



BROMSGROVE DISTRICT COUNCIL

YOU ARE HEREBY SUMMONED to attend an EXTRAORDINARY MEETING of BROMSGROVE DISTRICT COUNCIL to be held in the Council Chamber at The Council House, Burcot Lane, Bromsgrove at 7.00 p.m. on Wednesday 1st December 2010, when the business referred to below will be brought under consideration:-

The meeting will be opened with a prayer.

1. To receive apologies for absence

2. Declarations of Interest

(Members are reminded that they need to keep their register of interest forms up to date)

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

4. To receive any announcements from the Leader

5. Recommendations from the Cabinet (TO BE TABLED AT THE MEETING)

To consider the recommendations from the meeting of the Cabinet held on 1st December 2010 on the following items *(the full Cabinet reports are enclosed for information at the back of the Council agenda book)*

- Review of Pay on Foot Car Parking
- Laurel Grove/Beech Road Play Area and Recreation Ground

6. Changes to Governance Arrangements (Pages 1 - 14)

To consider the report of the Head of Legal, Equalities and Democratic Services

- **Background information on recommendations from the Cabinet - Review of Pay on Foot Car Parking (Pages 15 - 22)**
- **Background information report on recommendations from the Cabinet - Laurel Grove/Beech Road Play Area and Recreation Ground (Pages 23 - 28)**

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

TO ALL MEMBERS OF THE BROMSGROVE DISTRICT COUNCIL

BROMSGROVE DISTRICT COUNCIL

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1st December 2010

CHANGES TO GOVERNANCE ARRANGEMENTS

Relevant Portfolio Holder	Geoff Denaro
Relevant Head of Service	Claire Felton
Key Decision	

1. SUMMARY OF PROPOSALS

1.1 In accordance with the process set out in section 33E of the Local Government Act 2000 (as amended by the Local Government and Public Involvement in Health Act 2007), Full Council on 17 November agreed draft proposals for changing its governance arrangements to the Leader and Cabinet model (also known as the Strong Leader Model). Under the third stage of the process the Council is now required to pass a resolution to formally adopt the draft proposals and make the consequential changes to the Constitution.

2. RECOMMENDATIONS

It is recommended that:

2.1 The Leader and Cabinet model as set out in the Local Government Act 2000 (as amended by the Local Government and Public Involvement in Health Act 2007) and the published proposals set out in Appendix 1 to this report be adopted with effect from the third day after the local elections in May 2011;and

2.2 The Head of Legal Equalities and Democratic Service be authorised to make the consequential changes to the Constitution.

3. BACKGROUND

3.1 The Local Government Act 2000 required all authorities to adopt executive arrangements in one of three forms, namely:

- A Mayor and Cabinet executive; or
- A Leader and Cabinet executive; or
- A Mayor and Council Manager.

3.2 This Council adopted a Leader and Cabinet executive.

3.3 The Local Government and Public Involvement in Health Act 2007 abolishes the Mayor and Council Manager model and replaces the Leader and Cabinet executive model with a Leader and Cabinet Executive (England)

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model which is known as the “Strong Leader” model. The Strong Leader model is a different legal form of executive to the old-style Leader and Cabinet model. It is a requirement of the Act that the Council changes its governance arrangements to either the Strong Leader model or the Mayor and Cabinet model in accordance with a statutory timetable. The resolution to adopt the new governance arrangements must be passed by 31st December 2010.

- 3.4 The required changes were considered at the meeting of Council on 23 June. Members expressed a preference towards the “Strong Leader Model” and resolved as follows:-

(a) that the Leader and Cabinet Executive (England) Model known as the “Strong Leader” model be the model on which public consultation is based; and

(b) that the public consultation be undertaken on a modest basis and that views be sought by way of methods such as “Together Bromsgrove” and the Council’s website.

- 3.5 The Council subsequently carried out consultation on the two available models, namely Mayor or Strong Leader. The consultation period ran from the end of July to 15 October 2010 during which time the consultation was advertised on the Council’s website and details were published in the Bromsgrove Advertiser and Bromsgrove Standard. As reported to Full Council on 17 November the number of responses received was 8, of which 4 supported a mayoral system, two supported the strong leader model and two expressed no preference.

- 3.6 At Full Council on 17 November, Members considered the public responses. It was noted that the level of response was lower than would have been hoped for. However, it was noted that the government had issued guidance to District Councils to carry out modest consultation and that other Councils had also recorded low levels of responses. After debating the matter the following recommendations were agreed:-

(a) that the Council notes the responses to the consultation as referred to in Appendix 2 of the report;

(b) that the Council notes the next stage is for “proposals” to be published and then by implemented by resolution at the meeting of the full Council on 1st December 2010; and

(c) that the Council agree the draft “proposals” based on the “Strong Leader” model set out in the Appendix 3 to the report (as altered to read as shown below) and that these be published:

- “1. The Constitution be amended as shown in Schedule 1.*
- 2. That the Strong Leader model be implemented from 08 May 2011.*
- 3. As a transitional arrangement, from 08 May 2011 until 18 May 2011 (or such other date on which the Council Annual Meeting for 2011 takes place, the current Leader should continue in office”.*

4. KEY ISSUES

- 4.1 The draft proposals for a Strong Leader model are attached at Appendix 1 of this report together with a note of the changes required to Part 2 of the Constitution at Schedule 1. Schedule 1 has been amended very slightly to pick up some minor changes needed for drafting purposes. The proposals have been publicised as follows:-

- by publication on the Council’s website
- by the placing of a public notice in a local newspaper
- by the proposal documents being made available at the Council House and the Customer Service Centre.

In so doing, the requirements of section 33E of the Local Government Act 2000 (as amended by the Local Government and Involvement in Public Health Act 2007) have been met.

- 4.2 The final stage in the process of changing the governance arrangements is for the draft proposals to be formally adopted by resolution of Full Council in accordance with section 33F of the Local Government Act 2000 (as amended by the Local Government and Involvement in Public Health Act 2007).
- 4.3 The new Strong Leader model would be implemented starting on 08 May 2011. This date is set by the relevant statute which specifies implementation from the third day after the local elections (scheduled for 05 May 2011). The consequential amendments required to the Constitution are set out in schedule 1 to Appendix 1. Members will note that that term of office for the Leader will be 4 years as required by the new legislation. The Leader may be removed part way through that term by resolution of the Council. The provisions as to removal of the Leader will therefore not change as the Constitution currently allows for removal of the Leader by resolution of Full Council.

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- 4.4 With regard to the role of the Deputy Leader, Members will note that this post is appointed by the Leader. Unless the Deputy Leader resigns or is removed by the Leader, he/she will remain in office until the end of the term of office of the Leader. If for any reason the Leader is unable to act or the office of Leader is vacant then the Deputy Leader must act in his/her place. If for any reason both the Leader and the Deputy Leader were unable to act then the executive must act in the Leader's place or must arrange for a member of the executive to act in his/her place.

5. FINANCIAL IMPLICATIONS

- 5.1 Of the two options available, the least expensive is to change the governance arrangements to a Strong Leader Model. The costs involved in this are minimal and there are no significant financial implications.

6. LEGAL IMPLICATIONS

- 6.1 The Local Government and Public Involvement in Health Act 2007 inserts new provisions into the Local Government Act 2000 which make changes to the form of executive arrangements which the authority can have. The legal implications of these changes are set out in the report. Dependent on the form of Executive arrangements which is eventually selected, the Council's Constitution will need to be changed to reflect the arrangements chosen.

7. POLICY IMPLICATIONS

- 7.1 Full Council approval will be required.

8. COUNCIL OBJECTIVES

- 8.1 N/a

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

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

- Failure to follow the statutory process

- 9.2 These risks are being managed as follows:

Risk Register: *Legal & Democratic Services*
Key Objective 3: *Effective Ethical Governance*

10. CUSTOMER IMPLICATIONS

10.1 The “draft proposals” for the Leader and Cabinet Executive model have been advertised on the Council’s website and by notice in the local press.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

11.1 N/a

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

12.1 N/a

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 None

14. HUMAN RESOURCES IMPLICATIONS

14.1 None

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

15.1 Governance implications are set out in the report

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

16.1 None

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 None

18. LESSONS LEARNT

18.1 N/a

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19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 Cabinet is requested to decided the extent and nature of any community and stakeholder engagement in the consultation process

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

21. WARDS AFFECTED

All wards

22. APPENDICES

Appendix 1 Draft Proposals based on Strong Leader Model

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23. BACKGROUND PAPERS

- Report to Cabinet 28 April 2010
- Guidance on consultation issued by Department for Communities and Local Government
- Report to Full Council 17 November 2010

AUTHOR OF REPORT

Name: Claire Felton
E Mail: c.felton@bromsgrove.gov.uk
Tel: (01527) 881429

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APPENDIX 1

CHANGES TO GOVERNANCE ARRANGEMENTS

DRAFT PROPOSALS FOR THE ADOPTION OF STRONG LEADER MODEL

1. The Constitution be amended as shown in Schedule 1.
2. That the Strong Leader Model be implemented from 08 May 2011.
3. As a transitional arrangement, from 08 May 2011 until 18 May 2011 (or such other date on which the Council Annual Meeting for 2011 takes place), the current Leader should continue in office.

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SCHEDULE 1

ARTICLE 7 - THE CABINET

7.1 Role

The Cabinet will carry out all the Council's functions which are not the responsibility of the full Council or any other part of the Council, whether by law or under this Constitution.

7.2 Composition

The Cabinet will consist of the Leader, a Deputy Leader and such number of Cabinet members (not less than 2 nor more than 9, such numbers to include the Deputy Leader) as the Leader may determine. ~~together with at least two, but not more than nine, Councillors appointed to the Cabinet by the Leader.~~ Within these limits, the exact size of the Cabinet will be decided by the Leader.

7.3 Leader and Cabinet Members

(1) The Leader will be a Councillor elected to the position of Leader by the Council at its annual meeting. The Leader shall hold office for a period of 4 years starting on the day of his/her election and ending on the day of the post-election annual meeting. ~~will hold office until:~~

(2) The Leader shall appoint a Deputy Leader and such other members of the Cabinet as he thinks fit (subject to paragraph 7.2 above).

(3) The Leader, Deputy Leader and Cabinet Members shall continue to hold office:

(a) (In the case of the Deputy Leader and Cabinet Members) at the discretion of the Leader.

(b) (In the case of the Leader) unless he is removed by a resolution of Full Council (and the Leader may not be removed from office except by such resolution):

(c) a. Unless they he/she resigns from the office; or

b. he/she is removed from office by resolution of the Council; or

- (d) e. **Unless they are** he/she is suspended from being a Councillor under Part III of the Local Government Act 2000 (although they he/she may resume office at the end of the period of suspension); or
- (e) d. **Unless they are** he/she is no longer a Councillor.

7.4 Other Cabinet members **Deputy Leader**

The Deputy Leader (or in his/her absence the remaining Cabinet **Members**) may act if the Leader is unable to act or if the post of the Leader is vacant.

~~Other Cabinet members shall hold office until:~~

- ~~a. they resign from office; or~~
- ~~b. they are suspended from being Councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension); or~~
- ~~c. they are no longer Councillors; or~~
- ~~d. they are removed from office by the Leader who must give written notice of any removal to the proper officer. The removal will take effect two working days after receipt of the notice by the proper officer.~~

7.5 Proceedings of the Cabinet

Proceedings of the Cabinet shall take place in accordance with the Cabinet Procedure Rules set out in Part 7 of this Constitution.

7.6 Responsibility for functions

All Cabinet decisions will be taken by the Cabinet acting collectively except:

- a. when the Cabinet has made a decision in principle it may authorize the Leader or the Portfolio Holder with responsibility to finalise outstanding details in agreement with the appropriate Head of Service;
- b. when a decision regarding a Cabinet function requires attention as a matter of such urgency that formal reporting to Cabinet is not possible, the Leader may take that decision in consultation with the

relevant Portfolio Holders, the Chief Executive, the Section 151 Officer and the Monitoring Officer;

- c. the Leader may request the Overview Board, the Scrutiny Board, the **Joint Overview and Scrutiny Board**, the Audit Board and the Performance Management Board to consider including issues within their work programme;
- d. when the Cabinet has arranged for a Cabinet function to be discharged by a Cabinet committee or an officer or by way of joint or local arrangements.

The Leader will maintain a List in Table 3 Part 3 of this Constitution (Scheme of Delegation) setting out which Cabinet committees, officers or joint or local arrangements are responsible for the exercise of particular Cabinet functions.

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REVIEW OF PAY ON FOOT CAR PARKING

Relevant Portfolio Holder	Councillor Michael Webb
Relevant Head of Service	Guy Revans
Key Decision Yes	

1. SUMMARY OF PROPOSALS

- 1.1 This report responds to the request made by Members of the Council and details the financial implications of a re-introduction of the incremented tariff on the Council 'Pay on Foot' car parks.

2. RECOMMENDATIONS

- 2.1 **Cabinet is requested to note the financial implications associated with the reintroduction of the incremental car parking charging tariffs on the Council owned 'Pay on Foot' car parks (Churchfields and Recreation Road South), and in light of this information decide whether or not the incremental charging should be reintroduced.**

- 2.2 **In the event that members are minded to reintroduce the incremental charging system detailed within this report, it is suggested that the Cabinet resolve as follows:**

- (a) **that officers be tasked with undertaking a review of the car parking provision, the charging structure that supports this and the extent to which alternative methods of service delivery can be achieved in this area that would lead to a more sustainable and cost effective car parking provision as part of the current shared service review;**

- (b) (i) **that Members note the cost implications of reintroducing incremental charging and the consequential effect that this will have on the Medium Term Financial Plan for 2011/12 and 2012/13;**

- (ii) **that this deficit be managed by the Executive Director of Finance & Resources as part of the wider budget setting process for future years; and**

the Cabinet RECOMMEND to the full Council

- (c) **that £45,000 be released from balances to ensure a balanced budget for 2010/11 in respect of the incremental charging scheme**

3. BACKGROUND

- 3.1 Members are aware that the introduction of the Pay of Foot car parking system in the Council car parks in Churchfields and Recreation Road saw the introduction of a tariff system that trialled the payments in 10 minute increments in favour of a tariff that charged to the next hour. It was clear after this initial trial that the incremental charging was having a significant impact on the overall car parking revenue and as a result it was removed. At that time it is estimated that the cost associated with the incremental charging system over a period of approximately three and a half months was circa £24K. It is predicted that a reintroduction of the 10 minute incremental charge would cost a further £21k to the end of the current financial year.
- 3.2 At its meeting on 15th September 2010 officers were tasked with reporting to members on the costs and implications of reintroducing the incremental tariff scheme.
- 3.3 Members are advised that the practice of charging in hourly segments is not unusual but it is accepted that it offers less flexibility to the shopper in relation to the time spent and paid for parking. An example of the effects are that a driver who is one minute over an hourly fee of 70p under the hourly segment tariff would be required to pay £1.40. Using an incremental tariff system the charge would be 90p.
- 3.4 It is clear that the cost of reintroducing car parking provision on an incremental basis will have a financial impact on the overall income to the Council that is generated from parking in the Councils car parks.
- 3.5 Members are advised that the current medium term financial plan is based on assumptions that certain levels of car parking revenue will be achieved and that these assumptions have been based on the currently hourly charges. This predicted level has not been achieved.
- 3.6 If members are minded to return to the incremental tariff then this will have a detrimental effect on the overall budget for 2010/11 and future years that will need to be addressed as part of the review of the medium term financial plan.

4. KEY ISSUES

- 4.1 There are 2 tariff options for Recreation Road South and Churchfields car parks that Members can consider;
- a) remain with the current hourly rates
 - b) amend the tariff to 10 minute increments
- 4.2 The loss of income in the earlier part of the year due to the incremental charging tariff was circa £24k and the predicted additional revenue required to cover the reintroduction of the incremental tariff for the remainder of 2010/11 amounts to £21k and it would be necessary for this sum to be released from balances to fund the deficit in 2010/11.
- 4.3 Members are advised that although release of £21k would cover the costs between January and March 2010 and that a further release of £24k would cover the shortfall arising from the incremental tariff, there remains a significant shortfall to anticipated income of approximately £164k for 2010/11. This will be addressed as part of the medium term financial plan.
- 4.4 Members are reminded that in addition to the decisions relating to the incremental charging that there are wider car parking revenue issues that will need to be addressed as part of the wider budget setting debate for future years and that these relate to the increase in VAT charges, the underachievement generally in car parking income and the wider need for the Council to consider all of its fees and charges in light of the current economic climate and the reduction in Local Authority Grant funding. Members are advised that this will be presented as part of a wider fees and charges and budget report.
- 4.5 It is fair to say that notwithstanding the additional burden that the incremental charging will place on the Council in financial terms that in view of the Councils wider priority to invest and improve the shopping experience within the Town Centre that the move to incremental charging would be supported and valued by town centre businesses and customers.
- 4.6 That said members are advised that officers have been working on the options available in respect of alternative service delivery methods and the extent to which the service can be rationalised to enable greater efficiencies moving forward.
- 4.7 To this extent members will be presented with a separate report detailing those options once the review has been completed during 2011/12.

- 4.7 Members are also advised that as a consequence of the economic downturn car parking income has dropped and that this move to the provision of such a highly competitive tariff charging structure may result in a growth in custom to the Town Centre and the car parks.
- 4.8 It is important to note as part of this report that the importance of the two free parking weekends (11th, 12th and 18th, 19th December) has been acknowledged as part of this report and Members are advised that all financial projections included within this report ensure that this provision is maintained.

5. FINANCIAL IMPLICATIONS

- 5.1 The incremented tariff was introduced when the new system went live on March 2010. This tariff initially cost up to £1.5k net per week in lost revenue to the service.
- 5.2 The tariff operated for a number of weeks before it was removed. This has allowed officers to predict the effects of reintroducing the incremented tariff. Based on the current spend and revenue patterns, including the reintroduction of the incremented tariffs, the Council will be faced with a further £21k shortfall in income in addition to the £164k predicted income shortfall on the whole car parking service for 2010/11.
- 5.3 This shortfall is largely the result of a lower than expected revenue increase from the pay on foot car parks, the loss of income resulting from the removal of the incremented tariff.
- 5.4 It is proposed that the £45k shortfall to fund the incremental tariff is met from balances as officers are unable to identify other areas of savings that could meet this shortfall.
- 5.5 Members acknowledge the wider financial implications of these proposed changes and the need for them to be addressed as part of the wider budget setting and the medium term financial plan.

6. LEGAL IMPLICATIONS

- 6.1 The provision of the incremented tariff is discretionary and does not require any changes to the parking Order to implement.
- 6.2 The procedure for making an amendment of car parking orders is regulated by the Road Traffic Regulations Act 1984 and the Local Authorities Traffic Orders (Procedure) (England and Wales) regulations 1996 and any change

the charging rates for the purposes of VAT other increases would require an amendment to the existing order.

7. POLICY IMPLICATIONS

7.1 None.

8. COUNCIL OBJECTIVES

8.1 The town centre is one of the Council objectives. The provision of affordable, safe, and well maintained car parking supports the economy in the town centre.

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

9.1 None.

10. CUSTOMER IMPLICATIONS

10.1 The customers will pay less when using the Council pay on foot car parks. Although not directly comparable, this does reflect the incremented tariffs for overpayments on pay and display car parks.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

11.1 None.

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

12.1 None.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 None.

14. HUMAN RESOURCES IMPLICATIONS

14.1 None.

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

15.1 None.

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

16.1 This will reduce levels of aggression between Council staff and customers.

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 None.

18. LESSONS LEARNT

18.1 None.

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 During the six month review of the new system, there were 36 comments out of 402 questionnaires stating that the removal of the tariffs was unfair and that they should be reintroduced. This was the second most popular comment made with long queues at the paystations being the most common.

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
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

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21. **WARDS AFFECTED**
All

22. **APPENDICES**
None

23. **BACKGROUND PAPERS**
None

AUTHOR OF REPORT

Name: Guy Revans
E Mail: g.revans@bromsgrove.gov.uk
Tel: 01527 881703

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BROMSGROVE DISTRICT COUNCIL

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Improvements to Laurel Grove / Beech Road Play Area and Recreation Ground

Relevant Portfolio Holder	Michael Webb
Relevant Head of Service	John Godwin
Key Decision / Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 This report requests Members to approve the improvements and enhancement of Laurel Grove/Beech Road Recreation Ground play and ancillary facilities funded from £51,000 Section 106 Monies.

2. RECOMMENDATIONS

- 2.2. Cabinet are requested to recommend to full Council that the above scheme be included to the forward Capital Programme for 2010/2011 and request officer to undertake the work require before the “claw back” point is reached.

3. BACKGROUND

- 3.1 In recent years investment has been made into larger recreation grounds such as King George Recreation Ground and Charford Recreation Ground to create larger strategic locations of multi functioning open space / parks to benefit the whole community.

Laurel Grove/Beech Road Sidemoor, is a large recreation area that runs from Laurel Grove/Beech Road to Broad Street and services a large section of the local community to the East of Broad Street. In 2004 a small junior, fenced play provision was installed to support the older toddler area that was already on site. There is also a set of basketball posts and hard standing area with in the recreation ground.

- 3.2 The toddler play area and small scale basketball provision lacks innovation, does not challenge users imagination, has low play value and is coming to the end of its useful life. This has a detrimental affect on the aesthetics of this recreation ground and has a subsequent impact upon the local area and resident satisfaction.
- 3.3 This project would support our policy to provide larger, higher quality facilities in strategic locations and move away from low quality, small facilities which experience limited use. These Improvements enhance community cohesion bringing local residents together in one area and also by involving the community with designs and proposals will provide residents with a sense of belonging and contribution to their local area.

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3.4 The recent PPG17 survey covering provision for Children and Young People shows that Bromsgrove Central area received the lowest score for quality of play provision for children. The analysis suggests that enhancing the quality of existing play areas is considered to be as important as increasing the quantity. However, the quantitative standard when broken down by Ward level has identified Sidemoor with a shortfall in provision of children's play facilities.

3.5 The PPG17 report also sets out provision standards for access which is essential for maximising usage of the sites as well as providing opportunities for people to use the site. It is recommended that the standard for provision for children is a 10 minute walk time.

This site is accessible from multi access points from the top of Holly Road / Laurel Grove and surrounding area and from Broad Street at the bottom of the site.

3.6 Officers have been reviewing the current 106 budget allocations and available budgets in line with the up coming revisions to the County Play Strategy and PPG17 quantitative and qualitative assessment of the District facilities. During this review the monies outlined have been identified as unallocated and a claw back period is in place that will see part of the monies returned to the developer should it not be used on or before December 2010. There is also a restriction on development of play provision which stipulates that any facilities provided must be within a 2km radius of the development (All Saint's Road).

3.7 Officers have sought a suitable local scheme in line with Corporate Objectives & Priorities, the principles of the Play Strategy and the restraints identified in section 3.5. The current provision at Laurel Grove / Beech Road is in need of qualitative and quantitative improvements and as such this scheme is considered to be the most appropriate. This is further supported given the condition of the equipment on site and the need to consider replacement/enhancement of the area in the near future.

3.8 By increasing the quality of the provision in Sidemoor through this scheme and recent improvement at King George Recreation Ground, BDC will be able to consider in the future the potential to rationalise other play areas. For example the small and badly located Silverdale Close play area and return them to either POS or potential look at using them as investment locations. This play area is within a 5 minute walking distance from Laurel Grove/Beech Road Play area and has several issues that would need to be considered as part of a future review.

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4. KEY ISSUES

The key issues within this report are as follows:

- 4.1 By including the enhancement scheme within the capital programme the potential for claw back of the 106 funding is removed.
- 4.2 The current toddler facility and basketball posts are coming to the end of their useful life and this funding will allow their replacement at no direct cost to BDC.
- 4.3 The completion of the works in Sidemoor will although a formal review of play areas sites to be undertaken based on known situations rather than indicative ideas. This will lead to effective rationalisation and potential budget savings in the future.

5. FINANCIAL IMPLICATIONS

- 5.1 The £51,000 section 106 monies are in place and available for use at Laurel Grove/Beech Road and as the site is already within the Council's portfolio of play areas there are no additional maintenance or inspections cost involved.

6. LEGAL IMPLICATIONS

- 6.1 There are no legal implications contained within this report.

7. POLICY IMPLICATIONS

- 7.1 This scheme would support the County Play Strategy Objectives and Principles and those of the BDC Play Action Plan.

8. COUNCIL OBJECTIVES

- 8.1 The scheme will support the following objectives:
 - Objective One - Improvement and Value for Money, reducing the ongoing impact on maintenance relating to age of equipment and by responding to the qualitative aspects of PPG17 in relation to Young persons facilities.
 - Objective Two - One community, by working and engaging with local people to seek their needs and requests and enhancing resident feedback following PPG17 assessment.

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9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

9.1 Risk assessments will be managed via project management of the scheme and external / independent risk inspection / assessment of the facility will be carried out and recorded as part of our normal assessments of new facilities.

10. CUSTOMER IMPLICATIONS

10.1 There are no direct customer implications as this is an existing site and facility.

10.2 Possible customer implications with the removal of the Silverdale site.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

11.1 The proposals will ensure multi age ranges within the local community are provided for at this site.

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

12.1 The proposed scheme will reduce officer time for re-active works to monitor and replace / update old items of equipment.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 Reduction in the poor condition hard standing pad at the lower area of the site and increase grassed areas for amenity purpose.

13.2 Inclusion of tree planting along the pathway running through the site and additional supporting shrub planting.

14. HUMAN RESOURCES IMPLICATIONS

14.1 None.

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

15.1 None.

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

16.1 None.

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 None directly contained within this report.

18. LESSONS LEARNT

18.1 None.

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 Liaison to be held with the local community using 3 options / proposals to discuss and reflect wishes of the local people. This will be carried out in the form of an open morning event to welcome all residents to view proposals – this would include residents Silverdale Residents.

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

BROMSGROVE DISTRICT COUNCIL

CABINET

1st December 2010

21. **WARDS AFFECTED**

Sidemoor

22. **APPENDICES**

23. **BACKGROUND PAPERS**

24. **KEY**

AUTHOR OF REPORT

Name: Jackie Boreham
E Mail: j.boreham@bromsgrove.gov.uk
Tel: (01527) 881611