable steps to prevent it.

3.19.3 Authorised Officers may serve a Fixed Penalty Notices of **between £50 - £80** for offences related to graffiti and fly-posting.

3.19.4 Current Situation:

Currently defacement is removed by the Street Cleansing Team; however, no enforcement action is taken against perpetrators.

3.19.5 Recommendation:

The new policy would outline a framework for the Council to work with other districts, the County Council and other agencies to develop a partnership approach to graffiti and fly-posting removal across Worcestershire; and that FPNs will be used as enforcement within the boundaries agreed with the partnership.

3.20 Waste

The Act provides stronger powers, penalties and deterrents to enforce against individuals, businesses and criminal gangs caught fly tipping or disposing of waste illegally or irresponsibly. FPNs can also be issued to householders and businesses not complying with waste collection regulations. The amended provisions with regards to fly-tipping remove the defence of acting under employer's instructions; increasing the penalties; enable local authorities and the Environment Agency to recover investigation and clear-up costs and extend provisions on clear up to the landowner in the absence of the occupier.

- 3.20.1 If there is an incidence of fly-tipping on private land, such as industrial areas, the Council can serve a notice on the occupier of the land and if there is no occupier, on the landowner; previously land owners could not be served with a notice where there was no occupier. However, serving a notice should be a measure of last resort as the first step must always be to find the perpetrator. The LA needs to work closely with all landowners and other organisations to try and prevent future fly-tipping and reduce the costs to all involved.
- 3.20.2 The Act also gives local authorities and the Environment Agency the power to issue fixed penalty notices and, in the case of local authorities, to keep the receipts from such penalties to help to meet the cost of certain specified functions. However, where a local authority is categorised as “good” or “excellent” under the CPA, the authority is able to spend the receipts on any of its functions.
- 3.20.3 The Act also introduces a new provision covering the waste duty of care and the registration of waste carriers and introduces a more effective system for stop, search and seizure of vehicles used in illegal waste disposal; enabling courts to require forfeiture of such vehicles. Any such stop and search exercise would be carried out with the Police, the Vehicle and Operator Services Agency (VOSA), Customs and Excise and the Environment Agency. Authorised Officers are able to request to see waste transfer notes and waste carrier's licence. For example if someone is seen loading waste into a van, or has been stopped on a stop and search exercise. Fixed Penalty Notices for failure to produce these documents **is fixed at £300**.
- 3.20.4 The EPA states that local authorities can serve notices (setting out reasonable requirements) on occupiers specifying, for example, that they must place their waste receptacles in a certain place for collection. Failure to comply can lead to prosecution through the courts, the Fixed Penalty Notice of **between £75 and £110** is a flexible alternative to prosecution.
- 3.20.5 Guidance suggests that due to the nature of fly-tipping offences they should be the subject of criminal proceedings; this should nevertheless be weighed up against the merits of each individual case and the evidence available to prove burden of proof.

3.20.6 Current Situation:

The Council currently does not take routine enforcement action against fly-tipping offences, unauthorised waste carriers or failure to comply with requirements laid out in the EPA. Where name and address data has been retrieved a warning letter will be sent out. Where it is felt there is sufficient evidence, Legal Services have assisted in compiling cases for legal action. Despite several promising cases no investigations have successfully led to prosecution.

3.20.7 Recommendation:

Under these proposals, officers would develop a policy that would highlight publicity and education to be used in the first instance in relation to waste collection offences, thereafter, enforcement to be used by means of FPNs by an authorised Environment Enforcement Officer where fly tipping occurs on private land. Where fly-tipping occurs on public land, the Environment Enforcement Officer will work with Legal Service to pursue towards prosecution.

3.21 **Shopping Trolleys**

The act clarifies and amends the powers given to charge owners the cost of recovering, storing and disposing of shopping trolleys.

3.21.1 Current Situation:

Establishments using trolleys within the District already employ methods of control over to ensure abandoned trolleys including deposits and staff patrols. There are no undue concerns over the levels of abandoned trolleys recovered within the district.

3.21.2 Recommendation:

Under these proposals officers would develop a policy that the Council use current procedures in place to deal with abandoned shopping trolleys rather than adopt formal policies for recovering storing and disposing.

3.22 **Dogs & Noise**

The Act also makes amendments to the way local authorities can deal with issues concerning nuisances from dogs and noise.

3.22.1 These amended powers however are dealt with through Worcestershire Regulatory Services and therefore have no impact on the processes and procedures of Environmental Services.

3.23 The CNEA, 2005 allows authorised officers to issue FPNs when they are satisfied beyond reasonable doubt that an offence has been committed. The issue of an FPN provides the offender with an opportunity to avoid prosecution by payment of the penalty.

3.24 The availability and level of fixed penalties for environmental crimes reflect the severity of the offences. The full details relating to offences and levels of fines can be seen in Appendix B. The levels proposed are inline with those currently in use by Redditch Borough Council to harmonise processes across the two authorities in this area.

3.25 The Dogs (Fouling of Land) Act 1996 is intended to deal with the problem of dog excrement on land, by encouraging dog owners to clear up after their pets. Fouling of this nature is classed as litter and is therefore subject to the same street cleaning processes.

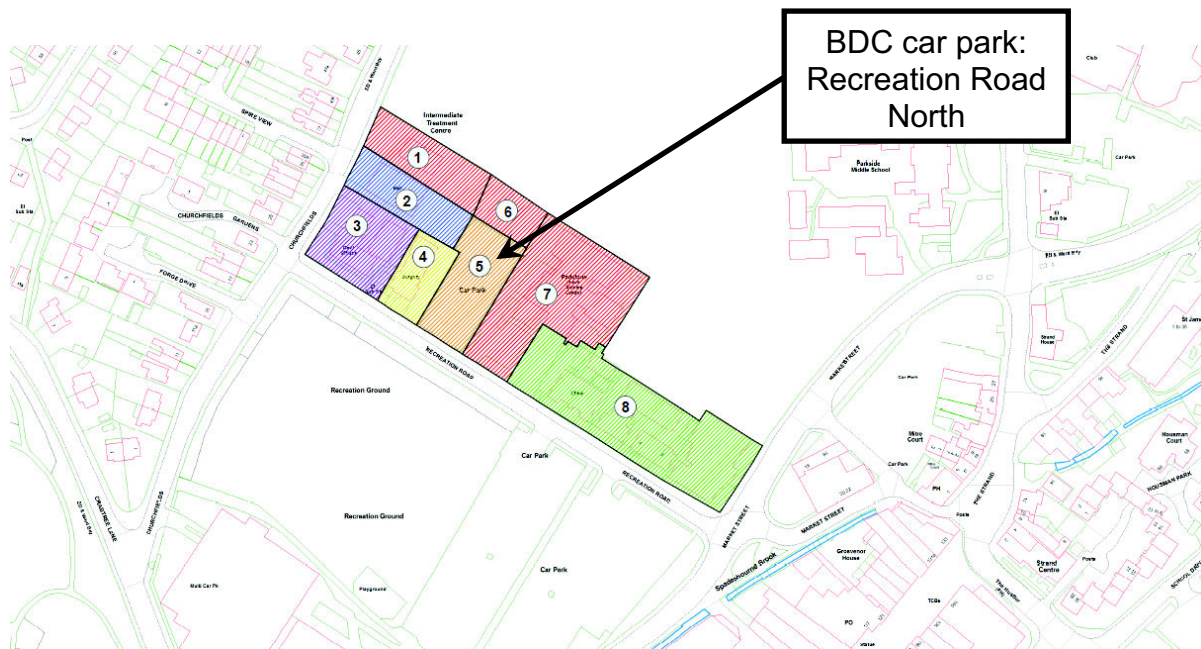
3.25.1 Current Situation:

Where dog owners do not clear up after their pet dogs have defecated, the Council currently has no powers to address the issue. The resulting 'litter' will be cleared along with normal street litter and dealt with in the appropriate manner. Signs are liberally used around the district advising dog owners to clean up after their dog and dog waste bins are also erected at locations where this has presented a particular issue.

3.25.2 Recommendation:

Under these proposals officers would develop a policy that would adopt the above powers and through the Environmental Enforcement Officer issue FPN's to dog owner as per the levels outline in appendix 2, and to use these alongside the advise and caution approach as outlined in 3.7.

Appendix A – Site Plan of the Recreation Road



- Area 1 = WCC Child Support
- Area 2 = Masonic Lodge
- Area 3 = OWP Job Centre
- Area 4 = Doctors Surgery
- Area 5 = BDC car park
- Area 6 = WCC land
- Area 7 = WCC 'Padstone' Day Centre
- Area 8 = Barrie Beard's land

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Agenda Item 13

THERE ARE NO ENCLOSURES FOR THIS AGENDA ITEM

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

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