



BROMSGROVE DISTRICT COUNCIL

YOU ARE HEREBY SUMMONED to attend a MEETING of BROMSGROVE DISTRICT COUNCIL to be held in the Council Chamber at The Council House, Burcot Lane, Bromsgrove at 6.00 p.m. on Wednesday 16th November 2011, 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 the need to keep their register of interest forms up to date)

3. To confirm the accuracy of the minutes of the meetings of the Council held on 14th September and 27th September 2011 (Pages 1 - 12)

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

5. To receive any announcements from the Leader

6. Recommendations from the Cabinet (Pages 13 - 14)

To consider the recommendations from the meeting of the Cabinet held on 2nd November 2011 on the following items *(the full Cabinet reports are enclosed for information at the back of the Council agenda book)*

- Worcestershire Regulatory Services Enforcement Policy
- Corporate Data Backup
- Proposed Merger of North Worcestershire Community Safety Partnerships
- Single Sustainable Community Strategy for Worcestershire

7. To receive the minutes of the meetings of the Cabinet held on 27th September, 5th October and 2nd November 2011 (Pages 15 - 28)

8. **Recommendations from the Licensing Committee** (Pages 29 - 30)

To consider the recommendation from the meeting of the Licensing Committee held on 31st October 2011 on the following item (*the full Licensing Committee report is enclosed for information at the back of the Council agenda book*)

- Street Trading Consent Policy Review – Fees and Charges

9. **Appointment to Outside Body**

To appoint a representative to fill the vacancy on the Worcestershire County Council Health Overview & Scrutiny Committee for the period ending May 2012 arising from the resignation of Councillor Mrs. J. M. L. A. Griffiths

(Note: The appointed representative must be a member of the Council's Overview & Scrutiny Board)

10. **Questions on Notice**

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

11. **Motion - Shared Services**

To consider the following motion submitted by Councillor P. M. McDonald which stands deferred from the meeting of the Council held on 14th September 2011:-

“It was originally agreed that a feasibility study would be carried into whether Bromsgrove District Council and Redditch Council could take advantage of economies of scale through sharing services. It was agreed from the outset that should any political group decide against a move to share services then it would not go ahead.

With the outcome of the feasibility study it was decided by a political group it did not support the outcome to share services. This was ignored by the controlling group who embarked on shared services with Redditch spending millions of pounds on start-up costs.

From shared services it developed into shared management, shared authority to merging with Wyre Forest to create a North Worcestershire Authority to rival the County Council.

At no time have the residents of Bromsgrove been consulted and all decisions relating to this issue have been made and discussed in secret. The actions being taken in secret threaten to lose Bromsgrove's identity and service supplied on local need.

Therefore we call upon the Council to have a referendum letting the people decide on whether they agree with the decisions that have been made in secret and want to merge with Redditch and Wyre Forest."

12. **Motion - Police Funding**

To consider the following motion submitted by Councillor C. J. Bloore:

"That the Council should write to and ask the Home Secretary Theresa May to reconsider the cuts in Police Funding and should recommend to her that the proposed £130 million pounds to be spent on the proposed Police Commissioners should be spent on retaining front line Police Officers instead."

13. **Motion - National Issues**

To consider the following motion submitted by Councillor R. Hollingworth:

"That this Chamber calls upon the Chairman to apply Council Procedure Rule 11.5 without variance to ensure that we do not discuss motions on national issues. Motions must be about matters for which the Council has a responsibility or which affect the District of Bromsgrove. A motion will not be regarded as affecting the District of Bromsgrove if it relates to a national issue and would have no more effect on Bromsgrove than it would on any other area. A motion will not be regarded as affecting the District of Bromsgrove if it relates to action taken by or statements made by a body or individual connected with Bromsgrove, but those actions or statements are not specifically related to the District."

14. **Motion - Chief Officers Pay**

To consider the following motion submitted by Councillor E. J. Murray:

"That this Council treats its Chief Officers the same as other employees by implementing a pay freeze and that pay freeze continues in line with other employees."

- **Background information on recommendation from the Cabinet - Worcestershire Regulatory Services Enforcement Policy** (Pages 31 - 44)
- **Background information on recommendation from the Cabinet - Corporate Data Backup** (Pages 45 - 46)
- **Background information on recommendation from the Cabinet - Proposed Merger of North Worcestershire Community Partnerships** (Pages 47 - 68)
- **Background information on recommendation from the Cabinet - Single Sustainable Community Strategy for Worcestershire** (Pages 69 - 94)
- **Background information on recommendation from the Licensing Committee - Street Trading Consent Policy Review - Fees and Charges** (Pages 95 - 110)

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

TO ALL MEMBERS OF THE BROMSGROVE DISTRICT COUNCIL

Agenda Item 3

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

WEDNESDAY, 14TH SEPTEMBER 2011 AT 6.00 P.M.

PRESENT: Councillors Mrs. J. M. L. A. Griffiths (Chairman), R. J. Laight (Vice-Chairman), Mrs. S. J. Baxter, C. J. Bloore, Dr. D. W. P. Booth JP, Mrs. J. M. Boswell, J. R. Boulter, M. A. Bullivant, Ms. M. T. Buxton, R. A. Clarke, S. R. Colella, R. J. Deeming, Mrs. R. L. Dent, K. A. Grant-Pearce, Miss P. A. Harrison, R. Hollingworth, Mrs. H. J. Jones, P. Lammas, L. C. R. Mallett, Mrs. C. M. McDonald, P. M. McDonald, E. J. Murray, J. A. Ruck, C. R. Scurrall, Mrs. E. M. Shannon, R. J. Shannon, S. P. Shannon, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer, C. B. Taylor, C. J. Tidmarsh, M. J. A. Webb, P. J. Whittaker and C. J. K. Wilson

47/11 **PRAYER**

At the request of the Chairman, the Reverend Beverley Robertson opened the meeting with a prayer.

48/11 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J. S. Brogan, Dr B. T. Cooper, S. J. Dudley, B. Lewis F.CMI and L. J. Turner.

49/11 **DECLARATIONS OF INTEREST**

Councillor C. B. Taylor initially declared a personal interest in agenda items 10 and 11 relating to potential County Council spending cuts as a Member of the Worcestershire County Council.

The Chairman stated she had taken advice and it was not necessary for Members who were also County Councillors to declare an interest in the circumstances.

50/11 **MINUTES**

The minutes of the meeting of the Council held on 20th July were submitted.

RESOLVED that subject to the deletion of the final paragraph of minute 39/11, the minutes be approved as a correct record.

51/11 **ANNOUNCEMENTS FROM THE CHAIRMAN, THE CIVIC HEAD AND THE HEAD OF PAID SERVICE**

There were no announcements from the Chairman or the Head of Paid Service.

The Civic Head referred to the following events:

- (a) Civic Service on 17th September 2011.
- (b) Black Country Night Out on 20th January 2012

52/11 **ANNOUNCEMENTS FROM THE LEADER**

(a) Olympic Torch Procession

The Leader advised that Bromsgrove was the only District in the County which would not be hosting part of the Olympic Torch Procession. A representative from Bromsgrove had been selected to take part in the procession but this Council had not been consulted or involved.

(b) Sainsbury's Development

The Leader referred to the comments made by Councillor R. J. Shannon relating to the possibility of Sainsbury's not proceeding with the development in Bromsgrove, and reported that a planning application had now been received to facilitate the supermarket development.

(c) Balances/Capital Expenditure

The Leader referred to a list which had been circulated containing information which had been requested previously by Councillor S. P. Shannon relating to Council expenditure and balances.

(d) Overview and Scrutiny/Planning Committee

The Leader expressed concerns regarding the operation of the Overview and Scrutiny Board and the Planning Committee. With regard to the Planning Committee he had requested officers to consider what changes could be made and how the efficiency of the Committee could be improved which would be of benefit to all Members of the Council.

In relation to Overview and Scrutiny, the Leader felt that Scrutiny should be undertaken to look at areas or issues and to assess whether they were working properly and he felt the recent Car Park Task Group had been a good example of this. The Bus Services Task Group had not been undertaken in the correct manner as it had become very political, with letters and articles appearing in the press before the recommendations of the Task Group were known. The proposed County Council cuts in services had been greatly reduced in fact by

District Councillors raising issues and working with the County Council but this was prior to the Task Group being set up.

The Leader also referred to the recommendation from the Overview and Scrutiny Board in relation to the Marlbrook Tip that he discuss with the Chief Executive how an investigation could be carried out by an appropriate audit/investigation team. There were concerns from the opposition that the Council would be investigating itself and in this regard the Leader was also concerned that there may be a need to look at whether the Audit Board should also be chaired by an independent person rather than by a Member of the Council.

(e) Consultations from Central Government

The Leader referred to a number of Consultation documents from Central Government including those relating to Business Rates and Council Tax Benefits and raised concerns regarding the implementation of these proposals.

Members then raised questions/comments to which the Leader responded as summarised below.

Councillor P. M. McDonald referred to the Sainsbury's issue and commented that five years ago the Leader had stated that the Market Hall site would be developed within a year and this had not happened so how could he be confident that the Sainsbury's development would now go ahead. The Leader responded that the planning application for the service station on Birmingham Road had been received and that Sainsbury's had now agreed to all the Section 106 agreement conditions. He stated he had not mentioned the Market Hall site or indeed given a date for the Sainsbury's development.

Councillor P. M. McDonald referred to previous discussions and comments on the Polymer Latex site at Stoke Prior and queried whether the Leader was aware that it was rumoured that the planning application would be for larger "executive style" houses and would not include 40 per cent affordable housing and that the local Member was aware of this. The Chairman reminded Councillor McDonald that questions should relate to items raised by the Leader at this meeting. The Leader therefore made no comment

Councillor P. M. McDonald referred to the Leader's comments on Scrutiny and commented that the Scrutiny function should be dealt with by the Chairman and Members of the Overview and Scrutiny Board. He queried whether the Leader was aware that it was good practice that Scrutiny should be looking at the actions of the Leader and Cabinet and not the other way around and that it was not for the Leader to decide which issues were to be scrutinised. The Leader responded that he felt it was important that rather than making political points, Scrutiny should be looking at issues which were causing problems. The Leader responded that he had not interfered with the Overview and Scrutiny

Board but that he did not feel that the Bus Services Task Group was a good use of the Board's time when there were other issues which needed addressing.

In relation to Marlbrook Tip Councillor P. M. McDonald queried whether the Leader was aware that officers had advised the Overview and Scrutiny Board that it was not appropriate for the Board to undertake a Scrutiny Exercise. Councillor McDonald stated that the Overview and Scrutiny Board should not be fettered and that the Scrutiny into the Marlbrook Tip should be chaired by the Leader of the Opposition. The Leader responded that he had suggested that Scrutiny should be investigating the background to the Marlbrook Tip issue and to that extent he had agreed with Councillor McDonald. The Leader confirmed he had subsequently been informed by officers that the issue could not be scrutinised. The Chief Executive confirmed that officers would reconsider whether this could be a possible item for Scrutiny.

In relation to the Bus Services Task Group Councillor P. M. McDonald queried why the original consultation on Bus Services from the Worcestershire County Council had not been considered by the Council as a whole so that a formal response could have been sent to the County Council.

Councillor Mrs S. J. Baxter asked the Leader to explain his concerns regarding the Planning Committee. The Leader responded that he was concerned that Planning Policies which had been set by the Council were not always adhered to.

Councillor C. J. Tidmarsh responded to the comments made in relation to the Polymer Latex site. Councillor Tidmarsh stated that the site was likely to be transferred to new ownership within the next 10 days and as that was a major operation, as the local Member he had felt it would be appropriate for the incoming tenants to be welcomed by the Leader of the Council and the Chief Executive. Councillor P. M. McDonald queried under what circumstances Councillor Tidmarsh had met the Company representatives. Councillor L. C. R. Mallett queried whether Councillor Tidmarsh had had any discussions which would be contrary to the Council's policy on affordable housing and the possible mix of housing on the site and specifically if he had had discussions with Polymer Latex as to whether this site would include any affordable housing or if the level would be less than the 40 percent affordable usually required. Councillor Tidmarsh stated he had had no such discussions and had not met the developer.

Councillor E. J. Murray queried why the Leader was questioning the actions of the Planning Committee when the Leader had the opportunity to decide which Members were on the Committee. The Leader responded he was doing what he thought was best as far as the Leading Group was concerned.

53/11 **RECOMMENDATIONS FROM THE CABINET ON 7TH SEPTEMBER 2011**

(i) **BUDGET PREPARATION GUIDELINES**

The recommendation was moved by Councillor R. Hollingworth and seconded by Councillor Mrs. M. A. Sherrey JP.

RESOLVED that the Budget Preparation Guidelines as set out in appendix 1 to the report be approved.

(ii) **DEDICATION OF COUNCIL CAR PARK LAND TO HIGHWAY**

The recommendation was moved by Councillor D.W. P. Booth JP and seconded by Councillor R. Hollingworth.

An amendment was moved by Councillor P. M. McDonald and seconded by Councillor L. C. R. Mallett that the sum of £100,000 be sought in respect of the land.

Having been put to the vote the Chairman declared the amendment to be LOST.

The Cabinet recommendation was then put to the vote as the substantive motion and it was

RESOLVED that the sum of £50,000 from Sainsbury PLC be allocated to the Town Centre Regeneration Programme Capital Budget for 2011/12.

54/11 **MINUTES OF THE MEETING OF THE CABINET HELD ON 20TH JULY 2011**

The minutes of the meeting of the Cabinet held on 20th July 2011 were received for information.

55/11 **SUSPENSION OF COUNCIL PROCEDURE RULES**

During the following item and it having been put to the vote, the Chairman obtained the consent of the Chamber to suspend Council Procedure Rules to enable Mr. S. Jorden, the Head of Worcester Regulatory Services to speak at the meeting in relation to that.

56/11 **QUESTIONS ON NOTICE**

One question on notice was taken.

Question submitted by Councillor S. P. Shannon to the Leader

“Does the Leader share concern of Labour Councillors that since responsibility for food safety inspection of schools, nursing homes, cafes, restaurants, fish and chip shops even lay by burger vans has been handed over to Worcester

based "Shared Services Project". The inspection of food safety standards operated in these premises can now rely on just a telephone call to ask if everything is being done correctly and that this "inspection" will suffice for another 12 months?"

The Leader referred the question to Councillor C. B. Taylor as the relevant Portfolio Holder to respond.

Councillor Taylor replied that he had spoken to the Leader and he had every confidence in the work of the Worcestershire Regulatory Services and therefore the answer to the question was no.

Councillor Shannon asked a supplementary question as to who takes responsibility for this dangerous strategy and queried when a fit and proper inspection of food outlets regime would return to this District.

At the invitation of the Chairman, the Head of Worcestershire Regulatory Services (WRS) Mr. S. Jorden responded to the supplementary question and stated that there was no dangerous strategy and that WRS had never only dealt with high risk food businesses by way of a phone call. The way in which food businesses were inspected was dictated by the Food Standards Agency through a national framework and this had been followed for the last ten years. Where there was a high risk food business in any District this would be inspected on a regular basis dependant upon the risk.

Councillor Shannon then stated that he had not mentioned high risk food establishments but he did consider schools (which were not being inspected) to be high risk. In view of the importance of the issue relating to schools the Chairman invited Mr. Jorden to respond.

Mr. Jorden stated that he was happy to discuss fully any specific concerns of Councillor Shannon outside the meeting but that in general WRS inspected all businesses, including schools, according to risk which was based upon a national code of practice from the Food Standards Agency. It was stated that irrespective of the type of business the assessment was based on a categorised risk which determined amongst other things the frequency of inspections. A range of interventions was used to ensure those businesses were complying and indeed could prove compliance over time. This process had not changed for the last ten years and it was not intended to change it significantly moving forward a year.

As the Council Procedure rules had been suspended, The Chairman allowed Councillor L. C. R. Mallett to ask a question of Mr. Jorden. Councillor Mallett queried whether there had been any change in the regularity or risk grading of the inspections that were carried out on any type of food establishment over the last five years. Councillor Mallett stressed he was not referring to whether WRS had changed the basis on which risk was assessed or the National Codes that were used to do this, but whether WRS were now visiting establishments any less regularly or whether visits were being substituted with telephone calls when previously there would have been visits.

Mr. Jordan responded that there had not been a change to the way in which premises were inspected. There had been changes to premises risk rating so where premises were deemed to be high risk but a number of criteria were met, the risk could change and the frequency of inspections may be less. Equally where premises were fairly low risk but conditions were such that there was concern, the frequency of inspection could be increased. WRS were considering a number of ways of working with businesses to improve compliance. Where premises were an extremely low risk to the public, for example selling packet food, this may involve contact by telephone to establish whether any circumstances had changed and if so there may be a requirement for a visit. Where nothing had changed, a telephone call may be sufficient. It was emphasised this was only in relation to low risk premises, was wholly in line with the National Code and had been the case for a number of years so that had not changed.

The Chairman thanked Mr. Jordan for his attendance and his contribution to the meeting.

57/11 **MOTION - UNIVERSAL CREDIT**

Members considered the following motion submitted by Councillor R. Hollingworth.

“that this Council supports the concept of the universal credit system but does not believe that the current implementation plan will work and that this Council should therefore write to the Secretary of State for Communities to ask him to deliver proper localisation and not the centralisation he seems to be striving for.”

The motion was moved by Councillor R. Hollingworth and seconded by Councillor Mrs M. A. Sherrey JP.

Having been put to the vote, the Chairman declared the motion to be CARRIED.

58/11 **MOTION - POLICE AND POSITIVE ACTIVITIES FUNDING**

Councillor Mrs. M. A. Sherrey JP withdrew this motion.

59/11 **MOTION - CUTBACKS IN YOUTH PROVISION**

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

“The proposed cutbacks in youth provision by the County Council could have devastating effects on our youth and the well being of our communities.

Young people are becoming one of the most deprived groups within our communities with poor job prospects.

Any cuts in youth provision can only add to their isolation and thus exclusion from mainstream society.

Therefore, this Council calls upon the County Council to withdraw its proposal to cut back youth provision and maintain its present provision and by doing so giving much needed support to our young people at a time they feel neglected and forgotten.”

The motion was moved by Councillor P. M. McDonald and seconded by Councillor L. C. R. Mallett.

Following some discussion and a brief adjournment an amendment was moved by Councillor R. Hollingworth and seconded by Mrs M. A. Sherrey JP that the final paragraph of the motion be altered to read: “ Therefore this Council calls upon the County Council and puts its full weight behind the Local Strategic Partnership to do the same to withdraw its proposal to cut back youth provision and maintain its present provision and by doing so giving much needed support to our young people at a time when they feel neglected and forgotten.”

Having been put to the vote, the Chairman declared the amendment to be unanimously carried.

The amendment was then put to the vote as the substantive motion and the Chairman declared it to be unanimously CARRIED.

60/11 **MOTION - SHARED SERVICES**

This motion stood deferred to the next ordinary meeting of the Council.

61/11 **RECOMMENDATIONS FROM THE CABINET ON 7TH SEPTEMBER 2011**

(Note: Although the Council agenda had indicated that the public may be excluded during the consideration of this item, in the event it was considered in public as it was noted that staff involved had already received detailed information on the issue).

(i) **LAND DRAINAGE AND WATERCOURSES BUSINESS CASE**

The recommendations from the Cabinet were moved by Councillor M. J. A. Webb and seconded by Councillor R. Hollingworth.

RESOLVED:

- (a) that the shared Land Drainage Service proposals detailed in the Business Case (Option 3) be approved, in accordance with the previously agreed Project Initiation Document dated 22nd June 2011;
- (b) that it be agreed that this new service be known as the “North Worcestershire Land Drainage Service”; and
- (c) that all initial set up costs be met from existing budgets.

(ii) SINGLE BUSINESS CASE FOR SEVEN SERVICES

The recommendations from the Cabinet were moved by Councillor R. Hollingworth and seconded by Councillor Mrs M. A. Sherrey JP.

It was noted that Strategic Planning was not part of the Shared Services programme at present.

On a requisition under Council Procedure Rule 17.5, the following details of voting on the recommendations were recorded:

For the recommendations: Councillors Mrs. S. J. Baxter, Dr. D. W. P. Booth, Mrs. J. M. Boswell, J. R. Boulter, M. A. Bullivant, R. A. Clarke, S. R. Colella, R. J. Deeming, Mrs. R. L. Dent, K. A. Grant-Pearce, Miss P. A. Harrison, R. Hollingworth, Mrs. H. J. Jones, R. J. Laight, P. Lammas, J. A. Ruck, C. R. Scurrall, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer, C. B. Taylor, C. J. Tidmarsh, M. J. A. Webb and P. J. Whittaker (23);

Against the recommendations: Councillors C. J. Bloore, Ms. M. T. Buxton, L. C. R. Mallett, Mrs. C. M. McDonald, P. M. McDonald, E. J. Murray, S. P. Shannon, R. J. Shannon, Mrs E. M. Shannon and C. J. K. Wilson (10)

RESOLVED:

(a) that the Single Business Case proposals be approved in respect of shared services for the following seven services:

- Community Services
- Customer Services
- Environmental Services
- Financial Services
- Legal and Democratic Services
- Planning and Regeneration
- Secretariat and Directorate Support Services

(b) that the detail within the Operational Shared Services Agreement be noted and that subject to the change of date in section 14, which will remain blank until agreement has been reached by full Council and the need for the appendices to be populated, the Agreement be endorsed and signed on behalf of the Full Council.

(iii) CAR PARKING BUSINESS CASE

The recommendations from the Cabinet were moved by Councillor M. J. A. Webb and seconded by Councillor D. W. P. Booth JP.

On a requisition under Council Procedure Rule 17.5, the following details of voting on the recommendations were recorded:

For the recommendations: Councillors Mrs. S. J. Baxter, Dr. D. W. P. Booth, Mrs. J. M. Boswell, J. R. Boulter, M. A. Bullivant, R. A. Clarke, S. R. Colella, R. J. Deeming, Mrs. R. L. Dent, K. A. Grant-Pearce, Miss P. A. Harrison, R. Hollingworth, Mrs. H. J. Jones, R. J. Laight, P. Lammas, J. A. Ruck, C. R. Scurrall, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer, C. B. Taylor, C. J. Tidmarsh, M. J. A. Webb and P. J. Whittaker (23);

Against the recommendations: Councillors C. J. Bloore, Ms. M. T. Buxton, L. C. R. Mallett, Mrs. C. M. McDonald, P. M. McDonald, E. J. Murray, S. P. Shannon, R. J. Shannon, Mrs E. M. Shannon and C. J. K. Wilson (10)

RESOLVED:

- (a) that Option 2 (to “extend Wychavon District Council’s service to include Bromsgrove District Council”) be approved as the preferred option for the future delivery of the car parking shared service;
- (b) that the Council introduce Civil (Decriminalised) Parking Enforcement in partnership with Wychavon District Council;
- (c) that authority be delegated to the Head of Environmental Services to exercise the Council’s Civil Parking Enforcement powers within the District of Bromsgrove when Civil Parking Enforcement within the District comes into effect;
- (d) that the Council enter into a Deed of Arrangements with the Parking and Traffic Regulations Outside London Adjudication Joint Committee for the functions in relation to adjudicators under Part 6 of the Traffic Management Act 2004;
- (e) that authority be delegated to the Head of Legal, Equalities and Democratic Services to sign any necessary agreements or other documents to enable the introduction of Civil Parking Enforcement within the District; and
- (f) that up to £75,000 be made available within this Council’s budgets to meet the set up costs of Civil Parking Enforcement.

(iv) EMERGENCY PLANNING BUSINESS CASE

The recommendation from the Cabinet was moved by Councillor M. J. A. Webb and seconded by Councillor Mrs. M. A. Sherrey JP.

RESOLVED that the proposal in respect of an Emergency Planning shared service as detailed in the Business Case under Option 3 (for a North Worcestershire Shared Service) be approved.

The meeting closed at 9.00 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

EXTRAORDINARY MEETING OF THE COUNCIL

TUESDAY, 27TH SEPTEMBER 2011 AT 6.00 P.M.

PRESENT: Councillors Mrs. J. M. L. A. Griffiths (Chairman), Mrs. S. J. Baxter, C. J. Bloore, Mrs. J. M. Boswell, J. R. Boulter, J. S. Brogan, M. A. Bullivant, Ms. M. T. Buxton, R. A. Clarke, Dr. B. T. Cooper, Mrs. R. L. Dent, Miss P. A. Harrison, R. Hollingworth, Mrs. H. J. Jones, P. Lammas, Mrs. C. M. McDonald, E. J. Murray, C. R. Scurrall, Mrs. E. M. Shannon, R. J. Shannon, S. P. Shannon, Mrs. M. A. Sherrey JP, Mrs. C. J. Spencer, C. B. Taylor, L. J. Turner, P. J. Whittaker and C. J. K. Wilson

62/11 **PRAYER**

At the request of the Chairman, Councillor Mrs. C. J. Spencer opened the meeting with a prayer.

63/11 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Dr. D. W. P. Booth JP, S. R. Colella, R. J. Deeming, S. J. Dudley, K. Grant-Pearce, R. J. Laight, B. Lewis F.CMI, L. C. R. Mallett, P. M. McDonald, J. A. Ruck, C. J. Tidmarsh and M. J. A. Webb.

64/11 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

65/11 **RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 27TH SEPTEMBER 2011**

(i) **AUDIT COMMISSION ANNUAL GOVERNANCE REPORT 2010/11**

The recommendations from the Cabinet were moved by Councillor R. Hollingworth and seconded by Councillor Mrs. M. A. Sherrey JP.

RESOLVED:

- (a) that the Audit Commission Annual Governance Report be noted and that the Statement of Accounts 2010/11 be not amended to reflect the issues raised by the Audit Commission for the reasons set out in detail within the report; and
- (b) that the draft letter of representation be approved.

(ii) **STATEMENT OF ACCOUNTS 2010/11**

The recommendation from the Cabinet was moved by Councillor R. Hollingworth and seconded by Councillor Mrs. M. A. Sherrey JP.

During the debate, in response to Member comments, the Monitoring Officer explained the current situation with regard to data protection and notification of Members to the Information Commissioner's Office.

In response to comments made by Councillor C. J. Bloore with regard to the possibility of having a second officer to support Overview and Scrutiny, the Leader stated that this would be taken into consideration as part of the forthcoming budget round.

RESOLVED that the Statement of Accounts 2010/11 be approved.

66/11 **MINUTES OF THE MEETING OF THE CABINET HELD ON 7TH SEPTEMBER 2011**

The minutes of the meeting of the Cabinet held on 7th September 2011 were received for information.

In relation to the Cabinet response to the Overview and Scrutiny Task Group Report on Recreation Road South Car Park, Councillor C. J. Bloore queried whether the Leader supported free car parking after 7.00 p.m. and on Sundays. The Leader responded that this matter would be considered as part of the forthcoming budget round and he would answer the question at that time.

In relation to decisions taken by the Cabinet with regard to the Waste and Street Scene Publicity Plan 2011/13, Councillor Mrs. C. M. McDonald queried if the Council had officers qualified to issue Fixed Penalty Notices (FPNs), if so how many had been issued during the 'mucky pup' dog fouling campaign and whether the issue of FPNs would continue after the campaign. As the relevant Portfolio Holder was absent, the Chairman responded that he would be asked to contact the Councillor with this information.

The meeting closed at 6.45 p.m.

Chairman

CABINET

RECOMMENDATIONS TO THE COUNCIL

2ND NOVEMBER 2011

1. WORCESTERSHIRE REGULATORY SERVICES ENFORCEMENT POLICY

The Cabinet has considered the minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 29th September 2011, including a recommendation that an Enforcement Policy for Worcestershire Regulatory Services (WRS) be adopted.

It is therefore RECOMMENDED:

that the WRS Enforcement Policy be adopted.

2. CORPORATE DATA BACKUP

The Cabinet has considered a report on the need to address an issue relating to the backup of storage of electronic data and to increase the amount of electronic storage available.

It is therefore RECOMMENDED:

- (a) that the increase in the Capital Programme for 2011/12 of £55,000, in respect of a user back up device and an additional electronic storage device be approved; and
- (b) that the cost be met from ICT reserves (£10,000) and current revenue underspend in the IT service (£45,000).

3. PROPOSED MERGER OF NORTH WORCESTERSHIRE COMMUNITY SAFETY PARTNERSHIPS

The Cabinet has considered a report on the proposed merger of the Bromsgrove Community Safety Partnership (BCSP), Redditch Community Safety Partnership (RCSP) and Wyre Forest Community Safety Partnership (WFCSP) to create a single North Worcestershire Community Safety Partnership (NWCSP).

It is therefore RECOMMENDED:

- (a) that the merger of BCSP with RCSP and WFCSP to create a NWCSP be approved;
- (b) that subject to the approval of the merger by each of the Responsible Authorities, authority be delegated to the appropriate officers to take the necessary steps to implement the merger, including the establishment of governance arrangements and entering into any agreements and that this

- also be subject to endorsement by the relevant Community Safety Partnerships;
- (c) that the continuation of locality based operational and responsive partnership working through the Operational Tasking Group and its Theme Groups be noted; and
 - (d) that the intention to review the Countywide partnership arrangements by 2014 be noted.

4. **SINGLE SUSTAINABLE COMMUNITY STRATEGY FOR WORCESTERSHIRE**

The Cabinet has considered the new countywide Sustainable Community Strategy which included individual sections on all Districts including Bromsgrove.

It is therefore RECOMMENDED:

that the single Sustainable Community Strategy for Worcestershire, including the section on Bromsgrove District, be approved.

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

TUESDAY, 27TH SEPTEMBER 2011 AT 4.30 P.M.

PRESENT: Councillors R. Hollingworth (Leader), Mrs. M. A. Sherrey JP (Deputy Leader), M. A. Bullivant and C. B. Taylor

Officers: Ms. S. Hanley, Ms. J. Pickering and Ms. R. Cole.

45/11 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Dr. D. W. P. Booth JP and M. J. A. Webb.

46/11 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

47/11 **AUDIT COMMISSION ANNUAL GOVERNANCE REPORT 2010/2011**

The Cabinet considered the Audit Commission Annual Governance Report 2010/2011 and the Leader welcomed Ms. E. Cave and Mr. D. Evans from the Audit Commission to the meeting.

Ms. Cave explained that this had been a difficult year for Local Authorities as it was the first year that accounts had to be prepared in compliance with The International Financial Reporting Standards which had resulted in significant additional work for Finance officers. The Audit Commission recognised that the Council had prepared well in advance of the introduction of the new arrangements and that there were no issues to report. Accounting arrangements for the Shared Services agenda and the Worcestershire Shared Services Joint Committee had also been examined and there were no issues to report.

There were two issues which while not material were assessed to be significant and were therefore drawn to Members' attention. These were in relation to the treatment of the ALDI capital receipt and Capital Charges. The Executive Director of Finance and Resources referred to her report responding to these issues and it was noted that a more robust system of charging and officer time allocation had been implemented for 2011/12.

In relation to the Value for Money assessment it was noted that the Audit Commission were satisfied that the Council had put in place arrangements to secure economy, efficiency and effectiveness during 2010/11.

The Leader thanked Ms. Cave and Mr. Evans for their attendance.

RECOMMENDED:

- (a) that the Audit Commission Annual Governance Report 2010/11 be noted and that the Statement of Accounts 2010/11 be not amended to reflect the issues raised by the Audit Commission for the reasons set out in detail within the report; and
- (b) that the draft letter of representation be approved.

48/11 **STATEMENT OF ACCOUNTS 2010/2011**

Consideration was given to the report on the Statement of Accounts for 2010/11.

Following discussion it was

RECOMMENDED that the Statement of Accounts 2010/11 be approved.

The meeting closed at 5.45 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

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

PRESENT: Councillors R. Hollingworth (Leader), Mrs. M. A. Sherrey JP (Deputy Leader), Dr. D. W. P. Booth JP, M. A. Bullivant, C. B. Taylor and M. J. A. Webb (during Minute No. 49/11 to Minute No. 57/11)

Observers: Councillor C. J. Bloore and C. R. Scurrall

Officers: Mr. K. Dicks, Ms. J. Pickering, Mrs. C. Felton, Mr. A. Coel and Ms. R. Cole.

49/11 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

50/11 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

51/11 **MINUTES**

The minutes of the meeting of the Cabinet held on 7th September 2011 were submitted.

RESOLVED:

- (a) that the minutes be approved as a correct record;
- (b) that in relation to minute no 34/11 (the Car Parking Task Group), timings be included relating to implementation of the Car Parking Task Group recommendations if this has not already been done.

52/11 **SHARED SERVICES BOARD**

It was noted that this meeting had been cancelled.

53/11 **WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE**

It was noted that the minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 29th September 2011 would be considered at the next meeting of the Cabinet.

54/11 **OVERVIEW AND SCRUTINY BOARD**

The minutes of the meeting of the Overview and Scrutiny Board held on 27th September 2011 were submitted.

RESOLVED:

- (a) that the minutes be noted;
- (b) that the recommendation contained at minute no. 35/11 relating to an ethical framework be approved; and
- (c) that the recommendation contained at minute no. 36/11 relating to consultancy fees be approved and that it be noted that agency fees will also be detailed separately within the financial monitoring reports.

55/11 **OVERVIEW AND SCRUTINY TASK GROUP REPORT - REDUCTION IN BUS SERVICES**

The Leader welcomed the Chairman of the Reduction in Bus Services Task Group, Councillor C. J. Bloore to the meeting and invited him to present the report of the Task Group.

Councillor Bloore gave the background on the reasons for establishing the Task Group and the sequence of events subsequent to this. It was reported that the County Council had scaled down the proposed cuts to bus services before the Task Group had first met.

The Task Group had determined that following the revised proposals from the County Council, two services in particular were worthy of further representations, the 204 service covering Cofton Hackett which had been withdrawn and the X50 covering Wythall which was now guaranteed for the next 12 months.

Councillor Bloore referred to the recent debate at full Council on the County Council proposals to reduce funding of Youth Services, which had resulted in a united response from the District Council being sent to the County Council. The Task Group had felt that by responding as a District Council to Consultation Documents in future it was probable that the response would carry more weight.

There was a detailed discussion on the recommendations and Members referred to representations which had been made to local County Councillors in order to address the original cutbacks proposed. Councillor Bloore acknowledged that work had been done by individual Councillors which had resulted in the cuts being reduced.

The Leader thanked Councillor Bloore for presenting the report and acknowledged the time Members and officers had put into the exercise.

RESOLVED that the response to each of the recommendations within the report of the Reduction in Bus Services Task Group be as set out below:

Recommendation 1

That within the Council Constitution, the Corporate Delegations in respect of Consultation Documents be amended as follows:

“Detail - To respond to Consultations by the County Council

Delegated to: That consultations routinely go to full Council for debate. However when there are timescale or other issues which would prevent this then the Chief Executive responds in consultation with the relevant Ward Members.”

Cabinet Response

- (a) that the spirit of the recommendation be approved but that officers be requested to report back to Overview and Scrutiny Board with suitable wording in order to amend the Constitution; and
- (b) that it be ensured that the amendment to the Constitution recognises that there may be occasions when this Council is not consulted formally by the County Council on proposals but which Members may still wish to debate at Council by way of a Notice of Motion.

Recommendation 2

That the Council support Worcestershire County Council by contacting the bus operators, Black Diamond and Johnson’s Coaches to make representations for the 204 service to be reinstated and for clarification on the future of the X50 service.

Cabinet Response

That the recommendation be supported but that in order that there is a specific point of contact on this matter, the letter be sent to the Portfolio Holder for Transport at the County Council rather than the bus operators.

56/11

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

The Leader reported that he had attended a meeting of the Greater Birmingham and Solihull Local Enterprise Partnership.

Councillor M. J. A. Webb reported that he had attended a meeting with Bromsgrove Rugby Club.

Councillor Mrs. M. A. Sherrey reported that she had attended a meeting at the Ryland Centre.

Councillor M. A. Bullivant reported that he had attended a meeting of the Equality and Diversity Forum and the Worcestershire Shared Services Joint Committee.

57/11 **AFFORDABLE HOUSING - SUPPORT TO PRINCIPAL PREFERRED PARTNER REGISTERED PROVIDERS**

Members considered a report relating to:

- (a) the transfer of a small piece of land at Housman Close, Charford, which had previously been used for recreation purposes, to Bromsgrove District Housing Trust (BDHT) for the development of affordable housing for older people; and
- (b) the future application of the additional payment of £350 per annum (payable for six years) which Local Authorities will receive upon the completion of each unit of affordable housing developed to be known as “enhancement for affordable homes” under the New Homes Bonus on newly developed affordable housing units.

It was noted that in 2006 the Cabinet had agreed to the disposal of the land at Housman Close at less than market value for the development of affordable housing for older people. This proposal had been delayed because of negotiations with the National Playing Fields Association (known as “Fields in Trust”) and it now appeared these were reaching a satisfactory conclusion.

It was reported that following discussions, BDHT had included in their recent bid for funding to the Homes and Communities Agency a scheme for the provision of six bungalows on the land for older people. This was on the basis that the land be conveyed for a nil capital receipt which would demonstrate the commitment of the Authority to a joint commissioning approach to the delivery of affordable housing.

Information had been received from the County Council Principal Valuation Officer that the cost of developing the bungalows would equate to the value of the land. The land would have no value if sold for the purpose of social housing to let. Members felt it was important to have a detailed audit trail in respect of any disposal of land at less than market value.

It was reported that because of reductions in funding received, the amount of affordable housing units which BDHT would be able to build was likely to be severely reduced from the original bid which was to develop 200 units.

RESOLVED:

- (a) that the disposal of the recreation ground site at Housman Close, Charford to BDHT for a nil capital receipt be approved subject to (i) agreement being reached for the release of the covenant over the land in favour of Fields in Trust; and (ii) clarification being received in relation to the valuation of the land undertaken by the County Council Principal Valuation Officer to ensure the audit trail is complete;
- (b) that subject to consideration as part of the budget process and on an in principle basis, the additional payments for affordable homes under the New Homes Bonus be ring fenced for re-investment into the provision of affordable homes in the District; and

- (c) that (b) above be achieved by donating to each registered provider concerned, grant funding to be used for the provision of specific affordable housing schemes, the amounts received under the “enhancement for affordable homes” New Homes Bonus payment in accordance with the number of affordable homes built by each provider.

58/11 **PRIVATE SECTOR HOUSING ASSISTANCE POLICY - REVISION OF POLICY**

The Cabinet considered a report on the updated Private Sector Housing Strategy Policy in relation to the award of Home Repair Assistance Grants.

It was reported that a previous amendment to the Policy which had resulted in the repayment of grants being index linked rather than based on the original amount of grant awarded, had proved to be impractical and had appeared to be a disincentive to applicants.

It was noted that the repayment due to the Authority under the new policy would be payable whenever the property was sold rather than being limited to within ten years as previously agreed.

RESOLVED:

- (a) that the reasons why the previously proposed introduction of an index linked grant repayment policy would be inappropriate as set out in the report be noted; and
- (b) that the Home Repair Assistance Policy as contained at appendix 1 to the report, including the requirement for repayment of the original grant awarded whenever the property is sold, be approved.

59/11 **DRAFT NATIONAL PLANNING POLICY FRAMEWORK - RESPONSE TO CONSULTATION**

Members considered the detailed report on and proposed response to the consultation document on the draft National Planning Policy Framework.

It was noted that the basis of the proposed response was that greater detail was needed together with clarification of many aspects of the document.

Members appreciated the work undertaken by the Strategic Planning Manager in drafting the response within the confines of the questionnaire format required by the Department for Communities and Local Government. It was felt however that it would be appropriate to also include a separate letter from the Leader requesting clarification on issues specific to Bromsgrove District such as the Green Belt and the cross boundary issues. It was also felt appropriate to seek the support of the Leader of the Opposition on this matter in order to add weight to the representations.

RESOLVED:

- (a) that the report together with the implications of the draft National Planning Policy Framework be noted;

- (b) that the response as contained at appendix A to the report be approved and submitted to the Department for Communities and Local Government as part of the Council's formal response to the consultation; and
- (c) that in addition to (b) above, a separate letter be sent by the Leader of the Council and Leader of the Opposition if he is in agreement, relating to Bromsgrove's specific circumstances in respect of the Green Belt and cross boundary issues.

60/11 **SALE OF FREEHOLD 76 - 88 SHERWOOD ROAD BROMSGROVE**

The Cabinet considered a report on the proposed sale of the freehold interest of land at 76-88 Sherwood Road, Bromsgrove with a view to generating a significant capital receipt for use on projects within the community.

Members noted the background to this site together with the proposed arrangements for achieving the best market value for the site. Following discussion it was

RESOLVED:

- (a) that the sale of the freehold interest of 76-88 Sherwood Road, Bromsgrove be approved and that the sale be undertaken by auction in order to achieve best market value; and
- (b) that in view of the urgency of the matter the decision be not subject to the Council's call in procedure.

The meeting closed at 7.55 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 2ND NOVEMBER 2011 AT 6.00 P.M.

PRESENT: Councillors R. Hollingworth (Leader), Mrs. M. A. Sherrey JP (Deputy Leader), Dr. D. W. P. Booth JP, M. A. Bullivant, C. B. Taylor and M. J. A. Webb

Observers: Councillor C. R. Scurrall

Officers: Ms. S. Hanley, Ms. J. Pickering, Ms. A. Heighway, Ms. R. Bamford, Mr. G. Revans, Ms. J. Willis, Mrs. S. Sellers and Ms. R. Cole.

61/11 **APOLOGIES**

No apologies for absence were received.

62/11 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

63/11 **MINUTES**

The minutes of the meetings of the Cabinet held on 27th September 2011 and 5th October 2011 were submitted.

RESOLVED that the minutes be confirmed as a correct record in each case.

64/11 **WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE**

The minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 29th September 2011 were submitted.

RESOLVED that the minutes be noted

RECOMMENDED that in accordance with the recommendation contained at minute 16/11, the Worcestershire Regulatory Services Enforcement Policy be adopted.

65/11 **OVERVIEW AND SCRUTINY BOARD**

The minutes of the meeting of the Overview and Scrutiny Board held on 12th October 2011 were submitted.

There was discussion with regard to minute 50/11 relating to the Planning Policy Task Group and the possibility of a separate investigation being

undertaken by the Labour Group. It was noted that the issue of demands on officer time would need to be a consideration at a later stage.

RESOLVED that the minutes be noted.

66/11 **VERBAL UPDATES FROM THE LEADER AND/OR OTHER CABINET MEMBERS ON ANY RECENT MEETINGS ATTENDED IN AN EX-OFFICIO CAPACITY**

Cabinet Members referred to a number of events they had attended in their capacity as Portfolio Holders.

67/11 **MEDIUM TERM FINANCIAL PLAN 2012/13 - 2014/15**

The Executive Director of Finance and Corporate Resources gave a presentation on the latest situation regarding the Authority's financial position 2012/13 – 2014/15.

Reference was made to:

- (a) the national situation including possible legislative changes which would impact on all Authorities, such as Business Rates arrangements and the introduction of a system of Universal Credit;
- (b) the local picture including the impact of the reduction in grant funding and the savings achieved from Shared Services programme;
- (c) the assumptions made in producing the Medium Term Financial Plan such as the rate of inflation and increases in utility costs; and
- (d) the actions being undertaken by officers to make further savings and efficiencies in order to address any budget gap for 2012/13.

RESOLVED that the current position be noted and that a further report be considered at the next meeting of the Cabinet.

68/11 **FEEDBACK FROM CONSULTATION ON THE DRAFT CORE STRATEGY**

Members considered the report on the responses received to the consultation on the Draft Core Strategy 2.

It was reported that following an extensive consultation process, over 3,300 responses from residents, companies and organisations had been received and that officers had commented on all responses. Clearly the current uncertainty regarding future changes to the planning system had had an impact on both the responses and the resulting officer comments. It was noted that the policies which had attracted the most responses had been in relation to site allocations.

It was reported that the responses to the consultation would inform the revised version of the Core Strategy/Local Plan which it was anticipated would be available for consideration by Members during the middle of 2012.

RESOLVED that the report and the publication of the Draft Core Strategy 2 consultation responses be noted.

69/11 **CORPORATE DATA BACKUP**

Members considered the report on the need to address an issue relating to the backup of storage of electronic data and to increase the amount of electronic storage available.

It was noted that the funding requirement could be met from existing budgets within the IT service.

RECOMMENDED:

- (a) that the increase in the Capital Programme for 2011/12 of £55,000, in respect of a user back up device and an additional electronic storage device be approved; and
- (b) that the cost be met from ICT reserves (£10,000) and current revenue underspend in the IT service (£45,000).

70/11 **SAFEGUARDING CHILDREN AND VULNERABLE ADULTS POLICY**

Consideration was given to a report on the proposed adoption of an updated corporate policy and procedure in relation to the Safeguarding Children, Young People and Vulnerable Adults. It was noted this would replace the existing corporate Child Protection Policy approved in 2009.

RESOLVED that the Safeguarding Children, Young People and Vulnerable Adults Policy and Procedure as contained in appendix 1 to the report be approved.

71/11 **PROPOSED MERGER OF NORTH WORCESTERSHIRE COMMUNITY SAFETY PARTNERSHIPS**

The Cabinet considered the report on the proposed merger of the Bromsgrove Community Safety Partnership (BCSP), Redditch Community Safety Partnership (RCSP) and Wyre Forest Community Safety Partnership (WFCSP) to create a single North Worcestershire Community Safety Partnership (NWCSP).

It was noted that the proposal did not involve a merger of the Community Safety Partnerships at operational level and would not produce cashable savings but would release officer capacity to allow operational staff additional time to deliver community based initiatives and projects.

RECOMMENDED:

- (a) that the merger of BCSP with RCSP and WFCSP to create a NWCSP be approved;

- (b) that subject to the approval of the merger by each of the Responsible Authorities, authority be delegated to the appropriate officers to take the necessary steps to implement the merger, including the establishment of governance arrangements and entering into any agreements and that this also be subject to endorsement by the relevant Community Safety Partnerships;
- (c) that the continuation of locality based operational and responsive partnership working through the Operational Tasking Group and its Theme Groups be noted; and
- (d) that the intention to review the Countywide partnership arrangements by 2014 be noted.

72/11 **BROMSGROVE PARTNERSHIP ANNUAL REPORT 2010/11**

The Cabinet considered the Bromsgrove Partnership's Annual Report 2010/2011 which detailed the work of the Partnership over the past twelve months.

Members felt the report was in a very clear and "readable" form.

RESOLVED that the Bromsgrove Partnership's Annual Report 2011/12 be approved.

73/11 **SINGLE SUSTAINABLE COMMUNITY STRATEGY FOR WORCESTERSHIRE**

Members considered the new countywide Sustainable Community Strategy which included a section relating to Bromsgrove District. It was noted that whilst the Bromsgrove section was the final version, the County and other District sections may be subject to minor amendment.

RECOMMENDED that the Single Community Strategy for Worcestershire, including the section on Bromsgrove District, be approved.

74/11 **FINANCE MONITORING REPORT QUARTER 2 2011/12**

The Cabinet considered a report on the Council's financial position for the period April to September 2011. It was noted that at present there was a predicted underspend of £309,000.

Issues were raised in relation to the car park income level and the Portfolio Holder Councillor M. J. A. Webb confirmed he was discussing this with the relevant officers with a view to mitigating the impact of this.

It was noted that in relation to the Planning section, the need for additional staffing resources on a temporary basis was being addressed. The Portfolio Holder Councillor C. B. Taylor also raised the issue of potential costs arising from planning appeals and officers undertook to consider this further.

RESOLVED:

- (a) that the current financial position in relation to revenue and capital budgets as detailed in the report be noted;
- (b) that the budget virements between £15,000 and £100,00 as contained in appendix 2 to the report be approved;
- (c) that the financial position and movements on the earmarked reserves as detailed reserves as contained in appendix 1 to the report be noted;
- (d) that the expenditure of grant income of £40,000 from Worcestershire County Council for use in funding an insulation scheme for people over the age of 60 be approved; and
- (e) that £1,000,000 in respect of the repaving of the town centre be carried forward into 2012/13 .

75/11 **UPDATE ON WASTE AND STREET SCENE PUBLICITY PLAN**

Members considered a report giving an update on the position regarding the Waste and Street Scene Publicity Plan.

It was noted that it would be of assistance to officers to amend the wording of the recommendation previously agreed in relation to Fixed Penalty Notices, in order to give more flexibility. Following discussion it was

RESOLVED that whenever possible and when considered appropriate, Fixed Penalty Notices be issued for all dog fouling and littering offences during campaign periods when an environmental enforcement officer is present. If it is considered that the issuing of a Fixed Penalty Notice is inappropriate, then the environmental enforcement officer shall take an appropriate level of action in accordance with the guidance contained in the Joint Environmental Enforcement Strategy.

76/11 **LOCAL GOVERNMENT ACT 1972**

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

<u>Minute No</u>	<u>Paragraph</u>
77/11	3

77/11 **DISPOSAL OF RECREATION ROAD NORTH CAR PARK**

The Cabinet considered a report on the disposal of Recreation Road North Car Park to facilitate the inclusion of the land in the potential redevelopment of an Extra Care Village. Following discussion it was

RESOLVED:

- (a) that the sale of the Recreation Road North Car Park as part of the development process selected by the Recreation Road Consortium be approved; and
- (b) that the net proceeds from the sale be ring fenced for reinvestment into the Bromsgrove Town Centre Regeneration Programme.

The meeting closed at 8.30 p.m.

Chairman

LICENSING COMMITTEE – 31ST OCTOBER 2011

RECOMMENDATIONS TO THE COUNCIL

STREET TRADING CONSENT POLICY REVIEW – FEES AND CHARGES

The Licensing Committee has considered a report detailing the revised Street Trading Policy Statement, Information Pack and the Standard Conditions following a consultation exercise undertaken during the period 10th June 2011 to 13th September 2011.

The Licensing Committee agreed that minor changes to the Information Pack and the Street Trading – Standards Conditions be incorporated.

Members had previously requested officers to review fees and charges and the report set out proposed new fees. These are consistent with the adjoining Local Authority (Wyre Forest) and set on a cost recovery basis.

It is therefore RECOMMENDED

that the Council approves and adopts the fees and charges as detailed at Appendix 2, Part 5 and Part 7 of the report.

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JOINT COMMITTEE

Date: 29th September 2011

ENFORCEMENT POLICY

Recommendation

That Members recommend the adoption of this policy by the individual partner authorities.

Contribution to Priorities/ Recommendations

This policy will apply to all WRS functions involving enforcement action so will impact across all service priorities.

Introduction/Summary Background

Local authorities have, for some time, been required to produce and publish an Enforcement Policy to demonstrate how national regulation will be enforced in their areas. The attached policy document seeks to provide Worcestershire Regulatory Services with a single policy that can be used across the county in relation to all enforcement activities. The policy will need to be adopted by partners as it relates to legal process, a reserved matter.

Report

Local authorities have been encouraged to produce Enforcement Policies for many years, but particularly with the introduction of the Enforcement Concordat, created by LACORS (Local Authority Co-ordinators of Regulatory Services, formerly LACOTS.) The idea of the concordat was to provide businesses with a clear framework within which regulation would take place and to provide this community with an outline of the kind of responses they might face should they be identified as being non-compliant.

These provisions have, in the main, been superseded by the Regulator's Compliance Code, issued by the Better Regulation Executive, under the Legislative and Regulatory Reform Act 2006, and now maintained by the Local Better Regulation Office. The Regulators Compliance Code is fairly prescriptive in terms of what needs to be included in an Enforcement Policy, seeking to ensure that local authorities take a measured approach to enforcement. The Code encourages local authorities to try to use informal means to resolve issues of non-compliance before taking formal action, unless there are immediate risks or there is evidence of consent or connivance involved in the commission of the

offences.

Before putting a case before the Courts, local authorities also need to have regard to the Code for Crown Prosecutors, which lays down the very basic provisions for evidential sufficiency and public interest before a case can be considered a sound candidate to be taken to Court.

The attached policy meets the criteria of both of these documents and provides businesses with a clear picture of how the service will go about its enforcement activities. This should allow it to easily integrate with existing policies within the partner authorities and will allow the service to operate in a consistent way across the county in relation to all enforcement matters.

Improved consistency is something that businesses crave, so there is a level playing field for all of those in competition. They continue to claim that there are significant differences in the way local authorities enforce legislation across the country and that this is detrimental to business performance. A recent report from the Local Better Regulation Office called "From the Business end of the telescope" continues to highlight business concerns about inconsistency. Local Government, through LACORS, has frequently challenged business on their evidence for these claims, but adopting this common approach to enforcement would go some way to reducing such perceptions within Worcestershire.

Financial Implications

None

Sustainability

Not applicable

Contact Points

Simon Wilkes
Business Manager
Worcestershire Regulatory Services
swilkes@worcestersregservices.gov.uk

Background Papers

Enforcement Policy attached.
"From the Business End of the Telescope" is available from the Local Better Regulation Office and can be found on their website at:
<http://www.lbro.org.uk/docs/from-the-business-end-of-the-telescope.pdf>



Worcestershire Regulatory Services Enforcement Policy

1. Introduction

In June 2010, seven Local Authorities in Worcestershire set up a Joint Committee under Section 101 of the Local Government Act 1972, comprising Members of the Authorities, to oversee the delivery of regulatory services across the County on their behalf, by a single body called "Worcestershire Regulatory Services".

The regulatory services to be provided include Trading Standards, on behalf of Worcestershire County Council and Health & Safety, Environmental Health and Licensing administration on behalf of Bromsgrove District Council, Malvern Hills District Council, Redditch Borough Council, Worcester City Council, Wychavon District Council and Wyre Forest District Council

This Enforcement Policy will be applied by Worcestershire Regulatory Services in relation to the services it provides on behalf of these Authorities and it has been adopted by each of them. It is distinct from the general Enforcement Policy of the individual Local Authority, which applies to any other service provided by them, for example, Planning.

The primary aim of Worcestershire Regulatory Services is to ensure compliance with the legislative framework within which they operate so that, consumers, businesses, employees, individuals and the environment are protected, and transactions are fair and equitable. Fair proportionate and effective enforcement is essential to protecting the health, safety and economic interests of all concerned, and there is a range of tools available to the Service to achieve this.

Generally we will provide advice and support those seeking to comply and at the same time tackle those who choose not to comply, using proportionate action. The detail on how and when action may be taken is outlined in the body of this policy.

The Service must also have regard to the various general duties imposed on the partner authorities e.g. section 17 of the Crime and Disorder Act, and the general powers given to local government for the promotion of well being under the Local Government Act. We are obliged to comply with the Human Rights Act 1998, so we will take its provisions into account when taking decisions relating to enforcement action.

This enforcement policy is a statement of how the Service will carry out its enforcement duties and, in addition, what business and citizens in Worcestershire can expect from our enforcement staff.

2. Policy Scope

We are committed to providing an effective service with officers carrying out their duties in an equitable, practical and consistent manner. To achieve this we have adopted the principles of the following:

- The Regulators Compliance Code (BIS)
- Local Government Regulation's Home Authority Principle,

- Local Better Regulation Office's Primary Authority Principle.
- The Crown Prosecution Service Code for Crown Prosecutors (as amended.)
- The Food Safety Act 1990 Code of Practice
- Human Rights Act 1998 and the European Convention on Human Rights.

We will also comply with any statutory requirement placed upon us and seek to align our procedures with best practice.

The Policy applies to actions in relation to all of the legislation enforced by the Service. Enforcement action includes any action taken by officers aimed at ensuring that individuals or businesses comply with the law and goes beyond just formal enforcement action such as prosecution.

3. General Principles

Prevention is better than cure and our role therefore involves actively working with businesses to advise on and assist with compliance. Where we consider that formal action is necessary each case will be considered on its own merits. However, there are general principles that apply to the way each case must be approached. These are set out in this Policy.

The majority of cases involving regulatory matters will relate to businesses, however, there will be some cases put before the Courts that relate to individuals, particularly those involving noise nuisance. These cases will be treated in the same way as those involving businesses and the general principles outlined around proportionality of action, for example trying informal approaches before resorting to formal action and the Courts, will be followed.

Enforcement decisions will be fair, independent and objective and will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs, political views or the sexual orientation of the suspect, victim, witness or offender. Such decisions will not be affected by improper or undue pressure from any source. We will take into account the views of any victim, injured party or relevant person to establish the nature and extent of any harm or loss, and its significance, in making the decision to take formal action.

This enforcement policy helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens. We recognise the positive impact that the service can have on economic progress and growth in the local economy and see it as part of our role to encourage and support the growth of legitimate business activity within the legal framework provided by central government.

4. Risk

We will ensure that our resources are targeted where they will be most effective. We will ensure that intelligence and risk assessment inform all aspects of our approach to regulatory activity, including:

- Data collection and other information requirements;
- Inspection programmes;
- Advice and support programmes;

- Enforcement activity and sanctions.

We will normally use the appropriate Government risk assessment scheme to inform any inspection programme, but, where these do not exist, we will consult and involve businesses and other interested parties in designing any risk methodologies that are created within the Authority, and publish the details. In the absence of other factors, when determining risk, we will consider:

- Compliance history and potential future risks
- The existence of effective management systems
- Evidence of recognised external accreditation
- Management competence and willingness to comply

We will also use intelligence to direct inspection based projects, targeting goods or business where there are known issues. Obviously, a complaint may also trigger a visit if that is the most appropriate response. We will review our approach to regulatory activities from time to time, in order to remove any unnecessary burdens from businesses.

5. Advice and Guidance

We will provide general information, advice and guidance to make it easier for businesses to understand and meet their obligations. This will be provided promptly, in clear, concise and accessible language, using a range of appropriate formats and media. Information will cover all legal requirements relating to our regulatory activities, as well as changes to legal requirements. Where changes are of great significance, we will look at the best ways of informing businesses of the changes e.g. through newsletters, mail-shots or seminars.

We will provide targeted and practical advice through personal visits, telephone and promote self service via our website. We will try to maximise the accessibility and effectiveness of advice to ensure efficient use of resources and we will involve businesses in developing both the content and style of regulatory guidance to help ensure that it meets their needs.

When offering advice, we will clearly distinguish between statutory requirements and advice or guidance aimed at improvements above minimum legal standards. We seek to provide proportionate advice, the content of which will help achieve compliance but impose the minimum burden required on the business concerned. Advice will be confirmed in writing, if requested.

Where a business knows it has a problem and seeks advice to remedy the situation, it will not normally trigger enforcement action. Where appropriate we will seek to support the remedial action to prevent future problems, however, we must reserve the right to take enforcement action in serious cases.

Generally, we will provide our advisory services free of charge however we reserve the right to charge a reasonable fee for services beyond the basic advice and guidance necessary to help ensure compliance. We would take account of the needs and circumstances of smaller businesses and others in need of help and support in deciding whether or not to charge. Charging will be in line with any guidance issued by the Local Better Regulation Office in relation to the Primary Authority principle.

We will engage with local businesses to assess the effectiveness of our information and advice services by asking them how effective our work is in raising businesses' awareness and helping them to understand legal requirements, including the extent to which they incur additional costs from obtaining external advice in order to understand and comply with legal requirements.

6. Inspection

We will ensure inspections and other visits to businesses only occur in accordance with a risk assessment methodology, except where visits are requested by businesses, or where we act on relevant intelligence. We will focus our efforts on businesses where intelligence and risk assessment shows there is a higher likelihood of non-compliance or which pose a more serious risk to regulatory outcomes. Some processes by their nature present a greater risk to health or the environment, or due to their complexity, may make it more difficult to ensure compliance. These are the areas where we will focus our inspection resources.

When we visit or carry out inspections, we will give feedback to businesses to encourage and reinforce good practice. We will also share information about good practice amongst businesses, and with other regulators.

Where we and another regulator have a shared interest in a business we will work together to ensure that our activities can be rationalised to minimise the burden on the business, where such action is both of benefit to the business and does not harm the standard of enforcement for either regulator.

We will also take account of the circumstances of small, businesses, including any difficulties they may have in achieving compliance.

7. Information Requirements

Worcestershire Regulatory Services do not require large quantities of information from businesses on a routine basis. When determining what data we may require, we will consider the costs and benefits of data requests to businesses and,

- Limit the data that we request to that which is either appropriate, or required by statute e.g. food registration, licensing applications, etc,
- Minimise the frequency of collection and seek the information from other sources where relevant and possible.

We will work with our fellow local regulators to minimise the information we request from businesses, and we will seek to maximise our data sharing within the provisions of the Data Protection Act. We will seek to use compatible collection methods to give consistency.

We will involve businesses in vetting data requirements and form design for clarity and simplification. We will also ensure that, where possible, data can be returned electronically.

8.0 Enforcement Action

In accordance with good practice, we will:

- Publish our Enforcement Policy;
- Report on our enforcement activities year on year to interested parties through an Annual Report;
- Follow-up enforcement actions where appropriate;
- Be transparent in the way in which we enforce requirements and, apply and determine penalties (when such powers are made available.)

When considering what action should be taken, we will look to:

- Be proportionate to the nature of the offence and the harm caused,
- Change the behaviour of the offender;
- Eliminate any financial gain or benefit from non-compliance;
- Address the harm caused by regulatory non-compliance, where appropriate;

- Deter future non-compliance,
- Be responsive and consider what is appropriate for the particular offender and regulatory issue, and
- Avoid perverse incentives that might influence the choice of sanctioning response.

When considering formal enforcement action, we will, when appropriate, discuss the circumstances with those suspected of a breach (usually by way of formal interview,) and take these comments into account when deciding on the best approach, (unless immediate action is required to prevent or respond to a serious breach or where to do so would be likely to defeat the purpose of the proposed enforcement action.)

We will ensure that clear reasons for any formal enforcement action are given to the person or entity at the time the action is taken. These reasons will be confirmed in writing at the earliest opportunity. Complaints and relevant appeals procedures for redress will also be explained at the same time.

8.1 Deciding what enforcement action is appropriate

In assessing what enforcement action is necessary and proportionate, consideration will be given to:

- The seriousness of compliance failure;
- The business's past performance and its current practice;
- The risks being controlled;
- Legal, official or professional guidance;

There are a large number of potential enforcement options. The level of the action taken varies from no action through to proceedings in Court. Examples of the main types of action that can be considered are shown below:

- No action;
- Informal Action and Advice;
- Fixed penalty Notices;
- Penalty Charge Notices;
- Statutory Notice;
- Formal closure
- Seizure of goods/equipment;
- Injunctive Actions;
- Refusal/revocation of a licence;
- Simple Caution;
- Prosecution.

8.2 No Action

There will be circumstances where a contravention may not warrant action, or it may be inappropriate. Many minor contraventions can be dealt with via advice and/ or assistance.

8.3 Informal Action and Advice

For minor breaches of the law we will give advice on how to put them right, including a deadline by which this must be done. The time allowed will be reasonable, and take into account the seriousness of the contravention and the implications of the

non-compliance. Where the advice required is detailed, or there are potentially serious implications from the failure, the advice will be provided in writing. Failure to comply could result in an escalation of enforcement action.

Where ever possible we will advise offenders about 'good practice', but we will clearly distinguish between what they *must do* to comply with the law and what is recommended best practice.

8.4 Statutory Notices

Officers of the Service have the power under various pieces of legislation to issue notices that:

- Prohibit the sale or distribution of goods where relevant provisions may have been breached,
- Require a business to take specific actions to remedy an identified problem,
- Require a business to desist from particular activities that may not comply with legal requirements.
- Require any person to take action to ameliorate or stop nuisances being caused by their actions

Notices may require immediate action where, for example, there are risks to public health or safety, or an immediate risk of environmental damage or serious nuisance. In other circumstances, a reasonable amount of time will be given, depending on the circumstances, to rectify the problem.

Certain types of notice allow works to be carried out in default. This means that if a notice is not complied with (a breach of the notice) we may carry out any necessary works to satisfy the requirements of the notice ourselves. Where the law allows, we may then charge the person/business served with the notice for any cost we incur in carrying out the work.

In certain limited circumstances e.g. under the provisions of food safety legislation, where an authorised officer is satisfied that there is an imminent risk of injury to health from the condition of the premises, the officer may serve notice to close the premises. This would be immediately followed by an application to a Magistrates Court to confirm the closure.

All notices issued will contain details of any Appeals process that may be available to the recipient.

8.5 Fixed Penalty Notices

Certain offences are subject to fixed penalty notices where prescribed by legislation. These notices are recognised as a low-level enforcement tool and avoid the defendant obtaining a criminal record. Where legislation permits an offence to be dealt with by way of a Fixed Penalty Notice (FPN), we may chose to administer a FPN on a first occasion, without issuing a warning. They will be used in appropriate circumstances to give a fast and measured response to the situation.

8.6 Penalty Charge Notices

Penalty Charge Notices (PCNs) are prescribed by certain legislation as a method of enforcement by which the offender pays an amount of money in recognition of the

breach. Failure to pay the PCN will result in the offender being pursued in the County Court for non-payment of the debt. A PCN does not create a criminal record and we may choose to issue a PCN without first issuing a warning in appropriate circumstances.

8.7 Institution of Legal Proceedings

Once an officer has completed his/ her enquiries, they will submit a case report to a senior officer, independent of the investigation, who will decide, using the criteria below, the most appropriate course of action.

Where the law has been broken, there is a range of enforcement options available to seek compliance with the law. Under normal circumstances, a process of escalation will be used until either compliance is reached or there is no option other than to instigate proceedings. Exceptions would be where there is a serious risk to public safety or the environment, or the offences have been committed deliberately or negligently or involve deception, or where there is significant economic detriment. Each case is unique and will be considered on its own facts and merits.

The senior officer will take into consideration the requirements of the Code for Crown Prosecutors and other relevant codes before deciding whether or not to authorise the institution of legal proceedings.

Firstly the senior officer will have to be satisfied that there is sufficient evidence to provide a realistic prospect of conviction against each defendant on each charge (i.e. that a jury or bench of Magistrates, properly directed in accordance with the law, is more likely than not to convict the defendant of the charge alleged). To this end, the senior officer will look at all the available evidence, reliability of witnesses, supporting documentation and any other matters relating to the investigation. Only when this evidential test has been satisfied will the public interest to proceed with the prosecution be considered.

In deciding whether a prosecution will serve the public interest, the senior officer will balance factors for and against the prosecution carefully, fairly and impartially. Some factors may increase the justification to prosecute whereas others may militate against. Below are some of the matters to be taken into consideration for and against criminal proceedings. This is not an exhaustive list and, as such, each case is taken strictly on its own individual merits:

Factors in Favour of Prosecution.

- The offender was in a position of control within the business,
- The offender acted dishonestly, wilfully or negligently.
- The product or service was aimed at a vulnerable group or person.
- The product or service has caused or had the potential to cause physical or mental injury or suffering, significant harm or loss.
- The offender has received advice or a warning concerning the circumstances of the offence or similar matters.
- The offender has previous convictions that are relevant.
- The offence, though not serious in its self, is widespread in the area where it was committed.
- There are grounds to believe that the offence is likely to be continued or repeated, for example by a history of recurring conduct.

- The outcome of a prosecution might serve an important, informative purpose or establish a legal precedent.

Factors which would mitigate against the need for a prosecution

- The offence was minor in nature and as a result of a genuine mistake or misunderstanding, which did not involve significant negligence.
- The offender is elderly, or was at the time of the offence suffering from significant mental or physical ill health, which contributed to the commission of the offence, and the offence was neither serious nor likely to be repeated.
- The loss or harm could be described as minor and was as a result of a single incident, particularly if it was caused by a failure of judgment.
- The offender put right the loss or harm caused prior to the intervention of the Service.
- Prior to the Service's intervention, the offender had introduced adequate steps to prevent further similar offences.
- The defendant was a youth at the time of the offence.
- There has been a long delay between the offence and any potential court action, unless either:
 - (i) The offence is serious,
 - (ii) The delay has been caused by the defendant or his/ her legal representatives,
 - (iii) The offence has only recently come to light, or
 - (iv) The complexity of the offence meant that there has been a long investigation.

8.8 Proceeds of Crime Applications

Some cases taken by the service can lead to applications being made under the Proceeds of Crime Act 2002 (POCA) for confiscation of assets. These are the most serious cases or where there is persistence of offending over a long period of time or where the offences are deemed to be "lifestyle crime" under POCA. Their purpose is to recover the financial benefit that the offender has obtained from his criminal conduct.

8.9 The use of Simple Cautions

Where the public interest justifies it, we will consider offering a Simple Caution (or Reprimand/ Final Written Warning if the offender is under 18.) In offering a Simple Caution, we will take account of the Home Office Guidelines in relation to the cautioning of offenders, and the Code for Crown Prosecutors. Where the offender is under 18 and a formal approach is being considered, appropriate bodies such as the Youth Offending Team will be consulted.

A Simple Caution requires an admission of guilt on behalf of the offender, however there is no sentence and there is no recorded conviction. A caution will remain on record for a period of 2 years and may be cited in Court should a further offence be committed and prosecuted during that time.

8.10 Injunctions

Some legislation includes provisions for obtaining enforcement orders against traders. This process involves the civil courts rather than the criminal courts. The purpose of these provisions is to prevent traders from continuing with conduct that harms the collective interests of consumers, but it is only available for specific criminal and civil legislation.

The enforcing authority is required to follow a procedure involving consultation with the trader and the Office of Fair Trading (OFT) before proceeding to formal action. An order can proceed without consultation where the OFT feels that action should be brought without delay, however, written permission is required from the OFT to instigate proceedings in all cases.

Generally, we will attempt to obtain undertakings that the offending conduct will cease before moving to the formal stage. The conduct will normally be identified from recurring complaints. In determining whether the number of complaints is sufficient for action, consideration will be given to the seriousness of the complaints, the size of business, and whether it trades locally, regionally or nationally. Action may also be considered after a single complaint where the conduct is seriously detrimental and repetition must be prevented.

Where the Service fails to gain written assurances from the trader, or where such assurances are breached, action to obtain an enforcement order through the civil courts will be considered, using a process similar to that described above for other formal actions.

8.11 Anti Social Behaviour Orders and Criminal Anti Social Behaviour Orders

This is a civil process. Where the non-compliance identified during an investigation amounts to antisocial behaviour such as persistent targeting of an individual or a group of individuals in a particular area then, following liaison with the relevant partner Council's Anti-Social Behaviour Unit where appropriate, an ASBO or CRASBO will be sought to stop the activity.

8.12 Refusal, Suspension and Revocation of Licence

Where there is a requirement for a business to be licensed by the local authority, the licence may be granted unless representations or objections are received against the application. In such cases the Licensing Committee or Sub-Committee will hear the case and decide to grant, grant with conditions, or refuse the licence application. In addition, in relation to the Gambling Act 2005, applications for premises Licence, the Licensing Committee can exclude a condition of licence.

In most circumstances, a license may be considered for suspension, revocation, or the application of further conditions, where officers become aware of either the commission of offences relating to the conduct of the business, or breaches of existing conditions or similar controls. These matters will be heard before the Licensing Committee (or a Sub-Committee,) of the relevant partner Authority, and the elected members will determine what action should be taken.

9.0 Additional Information

The Senior Managers involved in making the more serious decisions will also have regard to legal advice from the relevant partner Head of Legal Services. Once the Regulatory Service reaches a decision to prosecute, or to instigate civil proceedings, the relevant Partner Authority's Legal Services Department must authorise the action before implementation.

9.1 Standards and Accountability

We will, in consultation with businesses and other interested parties, set and publish clear standards and targets for our service and performance. These will include:

- Regulatory outcomes (e.g. proportions of businesses that comply,);
- Performance standards for contact with businesses;
- A commitment to ensuring costs to businesses of regulatory interventions are proportionate; and
- A commitment to dealing with any negative perceptions of businesses and other interested parties relating to these issues.

We will create effective consultation and feedback opportunities to ensure we have continuing cooperative relationships with businesses and other interested parties. We will ensure our officers provide courteous and efficient services to businesses. We will enable them to interpret and apply relevant legal requirements and ensure that they enforce requirements fairly and consistently between like-businesses in similar situations. We will take account of comments from businesses and other interested parties regarding the behaviour and activity of our staff.

9.2 Liaison with other regulatory bodies and enforcement agencies

Where appropriate, enforcement activities within Worcestershire Regulatory Services activities will be coordinated with other regulatory bodies and enforcement agencies to maximise the effectiveness of any enforcement.

Where an enforcement matter affects a wide geographical area beyond the County boundaries, or involves enforcement by one or more other local authorities or organisations; where appropriate all relevant authorities and organisations will be informed of the matter as soon as possible and all enforcement activity coordinated with them.

Worcestershire Regulatory Services will share intelligence relating to wider regulatory matters with other regulatory bodies and enforcement agencies, and examples include:

- Government Agencies
- Police Forces
- Fire Authorities
- Other Statutory Bodies
- Local Authorities

9.3 Further Information

Anyone requiring further information on this policy should contact Worcestershire Regulatory Services by writing to:

Worcestershire Regulatory Services
PO Box 866
Wyatt House
Farrier Street
Worcester
WR1 9DP

Or by e-mail to:

wrsenquiries@worcsregservices.gov.uk

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CORPORATE DATA BACKUP

Relevant Portfolio Holder	Cllr Del Booth
Portfolio Holder Consulted	Yes
Relevant Head of Service	Deb Poole – Head of Business Transformation
Wards Affected	N/A
Ward Councillor Consulted	No
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 The device used to backup electronic information held on the corporate network is now six years old. The device is coming to 'end of life' and requires replacing due to technical problems. The device is no longer able to backup and store the large amounts of data held by the authority. In addition the amount of storage available for departments to store their information is becoming critically low and needs to be increased within the next three months. This is due to the increasing demand to store information electronically.

2. RECOMMENDATIONS

- 2.1 That Cabinet recommend the Council to approve an increase in the 2011/12 Capital Programme of £55k to be funded from ICT reserves of £10k and current revenue underspends of £45k to fund the back up and additional electronic storage.

3. KEY ISSUES

Financial Implications

- 3.1 The cost of a user backup device is £10,000. This is already available in the existing ICT replacement reserve.
- 3.2 The cost of an additional electronic storage device is £45,000. This is available from existing budgets within the IT service.

Legal Implications

- 3.3 Legal implications may arise under the Civil Contingencies Act if Bromsgrove District Council fail to maintain a sufficient disaster recovery service for the authorities data. The authority is also legally required to ensure financial information is held and available for inspection for six years.

Service / Operational Implications

- 3.5.1 The backup device provides a service to all departments of the Council by securing information against accidental loss. Should data be lost, by accidental deletion, fire, flood or any other unforeseen problem, services to our customers would be seriously affected.
- 3.5.2 Operationally, departments will not be able to store additional emails, word documents, spreadsheets or customer records in databases, if the current storage capacity is not increased within the next three months.

Customer / Equalities and Diversity Implications

- 3.7 None.

4. RISK MANAGEMENT

- 4.1 The current backup facility has been used on many occasions to restore information that has been lost. Data may be lost by someone accidentally deleting it or technical failure of the storage medium. There is a high risk to the services of the Council if the data restore capability is not replaced. If the device is not replaced departments will not be able to store additional emails, word documents, spreadsheets or customer records in databases.

5. APPENDICES

None.

6. BACKGROUND PAPERS

None.

7. KEY

AUTHOR OF REPORT

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CABINET

2nd November 2011

PROPOSED MERGER OF NORTH WORCESTERSHIRE COMMUNITY SAFETY PARTNERSHIPS

Relevant Portfolio Holder	Councillor Margaret Sherrey, Portfolio Holder for Community Services.
Portfolio Holder Consulted	Yes.
Relevant Head of Service	Angela Heighway, Head of Community Services.
Wards Affected	All Wards.
Ward Councillor Consulted	
Key Decision: Yes	

1. SUMMARY OF PROPOSALS

- 1.1 In order to discharge it's duties in relation to crime reduction under the Crime and Disorder Act 1988, Bromsgrove District Council currently hosts and participates in the Bromsgrove Community Safety Partnership (BCSP). The purpose of this report is to update members on the issues currently affecting the BCSP and seek Members approval to the Strategic Partnership arrangements being changed. Specifically, this report sets out proposals for the merger of the Bromsgrove Community Safety Partnership (BCSP) with Redditch Community Safety Partnership (RCSP) and Wyre Forest Community Safety Partnership (WFCSP). This would result in the creation of a North Worcestershire Community Safety Partnership (NWCSP).

2. RECOMMENDATIONS

The Cabinet is asked to RECOMMEND to the Council:-

- 1) That Bromsgrove District Council approves the merger of Bromsgrove Community Safety Partnership (BCSP) with Redditch Community Safety Partnership (RCSP) and Wyre Forest Community Safety Partnership (WFCSP) resulting in the creation of a North Worcestershire Community Safety Partnership (NWCSP); and**
- 2) Subject to endorsement by each of the Responsible Authorities to the merge that authority be delegated to Officers to take the necessary steps to implement the merger, including the establishment of governance arrangements and entering into any agreements, also subject to endorsement by the relevant CSPs;**
- 3) Members note the continuation of locality based operational and responsive partnership working through the operational Tasking Group and its theme groups; and**

- 4) **Members note the intention to review the Countywide partnership arrangements by 2014.**

3. KEY ISSUES

Financial Implications

- 3.1 BCSP receives Home Office grant each year to fund community safety activity. In recent years this grant has reduced and will face further reductions in 2012/13. Table 1 shows the level of Home Office grant received by, or expected to be allocated to, BCSP.

Table 1

Financial year	Funding
2010/11	£87,574
2011/12	£71,695
2012/13	£37,440

- 3.2 Furthermore, from April 2013 onwards, whatever Home Office grant remains will transfer to the West Mercia Police and Crime Commissioner (PCC). The PCC will have considerable freedom to allocate such resources that may remain as he or she deems appropriate. This may result in CSPs receiving limited or no funding via this route.
- 3.3 At present Home Office grant is used by BCSP to fund a number of staff, on fixed term contracts, hosted by Bromsgrove Council and Worcestershire County Council. Home Office grant is also used by BCSP to fund project delivery. Reductions in this funding will challenge BCSPs ability to retain staff and deliver projects. Community Safety staff who are mainstream funded will not be affected by the grant funding arrangements via the PCC.
- 3.4 At present there is not an intention to pursue a shared staffing structure across North Worcestershire. Bromsgrove and Redditch currently operate a shared community safety team. There is ongoing dialogue in respect of support to a revised NWCSP which will release Officer capacity across the three districts.
- 3.5 At this stage, there are no cashable savings to be realised as a result of the merged Partnership arrangements, however, the benefits of such a shared Partnership arrangement are outlined within the report at 3.20 to 3.24.

Legal Implications

- 3.6 BCSP is a statutory partnership which is responsible for co-ordinating the response of local agencies to crime and disorder and associated issues (namely substance misuse, anti-social behaviour, other problems adversely affecting the environment and reducing re-offending). Under section 5 of the Crime and Disorder Act 1998 Bromsgrove Council is a "Responsible Authority" . As such the Council has two main legal duties:-
- a) under sections 5 and 6 of the Crime and Disorder Act 1998 the Council and the Police in partnership, are required to collaborate with each other to develop and implement strategies and plans for dealing with crime and disorder and associated issues; and
 - b) under section 17 of the same Act, the Council is required to have due regard to the impact of each of its functions on crime and disorder and associated issues.
- 3.7 In a NWCSPP, Bromsgrove Council would retain these responsibilities. Any conflicts of interest between the member authorities may require an 'authority lead' for each Council. It is proposed that this would be a passed up to Director level and Head of Service.
- 3.8 The other Responsible Authorities within BCSP are Worcestershire County Council, West Mercia Police, West Mercia Police Service, Herefordshire and Worcestershire Fire and Rescue Authority, Worcestershire Primary Care Trusts and the West Mercia Probation Trust.
- 3.9 The additional Responsible Authorities under a NWCSPP would be Redditch Borough Council and Wyre Forest District Council.
- 3.10 Section 5 of the Crime and Disorder Act 1998 as amended by S97(3) of the Police Reform Act 2002 and S108 of the Policing and Crime Act 2009, sets out the circumstances in which the Responsible Authorities for each CSP area can join together to work as a combined partnership in order to carry out their functions under section 6 to 7 of the Act. Any such merger must be in the interests of reducing crime and disorder, combating misuse of drugs and / or reducing re-offending. It is also important that all the relevant responsible authorities have agreed to take such action.

Service/Operational Implications

- 3.11 Over the last ten years, partnership working has contributed to a sustained fall in crime and disorder across all communities in North Worcestershire. This has been supported by the local CSPs. The landscape in which the three CSPs operate has changed and is continuing to change. In multi-tier local authority areas the Home Office has encouraged CSPs to look at their structures and consider merging where this would create greater coterminosity across agency boundaries, stronger strategic influence but not impact detrimentally the delivery of crime reduction.
- 3.12 As a result of this changing landscape the Worcestershire Responsible Authorities decided to review how the CSPs were operating and would be able to operate in the future. Also a number of partners were highlighting logistical problems servicing the current partnership meetings and activities at the strategic decision making level.

The current partnership landscape in Worcestershire

- 3.13 There are currently four statutory CSPs in Worcestershire:- South Worcestershire (a merged partnership of Malvern, Worcester and Wychavon districts), Bromsgrove, Redditch and Wyre Forest. Joint working between the CSPs on both strategic and operational matters is well established although on an informal basis. Each CSP has operational Tasking Groups that deliver the projects/interventions for the Partnership within the District. These local Tasking Groups are supported by directly employed local authority Officers. There is no proposal to change the local direct delivery arrangements at this time.
- 3.14 In addition there is a countywide strategic group, the Safer Communities Board, made up of senior Responsible Authorities representatives and wider stakeholders. This Board, through a Community Safety Agreement, sets the strategic priorities countywide and provides funding for CSPs. This Board also has a statutory standing. Sitting alongside the partnerships are a significant number of other groups that support the CSPs and the Safer Communities Board. There is also a higher spatial level strategic approach to community safety through the West Mercia Criminal Justice Board, which includes senior criminal justice and upper tier Local Authority representation and is currently in part preparing for the introduction of the new Police and Crime Commissioners (PCCs).

Consultation on future partnership structures and priorities

- 3.15 A Task and Finish Group was commissioned by the Safer Communities Board to undertake a review of partnership working within

Worcestershire. A key element of this work was to confidentially interview senior representatives of the Responsible Authorities, CSPs and key stakeholders to establish their views of current and potential future working arrangements. These interviews were undertaken by an Inspector from West Mercia Police who was independent from the current arrangements.

- 3.16 There were a wide range of views and observations amongst all Responsible Authorities however there was unanimous agreement that the current status quo of four CSPs was unsustainable and two options were considered:-
- a) to restructure into one County based CSP or; and
 - b) to move to two CSPs, north and south and the Safer Communities Board as the strategic County Group.
- 3.17 At the meeting of the Safer Communities Board on the 22nd September 2011 by majority vote the recommendation was that “the Board agrees to the restructuring of the current CSP arrangements into two CSPs (North and South Worcestershire) and one County Strategic Community Safety Board and recommends this decision to the Worcestershire Responsible Authorities”.
- 3.18 A number of Responsible Authorities agreed that any partnership arrangements would need to be reviewed when there was a relationship developed with the new PCC.
- 3.19 The report outlining the findings of the Safer Communities Board Task and Finish Group (Appendix 1) has been presented to the following:-
- a) the Worcestershire Chief Executive Panel on 16th September 2011 were in support for a North Worcestershire and South Worcestershire CSP arrangement;
 - b) the Safer Communities Board on 22nd September 2011 recommended by a majority of the Responsible Authorities for a merged North CSP (subject to Responsible Authorities formal approval); and
 - c) Bromsgrove Community Safety Partnership have been part of the Task and Finish Group and have supported the proposal for a merged North CSP.

Benefits of Merging

- 3.20 Bromsgrove CSP have supported the proposal to create a NWCSP.

CABINET

2nd November 2011

- 3.21 The greatest benefit in creating a merged partnership is viewed to be the release of Officer capacity to allow the operational staff time to deliver community based initiatives and projects to the communities of Bromsgrove.
- 3.22 With recent funding announcements all partners are having to review their ability to attend a wide range of partnership meetings. Whilst not an issue at the moment there is the real potential that less senior representatives of Partner organisations may not be able to service 4 CSPs across the County.
- 3.23 A merged CSP will significantly address this issue and ensure the correct representation at a strategic level.
- 3.24 Other benefits include:-
- a) the new partnership would be coterminous with West Mercia's North Worcestershire Basic Command Unit and would reflect the local authority shared services ethos;
 - b) a reduction in the number of meetings that partnership Officers and statutory members are expected to attend;
 - c) pooling of expertise, knowledge, skills and resources to more effectively tackle crime and disorder; and
 - d) achieve enhanced local delivery by effectively using limited resources on a co-ordinated basis across the three districts.
- 3.25 Any structures, resources and working arrangements put in place will need to be judged on this basis. Officers are currently drafting the governance and working arrangements.

Way Forward

- 3.26 Home Office Ministers are clear that they see local partnership working as crucial, and that they do not wish to dictate local structures and mechanisms. Partnerships are free to arrange themselves according to local need and in order to facilitate this and the Home Office has simplified the process for merging CSPs down into three stages as follows:-
- a) Stage 1

All Responsible Authorities across the areas wishing to merge must submit a joint application. Before this can be done they

will all need to agree to the merger and must also have consulted with their local stakeholders on the merits of the proposed merger.

b) Stage 2

The Home Office Community Safety Unit will consider the application submitted; if the application demonstrates that all partners are in favour of the merger and that it will be in the interests of reducing crime and disorder, combating misuse of drugs and / or reducing re-offending, the application will be forwarded to Ministers for approval.

c) Stage 3

If Ministerial approval is received the Home Office Community Safety Unit will inform the partnerships involved and liaise with Home Office Legal Advisers for an order to be raised. A copy of the order, showing the date on which the partnerships will be legally merged will be sent to the Partnership.

- 3.27 Once approval is confirmed then Lead Officers for community safety across North Worcestershire will facilitate the required process.

Customer / Equalities and Diversity Implications

- 3.28 A North Worcestershire CSP would provide the right strategic infrastructure and environment for supporting local implementation teams to deliver the vision of Bromsgrove “a safe place to live, work, visit and do business”.
- 3.29 There are no associated impacts to customers with the merge of Bromsgrove CSP.

4. RISK MANAGEMENT

The main risks of *not* merging the CSPs are that partners may not be able to properly resource individual CSPs. The merged partnership will be coterminous with West Mercia Police area. Reducing the number of meetings that partners are expected to attend will enable Partners to dedicate more time to delivery. The future of community safety funding is uncertain. By pooling expertise, knowledge, skills and resources at a strategic level will support the continued delivery of initiatives to tackle crime and disorder in all the Council areas.

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5. APPENDICES

Appendix 1 - Safer Communities Board - Future Worcestershire Community Safety Partnership arrangements.

6. BACKGROUND PAPERS

Guidance on merging Community Safety Partnership Areas Under Section 5 of the Crime and Disorder Act 1998 as Amended by Section 97(3) of the Police Reform Act 2002 and Section 108 of the Policing and Crime Act 2009.

<http://www.homeoffice.gov.uk/publications/crime/csp-merger-guidance?view=Binary>.

7. KEY

CSPs - Community Safety Partnerships.
PCC - Police and Crime Commissioner.
NWCSP - North Worcestershire Community Safety Partnership.
RCSP - Redditch Community Safety Partnership.
WFCSP - Wyre Forest Community Safety Partnership.

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**Safer Communities Board
22 September 2011
Future Worcestershire Community Safety Partnership
arrangements**

Purpose of Report

1. To consider the current issues and challenges facing community safety partnership working and how future working arrangements In Worcestershire can be organised to best meet these challenges.
2. To propose outline options for future partnership structures and working arrangements that better target strategic priorities, taking account of the views and observations of Responsible Authorities and key stakeholders. The report is not a detailed business case.

Background**1. Introduction:**

Community Safety responsibilities are primarily set out in the Crime and Disorder Act 1998 (as amended), with specific reference to s17 of the Act:

Responsible Authorities, which includes Local Authorities, the Police, the Police Authority, Fire and Rescue Authority, Primary Care Trusts, and Probation Trusts, are required to develop policy and operational approaches to prevent crime and disorder, combating the misuse of drugs and alcohol, and anti social behaviour and other behaviour likely to adversely affect the local environment and to reduce reoffending.

This report sets out future policy and funding issues, the operational landscape for community safety and considers the views and requirements of Responsible Authorities and key partners, in the revision of future partnership working and the keys issues that need to be addressed to position Worcestershire to meet some significant challenges ahead.

2. The current partnership landscape in Worcestershire:

There are currently four statutory Community Safety Partnerships in Worcestershire: South Worcestershire, Bromsgrove, Redditch and Wyre Forest. They operate in localities and focus upon local delivery and partnership working on community safety issues and fulfilling their duties under the Act.

There is a County Strategic Group, the Safer Communities Board, made up of senior Responsible Authorities

representatives and wider stakeholders, which through a Community Safety Agreement, sets the strategic priorities for the Countywide partnerships and provides funding for CSPs and wider s17 activities.

Sitting alongside the partnerships are a significant number of other groups that support CSPs and the SCB.

There is also a higher spatial level strategic approach to community safety through the West Mercia Criminal Justice Board, which includes senior criminal justice and upper tier Local Authority representation and is currently in part preparing for the introduction of the new Police and Crime Commissioners.

The partnerships have been subject to a range of funding and performance frameworks over a number of years and to some extent have developed organically. The latest arrangements through the Comprehensive Area Assessment, Local Area Agreement, the Place Survey and National Indicators have gone and Partnerships can now decide how they are best organised.

The Safer Communities Board has agreed that a review of community safety partnership working across Worcestershire is required against the backdrop of changing Government priorities, severe pressures upon public finances, 60% reductions community safety fund grant, the introduction of Police and Crime Commissioners from November 2012 and the logistical problems faced by partner organisations in servicing current partnership meetings and activities.

3. The emerging national policy landscape:

The Government recognises the successes of community safety partnership working and its contribution to reducing crime over many years. However with significant pressures outlined above in public sector funding affecting all Responsible Authorities, policy changes in criminal justice and community safety, the reduction of Whitehall control and top down performance management and the development of localism with closer working with communities and the voluntary sector, the Government has clearly signalled that local areas are free to operate their statutory functions in whichever way they believe will work most effectively.

There are a number of key issues that require detailed consideration and will influence how partnerships most effectively carry out their roles and responsibilities. These are briefly summarised as follows:

i. Public sector resource reductions.

There are reductions of 60% in community safety fund grant

for use across Worcestershire between 2009/10 and 2012/13. This Home Office fund which is paid to Worcestershire County Council and provides revenue for CSPs and other key activities (see Table 1 page 9), will transfer to the PCC from April 2013, with the PCC completely free to commission and distribute funding as they choose. This is a significant risk to partnerships and how they currently fund their activities, including staffing resources.

This is compounded by significant budget reductions for Local Authorities and other Responsible Authorities.

Capital funding from the Home Office has also completely ceased. This was £176,000 in 2009/10 and £88,000 in 2010/11. Difficult decisions about how future funding is allocated and utilised will have to be made and there will need to be a reconsideration as to what other resources, community safety or otherwise can be made available or targeted to support community safety priority objectives. In future it will be vital to ensure that Worcestershire is able to highlight the effectiveness of meeting community safety priorities, to obtain grant funding support from the PCC, when control over these budgets passes to them.

ii. Current Government policy

The Government has recognised the importance of partnership working in ensuring safer communities and reconfirmed its support for the principles of the Crime and Disorder Act and s17 Responsible Authorities.

Subject to some minor changes, the most recent statutory Instrument (No 1230, 2011 The Crime and Disorder Formulation and Implementation of Strategy regulations 2011), confirms retention of the functions and requirements of CSPs and for a County Strategy Group to prepare a Community Safety Agreement on behalf of the Responsible Authorities.

The Government has set out its key Criminal Justice and Community Safety priorities in a number of policy and strategy statements covering, Domestic Abuse, Sexual Violence, Drug and Alcohol recovery Reducing Reoffending and Preventing Violent Extremism. Additionally there are specific Criminal Justice reforms (introduction of Police and Crime Commissioner), commissioning the voluntary sector, Localism, abolition of top down targets (LAA/NIs), performance by results and the wider Government policy agenda on welfare reform and economic growth.

The recent riots in England have reemphasised Governments focus on some of these issues, notably reducing reoffending and the social and economic prospects of some sections of the community, which reflects the wider policy focus beyond just

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criminal justice, that is required to tackle these priority areas, reflecting the cross cutting nature of the community safety agenda.

There is a clear focus upon recovery and rehabilitation and the need for a multi agency approach to areas such as housing, training and employment, life skills and personal development, to ensure reductions in reoffending and substance misuse. This will require joint commissioning and better joining up of operational activities through clear strategic planning, to ensure effective interventions and support for localities.

These are key points for Partnerships to consider and how their strategic and operational activities are structured and operated, in a way that most effectively meets outcomes for local people.

iii. **Police and Crime Commissioners:** This is a central piece of Government policy under the Police Reform and Social Responsibility Bill currently progressing through Parliament. The PCC will be established at West Mercia level from November 2012, with a range of powers including a reciprocal duty to cooperate with CSPs and to have regard to each others priorities for the purpose of fulfilling the s17 responsibilities. PCCs will as stated above take responsibility for community safety grant. The PCC could make Community safety grants to other organisations and so it will be critical to ensure that Worcestershire has very clear and robust strategic and partnership plans that also meet the PCC priorities. Currently preparation for the introduction of the PCC and any transitional arrangements is being made through the West Mercia Criminal Justice Board and Worcestershire is represented by WCC alongside the other Upper Tier local Authorities.

Arrangements will also be taking place to set up the scrutiny arrangements around the PCC function through the Police and Crime Panel for West Mercia, which will be coordinated with key partners by WCC.

Whatever partnership arrangements are agreed in Worcestershire, they will have to be effective and straightforward for the PCC to deal with at a WM spatial level.

Key changes to Police structures and operating levels, together with the strategic alliance with the Warwickshire Police force, will place increasing pressures on the Police regarding their input and at what level this can take place.

4. Worcestershire Strategic Community safety priorities: These are set out in the SCB Community Safety Agreement

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2011/12. There is a focus upon Countywide coordination of strategic priorities: reducing reoffending, domestic abuse, drug and alcohol misuse, ASB, Preventing Violent Extremism. These have to be the focus for partnership working, although recognising there will always be local issues that may fall outside this wide range of the current priorities. These priorities align with Government priorities and are therefore likely to be to a significant extent reflective of the PCC s expectations.

i. Reducing Reoffending:

This is a very complex area of work being developed in Worcestershire and also across other areas of West Mercia. Local Authorities and CSPs have a significant contribution to make in relation to building on existing work relating to Prolific and Priority Offenders and the wider services such as housing, youth work, drugs and alcohol reduction and education, which are key to the pathways to reducing reoffending.

Working at West Mercia Criminal Justice Board (WMCJB) level and in future with the PCC, is a challenge because of the size of West Mercia and the number of Local authorities and partners to be engaged. This will be the sort of issue that the WMCJB has to be able to manage effectively and particularly with the advent of the PCC, where we must be able to work in unison. Top level WMCJB strategic agreement has to filter into organisations operational activity and effective internal communications within partnership organisations is critical to achieve this. It will be vital to ensure that full partnership engagement takes place at the outset as West Mercia Police begin to develop their new approach to IOM and reducing reoffending.

The Government will be monitoring this work closely as reducing prison numbers, reducing reoffending and getting people off welfare and into work are major policy objectives.

ii. Drug and Alcohol misuse:

The Drug and Alcohol Action Team (DAAT), which is hosted by WCC is clearly the lead partnership agency for the delivery of a reduction in drug and alcohol misuse through commissioning of services across the County. There is close working in a number of areas although some CSPs and partners are more involved than others. There is an excellent opportunity for the new contractor appointed by DAAT in April 2011, CRI, to develop new relationships with CSPs and partners and make a real difference in localities. The Recovery agenda (moving to sustaining long term recovery from drug and alcohol misuse),

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will enable good links to be made with other agencies, particularly the voluntary sector and to engage with volunteers, who are seen as a key to supporting this new approach. There is clearly a role for CSPs to support this work in their localities.

iii. Domestic Abuse:

There is very good partnership working on DA and in particular through the DA Forum and the accredited activity of the Multi Agency Risk Assessment Conferences (MARAC) and Independent Domestic Violence Advisors (IDVA), which are undoubtedly having a very significant impact upon safeguarding and protecting families and individuals. There are strong links between agencies and provider organisations. The new responsibility for Domestic Homicide Reviews is coordinated through the Safer Communities Board on behalf of the CSPs, by the Domestic Abuse Co-ordinator.

There is a Strategy and plans in place, with specific groups reporting back to the Forum. Currently the Forum and workgroup structures are being reviewed to reduce the burden on partners. There are close links to both Adult and Childrens Safeguarding Boards

iv. Anti Social behaviour:

Tackling ASB is a significant work stream for CSPs and much of their successful activity in the community relates to this. It is sometimes difficult to quantify success and this is a very real challenge for future outcomes frameworks that have to be developed locally post LAA. ASB is a major issue in many communities and it will be important to clearly understand concerns and adopt best practice from across the County and elsewhere to tackle this. The Government will be making a variety of announcements on future policy and has recently confirmed the rolling out of the 101 police telephone number for reporting number for ASB incidents.

Work is required to better define this whole area of work as ASB/hate crime/safeguarding/harm prevention (such as the Pilkington case) heavily overlap and there are developments in all of these areas, particularly within the Police, that require clear communication and cooperation with all partners.

Therefore a clearer understanding of priorities is required to ensure improved joined up working.

v. Preventing Violent Extremism:

This is an area that we are working hard to increase awareness of and embed understanding of, across the partnerships through support from the County Prevent Coordinator, a post which comes to an end in January 2012. Although there is a proportionate response to be taken to a perceived low risk, we

must not be complacent (see the events in Norway). This is a Government priority and relates to its overall counter terrorism strategy.

It is proving challenging to engage all partners on Prevent although ultimately it is all partners responsibility to ensure that this policy area is developed locally. This relates very closely to community cohesion and integration work which again is for all (not just a community safety issue). But there is a slow recognition by some in Worcestershire to recognise the potential significance and associated risk of not doing this work and this needs to be addressed at a senior corporate level. The PCC will undoubtedly be looking at this.

5. Outcomes/performance framework.

This is how we assess the effectiveness of meeting strategic priorities, but it has often been very challenging to develop a consistent and meaningful approach within a complex partnership context.

With the ending of the LAA and National Indicators there is a need to develop a new outcomes framework that reflects progress made towards meeting the strategic priorities. This is currently under construction and has to ensure that local delivery is actually shown to be making a difference. There will need to be clear CSP accountability for supporting these Countywide strategic priorities and the new outcomes framework, post the LAA, will be agreed and introduced to assist with this objective. It is important to be able to demonstrate effectiveness not only through the partnership but to local communities and the PCC. A move to consideration of medium to longer term outcomes, rather than short term target management is something that has to be developed.

6. Commissioning of Community Safety services. There is significant multi million pound operational and commissioning activity of direct and indirect community safety activity, much of which is at County level, primarily through WCC. This for instance includes the WCC Community Safety team, Drug and Alcohol Action team, Domestic Abuse and, Supporting People (including support and housing for vulnerable people, ex offender people who misuse substances, people with mental health problems and domestic abuse services). The majority of the services commissioned are in the voluntary and independent sectors and provide services to local communities across Worcestershire.

There are many other commissioning arrangements in localities and across and beyond county level through other Responsible Authorities.

However there is more scope for joint commissioning of

Community Safety activity and many projects have been individually grant funded or remain as part of previous schemes that were joint funded or receive contributions as part of Government funded processes. There is a need to review this approach and to make best use of existing funding resources, to where practical, commission services strategically, using pooled funding to reflect joint responsibilities. This is for instance currently being considered in relation to future provision of key preventative Domestic Abuse services such as the MARAC and IDVAs.

Commissioning can be complex and a specialist area of work but there are commissioning teams within Responsible Authorities able to consider this area of work and this should be a focus for revised partnership working arrangements.

7. Worcestershire Partnership: Future priorities and Governance Structures of the Worcestershire Partnership are under development. At present the SCB is a Theme Group of the Worcestershire Partnership, but this is likely to change. However the community safety agenda is recognised as being an important cross cutting issue that affects many key activities. We will continue to work closely with the Partnership as it finalises its priorities and working arrangements.

8. Future Partnership Funding

There is a huge financial challenge to partnership working from 2012/13 and beyond. Agreement needs to be reached on Community Safety fund allocation for 2012/13 and this will be a factor in any discussions that will be taking place on merger arrangements.

Table 1 sets out the last two years allocation figures and provisional figures for 2012/13. For 2012/13 it only includes the Community Safety Fund at this stage and the funding split between CSPs is based upon the needs formula utilised by the SCB this financial year. This formula was agreed as reflective of the relative needs of localities based upon the key priorities and it is recommended that the needs based funding formula, subject to any technical update, is retained for the 2012/13 allocations.

2012/13 will be the last year that the WCC Community Safety Fund is available before it transfers to the PCC.

The level of any possible additional funding from WCC community safety budget to the SCB in 2012/13 has not been finalised at this stage, due to consideration of internal community safety priorities, future commitments and internal reductions to that budget. However it is likely that if an

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allocation is made to the SCB, this will be substantially reduced and any such funding will be targeted towards commissioning and the support of services and activities that meet the strategic priorities, rather than a general grant to CSPs. It is therefore reasonable to assume for planning purposes that there will be no additional CSP funding in 2012/13, other than as set out provisionally in Table 1.

Although a speculative view at this stage, there can be no assumptions about how the PCC from April 2013 onwards, will allocate funding and it may be reasonable to assume that this will be used to commission services across and within West Mercia and not to sustain structures or fund posts.

Table 1 Community safety funding in Worcestershire

Funding	10/11	11/12	12/13 Provisional *
Community Safety Fund	£575,000	£544,338	£275,000
WCC Community Safety Grant Contribution	£132,000	£100,000	TBC
	£707,00	£644,338	TBC
Expenditure			
SCB Commissioning	£32,975	£20,000	TBC
Drug and Alcohol Action Team	£89,000	£69,000	TBC
WCC Community Safety Team	£35,000	£28,000	TBC
Bromsgrove CSP	£87,574	£71,695	£37,440
Redditch CSP	£90,327	£107,400	£56,086
S Worcs CSP	£269,882	£238,858	£124,735
Wyre Forest CSP	£102,995	£109,385	£57,122
	£707,00	£644,338	TBC

*Figures based upon using the same funding SCB formula split on 2011/12.

8. Worcestershire consultation on future partnership structures and priorities:

This consultative review has been steered by the SCB Policy and Commissioning Group, primarily through delegation to a small task and finish group. A key element of this work has been to confidentially interview senior representatives of the Responsible Authorities, CSPs and key stakeholders to establish their views of current and potential future working arrangements, structures and governance. The interviews were carried out by an Inspector at WM Police. The review also presents an opportunity to restate the key strategic priorities that are in place in Worcestershire and how these can best be delivered. Some of the key issues highlighted by partners who were interviewed will be brought back to the Board and partners at a later date for discussion and further consideration. The issues around review and potential restructure have been discussed in many Fora and are well trailed. There has to be an agreement amongst the Responsible Authorities on future structures and governance, to ensure that future arrangements can be successfully developed and critically, agreed, understood and formally signed up to.

The Home Office has just issued new Guidance on the merging of CSPs and there is experience of CSP merger in South Worcestershire where the 3 CSPs joined together in April 2003.

Future Community Safety Partnership structure:

There were a wide range of views and observations amongst the Responsible Authorities. What is unanimously agreed is that the current status quo of four CSPs and the SCB is not sustainable and is not supported.

The other two options that were considered were:

- i. To restructure into one County based CSP or,
- ii To move to two CSPs, north and south and the SCB as the strategic county group. This would involve a merging of the three current other CSPs, (Bromsgrove, Redditch and Wyre Forest).

There was a division in views on these two options and these are broadly summarised as follows:

Three of the Responsible Authorities considered that that single countywide CSP would be the most effective approach from their organisations perspective.

Six Responsible Authorities are strongly in favour the north and south CSP and SCB option, primarily because of the need to maintain a local focus on delivery and localism, political and

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other differences between the north and south of the county and that one CSP is not enough to effectively cover a large area like Worcestershire.

Three of the Responsible Authorities consider that ultimately a single CSP would probably be the most appropriate approach, but because of the significant changes taking place at the present time, the need to focus upon delivery, the logistics and lack of capacity of planning and agreeing a single CSP, the need to prepare for the PCC and concerns about the scale of a single CSP operation, that two CSPs and a slimmed down SCB would be the preferred option.

However this should be reviewed at a future specified date when there is a relationship developed with the PCC and the future funding and policy landscape becomes clearer and settled, and the effectiveness of the new structures can be assessed.

If the north and south CSP structure is agreed, the Safer Communities Board will retain its responsibility for coordinating the countywide strategic approach through the Community Safety Agreement. It is proposed that the membership of the SCB is reduced to include only senior Responsible Authority representatives as voting members with consideration given to incorporating a small associate membership of non voting key stakeholders, perhaps on a "virtual " basis" or through an annual stakeholder meeting.

The frequency of meetings is likely to reduce and SCB sub groups would also be reviewed to rationalise the level of meetings. The Domestic Abuse Forum is already reviewing its own arrangements.

Commentary:

In terms of deciding what the future partnership structures should be, there is a range of views. But to effect change and specifically agree CSP mergers, all Responsible Authorities have to be in agreement for a submission to be made to the Home Office, and for the Home Secretary to make the relevant Order.

In trying to take an overview of the responses, it would appear that the majority of Responsible Authorities (and stakeholders) are in favour of, with some prepared to accept at the present time, a model comprising two CSPs, north and south, with a leaner County Strategic Group This would also then require the other Responsible Authorities who favour a single CSP to agree to this approach.

This would be subject to a future review of the effectiveness of the revised structures.

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As would be expected there are a range of views about current and future approaches and many views clearly relate to the current structural arrangements across the whole partnership landscape as being too complex and onerous to operate within. The ability to service and support partnership activity and the divergence of views over a single or two CSPs is broadly, (but not exclusively), reflected in the difference in responses between the Local Authorities and those Responsible Authorities that have a county or wider area of operation.

In terms of the logistics of change, the establishment of two CSPs and a County SCB would, primarily involve the merger of the three existing Northern CSPs and subject to agreement by the Responsible Authorities, a reasonable target date for the new partnership structures should be April 2012. The establishment of a single CSP would clearly be a more extensive project, which would involve reviewing arrangements across all local Authority areas and detailed consideration and agreement of funding and budgets and management arrangements and accountability and would almost certainly not be resolved by April 2012.

It will require strong and clear leadership from all Responsible Authorities to ensure that the transition and change is managed effectively and that organisationally there is a consistent approach taken.

The current strategic priorities are broadly accepted and this is reflected in the strategic assessment across the County and National policy requirements. There are some partners who are unclear about their role or their input in supporting some areas of work and certainly there is recognition that some outcomes are unclear at present. This is not surprising to some extent post LAA and National Indicators, although there is work being undertaken to develop a new outcomes framework, which is always challenging in a complex partnership arena. The partnership review presents an opportunity to reflect upon and re emphasise the importance of the strategic priorities and how partnerships have duties against many of these, as well as having a clear role to support a wide area of related activity. Clearly as new working arrangements are developed partners and stakeholders need to be fully engaged and help shape new partnership arrangements while at the same time maintaining delivery against the strategic and local priorities.

Future development and training approaches to help overcome the complexity of partnership working across so many different

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disciplines needs to be considered, to ease some of the of the frustrations and difficulties reflected by partners.

It is strongly recommended that the new partnership arrangements are underpinned by a clear Memorandum of Agreement signed upto at Chief Executive or equivalent level, which sets out requirements, expectations, working arrangements and accountability of community safety partnership arrangements. This will be assisted by restating partnership objectives and reflecting that we are all working in a significantly different environment to that inhabited by responsible Authorities and CSPs in the recent past.

Conclusion:

There is a clear rationale and support to change the way partnerships operate and with it there will need to be a change of approach and in some instances culture, to ensure effective joint working. The funding levels of the past that have enabled many activities to take place have receded. But that also presents opportunities to do things differently and find new ways of supporting communities. Many of the current partnership arrangements and activities have developed in a piecemeal and organic fashion often dictated by Government and this is an opportunity to reshape them to meet the current agenda and priorities.

There is a lot of excellent work that is carried out and the positive impact upon people's lives is widely recognised. Although very challenging in the light of funding reductions, there is a clear responsibility on partners to work in different ways to engage with, support and protect local communities and vulnerable people across Worcestershire.

Recommendations:

- 1. That the Safer communities Board agrees to the restructuring of the current CSP arrangements into two CSPs (North and South Worcestershire) and one county strategic Community Safety Board and recommends this decision to the Worcestershire Responsible Authorities.**
- 2. To recommend that the three North Worcestershire CSPs to immediately progress the merger into a single North Worcestershire CSP. The responsible Authorities to progress to merger and obtain appropriate local approvals and Home Office agreement to the merger by 1 April 2012 or earlier.**
- 3. That the Safer Communities Board to continue as the**

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strategic coordination body for community safety in Worcestershire, subject to a review of its operations and membership and this to be limited to the voting Responsible Authorities for Worcestershire, with a limited associate non voting membership to be agreed.

4. Agreement to continue with the needs based allocation formula for the Community Safety Fund (subject to a needs update for 2012/13) for allocation to CSPs in 2012/13.

6. Subject to recommendations 1-3 above and agreement to CSP merger taking place, a Community Safety Partnership Memorandum of Agreement to be developed and agreed by the Responsible Authorities by 1 April 2012, setting out the purpose and operational requirements of the agreed partnership arrangements.

7. Subject recommendations 1-3 above, a completed review of the functioning of the new community safety partnership structures and operations is to take place by April 2014.

Background Papers

None

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DRAFT SINGLE SUSTAINABLE COMMUNITY STRATEGY FOR WORCESTERSHIRE

Relevant Portfolio Holder	Councillor R. Hollingworth, Leader of the Council and Portfolio Holder for Finance, Partnerships and Economic Development
Portfolio Holder Consulted	Yes through both the Bromsgrove Partnership and Worcestershire Partnership Boards
Relevant Head of Service	Hugh Bennett, Director of Policy, Performance and Partnerships
Wards Affected	All wards
Ward Councillor Consulted	The Strategy will be considered at the next Full Council Meeting.
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To present to the Cabinet the new single countywide Sustainable Community Strategy (SCS), which includes a section relating to Bromsgrove District.
- 1.2 It should be noted that this is the latest draft and there may be minor amendments to the County and other District sections before final design and print. However, the section relating to Bromsgrove District is the final draft version which has been approved by the Bromsgrove Partnership. (It is anticipated that the final version of the full single SCS will be published by Worcestershire County Council by the end of November.)

2. RECOMMENDATIONS

- 2.1 The Cabinet is requested to recommend that Full Council approve the Single SCS for Worcestershire, and specifically, the section relating to Bromsgrove District.

3. KEY ISSUES

Financial Implications

- 3.1 Council purposes are currently being developed and should link to the Sustainable Community Strategy (SCS), which is the long-term business plan for the District. Capital and revenue budget provision in future years should reflect those purposes.

- 3.2 In light of reduced resources, due to the current economic climate, partnership working can allow resources to be pooled and partners to work together to meet the needs of our residents in a more effective and efficient way.
- 3.3 It is anticipated that associated design and printing costs will be covered by the County Council. Any additional printing costs of the SCS, specifically for this District, have already been taken into account within this year's budget.

Legal Implications

- 3.4 Under the Local Government Act 2000, the Local Strategic Partnership (LSP) is a non-statutory partnership and the Sustainable Community Strategy (SCS) and associated Action Plans is the delivery mechanism for the LSP.
- 3.5 The Department for Communities and Local Government has announced its intention to repeal the statutory duty to prepare a SCS. This statement was included in the Best Value Statutory Guidance published on 2 September 2011. When the legislation is repealed authorities will be able to opt to continue to have a strategy, but it will no longer be a statutory requirement and the duty to report back information will cease. For the time being until these changes are introduced the Council remains under a statutory obligation to prepare an SCS.
- 3.6 The Government has revoked the whole statutory guidance 'Creating Strong, Safe and Prosperous Communities', which required the SCS to be agreed at Full Council. However, the Strategy remains in this Council's Constitution as a policy document which needs Full Council endorsement, and specifically the section within the countywide SCS which relates to Bromsgrove District.

Service / Operational Implications

- 3.7 LSPs act as a mechanism for working better together to deliver joined up outcomes. It enables local organisations to come together and address issues that are important to the local communities in a more effective and cohesive way.
- 3.8 Council purposes are currently being developed and should link to the SCS, which is the long-term business plan for the District of Bromsgrove.

-
- 3.9 In September 2010, it was agreed by the Worcestershire Partnership that there should be a single SCS to streamline processes and improve links between County and District Partnerships and Theme Groups.
- 3.10 At the Bromsgrove Partnership Away Day, partners considered its priorities and decided to simplify the existing ones and agree the top three partner priorities for the District. These are:
- Economic Growth (including Town Centre Regeneration)
 - Balanced Communities (including health and wealth inequalities, older people, children and young people, crime and anti-social behaviour)
 - Environment (including reducing CO₂ emissions)
- 3.11 It was also agreed that there should be key outcomes under each priority (approximately 3 to 4 for each Theme Group). These are shown in the table within the Bromsgrove District Section of the SCS.
- 3.12 At the Away Day, Worcestershire Partnership priorities were also considered which were out for consultation at the time. As shown in the attached Strategy, they are around: economy; environment; and health and wellbeing. These are underpinned by the principles of communities.
- 3.13 The content for the Bromsgrove District section was approved by the Bromsgrove Partnership Board at its meeting held on 22 September 2011. At the time of compiling this report, 5 of the 6 District LSPs had approved their sections and the Worcestershire Partnership approved the SCS on 26 September 2011, subject to part of the County section being reduced. The version attached is the most up-to-date draft. It is anticipated that the final version of the full single SCS will be published by Worcestershire County Council by the end of November.
- 3.14 The SCS is a 10 year document and will be reviewed by all partners across Worcestershire following county council elections. Therefore, the first review will be in 2013. However, the Action Plans sitting underneath each of the priorities will be monitored on a more regular basis. The Bromsgrove Partnership Theme Groups (the majority of which meet on a bi-monthly basis) will be responsible for the Action Plans. Theme Group Leads will report progress to the Board which is where cross-cutting issues will be tackled. Bromsgrove Partnership will also continue to have annual Away Days which will include reviewing LSP priorities and partnership working arrangements.

Customer / Equalities and Diversity Implications

- 3.15 In terms of customer implications, working in partnership delivers joined up outcomes, which is what our customers want.

- 3.15 An equalities analysis has been undertaken specifically in relation to Bromsgrove District section of the new single SCS for Worcestershire.

4. RISK MANAGEMENT

- 4.1 The Council will not be able to meet customer needs without working in partnership, therefore having an effective LSP is vital.

- 4.2 Key partner organisations are involved and kept informed of progress throughout the development of the existing and revised SCS, thus gaining buy in. As stated earlier in this report, the content for the Bromsgrove District section has been approved by all partners on the Bromsgrove Partnership Board.

5. APPENDICES

Appendix 1 – Single Sustainable Community Strategy for Worcestershire

6. BACKGROUND PAPERS

None.

7. KEY

LSP – Local Strategic Partnership (which for this District is known as the Bromsgrove Partnership)

SCS – Sustainable Community Strategy

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A single Sustainable Community Strategy for Worcestershire

Foreword by Chairman of Worcestershire Partnership

Welcome to Worcestershire's new Sustainable Community Strategy for 2011 to 2021.

This is our third edition since 2003 but the first time we have combined all of the districts and county sustainable community strategies (SCS) into one single strategy. In doing so we have significantly reduced the number of priorities enabling greater focus for all partners in light of reduced resources and increasing demands.

Having a single strategy will help improve the links between county and district partnerships and establish a robust local vision that underpins future partnership delivery arrangements that are flexible to adapt to future changes nationally and locally.

This strategy sets out the vision for the future of Worcestershire enabling partners to focus on the activity needed in the short term to improve the quality of life of the people who live, visit or work in the county.

Our **vision** for Worcestershire is "a county with safe, cohesive, healthy and inclusive communities, a strong and diverse economy and a valued and cherished environment."

To achieve this vision we have focussed our efforts on those areas where we really need to make a difference and where we can only do this effectively through partnership working.

We have used a wide evidence base in preparing this strategy and have ensured that we have the ability to influence the priority outcomes and that there is a clear community benefit.

Taking all this into consideration we have identified three key priorities:

- A skilled and prosperous **economy**
- An **environment** that is cherished and resilient
- Improving **health & wellbeing**

Alongside gathering priorities on a countywide level, district partnerships have been identifying their own priorities at a local level which are set out in this strategy along with their own vision, challenges for the area and how they will deliver their priorities.

To support working towards these priorities the Worcestershire Partnership has agreed a number of **values** that apply to all partners in their work and underpin everything we do. We will:

- Provide for the needs of all groups in society
- Treat people with equality and value diversity
- Build strong, cohesive communities and promote good community relationships
- Remove barriers that prevent individuals from reaching their full potential
- Intervene early to prevent problems from becoming entrenched
- Take account of the needs of future generations
- Deliver the right services in the right way and provide value for money
- Involve and listen to local people and communities whether they are geographical or communities of interest
- Promote Worcestershire on the regional, national, European and international stage and maximise the opportunities available to the county

We are now working to develop and agree priority action plans that will contribute to supporting the delivery of the priorities in this strategy and will regularly monitor and report our progress towards delivering the strategy.

Adrian Hardman



Cllr Adrian Hardman
Chairman, Worcestershire Partnership

About Worcestershire

The County of Worcestershire is located in the heart of England and covers an area of 173,529 hectares. It comprises six districts: Bromsgrove, Malvern Hills, Redditch, Worcester City, Wychavon and Wyre Forest. It has a combined population of 557,426 (mid 2010 estimate), with more older people than regional and national averages.

Worcestershire has an outstanding and rich natural environment and is home to spectacular features such as the Malvern Hills. A large part of the county consists of a combination of fields, orchards, woodlands, meadow, ancient forest and rivers. By contrast, the county's remaining habitat is extremely fragmented.

Though agricultural land and open countryside dominate the landscape, 64% of the total population lives in urban areas. Worcestershire is adjacent to the major West Midlands conurbation and has generally good road access to and from the national transport network.

We have a significant rural population. Approximately one third of Worcestershire's residents live in rural areas and many of these residents experience difficulty accessing services. Nearly 40% of areas in Worcestershire are ranked within the top 20% most deprived nationally in terms of geographical barriers to services.

The perception of Worcestershire is that it is affluent, free from social disadvantage, and an attractive place in which to live. In reality there are pockets of deprivation and some very specific, and sometimes conflicting, challenges that the diverse nature of the county poses. The 2007 Indices of Deprivation highlights seven areas (lower super output areas) in Worcestershire that are in the top 10% most deprived areas in England and Wales, with education deprivation, income deprivation and crime of particular concern.

Worcestershire Priorities

The three priorities identified for Worcestershire are nothing new. They featured in our first community strategy published in 2003 and still reflect what residents and partners have told us are the most important issues for them. What's different are the challenges partners face in the current climate where there are increasing demands despite fewer resources being available, which is why we have focused on what is most relevant and needed in order to achieve our vision.

The three priorities for Worcestershire are:

- A skilled and prosperous **economy**
- An **environment** that is cherished and resilient
- Improving **health & wellbeing**

These priorities are not exclusive given there are demonstrable connections between each of them, highlighted by their inter-dependency and potential impact on each other. For example activity around green infrastructure provides multiple benefits not solely for the preservation and enhancement of the environment, as residents living in greener areas demonstrate increased longevity, a higher level of physical activity as well as better health among

senior citizens. In addition it contributes to increasing the local economy in terms of its tourism and in providing a greater opportunity for 'green' employment.



Underpinning each of these priorities are **communities**.

In Worcestershire there are a number of real benefits to be gained from taking a more local community based approach to delivering services and by giving communities a bigger say and a greater part to play in the delivery of those services.

Through engagement and empowerment we can support individuals and communities to get involved, volunteer and work together enabling them to own, manage and shape services that meet their local needs.

Community involvement strengthens interactions between people, changes individuals' perceptions for example their fear of crime, and improves their sense of belonging to the local area. It also encourages communities to take ownership and action over local issues and make decisions, taking responsibility for projects within their community, reducing conflict and creating stronger communities with mutually supportive networks that are more resilient during times of crisis.

Having communities as an underlying principle to our priorities will help address the issues that partners are concerned with but none are solely responsible for example social cohesion and inequality, and it recognises that that the empowerment of individuals and communities needs to be at the centre of action in order to reduce inequalities.

Localism affords us the opportunity to work more closely together with our partners and local communities and will be essential to the development of action plans supporting the delivery of each of our priorities.

Worcestershire Priorities - A skilled and prosperous economy

Worcestershire has a prosperous economy which contributes significantly to the social, economic wellbeing and sustainability of its communities. The County has a beautiful natural landscape which is a real asset in attracting visitors, businesses and workers to the County. Worcestershire has good connectivity via the national motorway network, with the M5, M50 and M42 all running through the county. There are also direct rail links from Worcester City to Birmingham and London, and connections to other towns in the county. One of the strengths of the Worcestershire economy is its diversity as the County is not overly dependent on one or two major employers or on the performance of a specific industrial or service sector. Worcestershire has significant presence of high value added manufacturing, food and drink, retail and leisure, research and development and high technology. Worcestershire benefits from a number of strategic employers attracting inward investment, a large proportion of small to medium enterprises (SME's) and high levels of self employment. Worcestershire's unemployment remained below the regional and national averages even at the peak of recession. The County offers excellent opportunities to develop a highly skilled and prosperous economic future for the residents and businesses.

The County faces economic challenges such as contraction in private sector employment and significant employment in the low value added sectors, notably manufacturing. Some of the urban centres such as Kidderminster and Redditch have been adversely affected by the industrial decline leading to loss of jobs and higher than average unemployment rates especially amongst young people with a higher than average working age population with no qualifications. Young people in the county are disproportionately affected by recession with higher rates of 18-24ys claiming benefits. A major challenge is the loss of skilled young people from the county, through a lack of higher education and employment opportunities. The County is also facing difficulties in retaining and attracting graduates. There is a lack of higher level skills in some sectors and geographical areas, such as Redditch, including management and skilled trades in engineering, manufacturing and construction. The ICT infrastructure in some rural areas and absence of high speed broadband are some of the barriers in attracting inward investment.

Our vision is to shape Worcestershire's future so that the County can realise its full economic potential. The Local Enterprise Partnership has recognised that supporting and encouraging business growth and investment is important as it stimulates wealth creation in the county. Business growth and investment provides the environment for residents to have access to opportunities for learning and training and a focus on providing appropriate training improves the employability of the workforce and benefits the economy.

The Worcestershire Partnership will help to realise this ambition by supporting the Worcestershire Local Enterprise Partnership to unblock barriers to growth ensuring the county is 'Open for Business'. The focus is on increasing business activity and jobs whilst coordinating delivery around the economy, planning, housing, transport and infrastructure. This will be achieved by creating the right environment for sustainable growth and making it easier for businesses to locate in Worcestershire. Current and future activity will involve the delivery of key strategic employment sites, a transition to a low carbon economy and a focus on high technology and knowledge based research and development businesses, examples include the early completion of Worcester Technology Park and new Bosch facility, and building on the existing Malvern Hills Science Park and Bromsgrove Technology Park sites. There will also be a focus on advanced manufacturing and environmental technologies progressing the work undertaken on the South Kidderminster site to become an Enterprise Zone.

For better access for businesses, partners will work together to bring investment for high speed broadband and broadband in rural areas and to secure improvements to rail and road transport networks, including the Southern link and the east/west links and A449 in the North of the county. Partners will help facilitate the delivery of affordable housing to meet housing needs and to continue to tackle the problems of worklessness and financial exclusion. Partners will also work to support young people into employment through apprenticeships and work with educational establishments to raise achievement levels. **Page 57** education leavers are equipped with the right skills for the job market.

Economic priority outcomes for the next ten years are:

- Enhanced economic prosperity through sustainable economic growth
- Improved survival rates for new and existing business
- A skilled workforce that meets the needs of business

Worcestershire Priorities - An environment that is cherished and resilient

Worcestershire's natural and historic environment helps define our county. It provides a strong sense of place, attracts and retains people and businesses, and contributes a vast range of services - many of which are taken for granted. Maintaining a high quality environment requires us to take care of wildlife, landscapes, archaeology and buildings, allowing them to play their crucial role in supporting social and economic wellbeing.

A healthy, accessible and well-managed environment contributes to everyone's quality of life. It is much more than just an attractive landscape; it is a fine balance of ecology and history that needs the right conditions to thrive and expand. A protected and cherished environment supports a healthy community and makes the county a desirable place to live, work and visit. It enhances our sense of place and delivers social and economic benefits to our communities. Our historic environment and geology provide an irreplaceable link to the past and a sense of cultural identity.

Some of the most pressing environmental issues faced by Worcestershire include adapting to the inevitable consequences of a changing climate, and the need to move to a low-carbon economy. Energy costs are a threat to both householders and businesses. Reducing Worcestershire's contribution of greenhouse gas emissions also presents opportunities. Our existing business base can be strengthened and diversified through embracing a move to a low-carbon, zero waste economy. Energy efficiency, renewable energy and sustainable construction are all set to play an increasing role. Environmental technologies offer opportunities to capitalise on new skills and to open up new markets.

Worcestershire is very vulnerable to extreme weather events, having felt the impacts of high temperatures, drought, flooding and heavy snowfall, all of which have had a significant impact on local communities. In recent years, flooding has cost the county millions of pounds through damage and lost business, and has forced people out of their homes. We need to continue to build resilience to extreme weather in both homes and businesses. Natural and historic environment data can enhance our understanding of the impact of extreme weather events. Since the devastating flooding of 2007 we have protected a number of communities with the construction of permanent defences and have improved our ability to warn and inform people about likely flooding. We also have a better understanding of the role the natural environment can play alongside hard engineering solutions in reducing flood impacts. This includes using landscape features to store water, reducing run-off rates, and ensuring new developments have sustainable drainage schemes built in.

There is a strong history of joint working on environmental issues in Worcestershire. Partners are embracing the concept of Green Infrastructure, which means moving away from looking at individual parts of the environment in isolation, towards a more joined-up, multifunctional approach. In this way, opportunities for environmental enhancement, such as may arise as part of a new housing development, can be looked at with a view to using limited resources to make the greatest gains. For example, green infrastructure provision on a site could provide a wildlife corridor, flood attenuation, protection of an archaeological monument, sustainable transport route and recreation resource – all from a single green space.

The protection and enhancement of our unique environment remains our priority. But the county cannot be preserved in a fossilised state; development can and must come forward if Worcestershire is to prosper. In order to ensure that development is sustainable, the character and value of the natural and built environment should be maintained. We will seek to work with developers wherever possible to capture the environmental benefits that development can bring.

Environmental priority outcomes for the next 10 years are:

- Protecting and enhancing the county's natural and historic environment through a better understanding of its social and economic value and its contribution to health and well-being
- Working better together to deliver environmental improvements
- Mitigating and adapting to climate change

Worcestershire Priorities - Improving health and well-being

Worcestershire enjoys generally good health and life expectancy is increasing. However, we need to improve health and well-being overall and close the health gap between areas of higher and lower deprivation. Improving health is everybody's business and many different organisations in all sectors have a pivotal role to play in creating the conditions for good health. We will work collaboratively to improve health outcomes by influencing the wider determinants of health, which include education, income, employment, transport, the environment and housing. We will also work together to enable local people to take responsibility for their own health, so that healthy lifestyle choices are easier to make, and become the norm in Worcestershire.

Reducing health inequalities is important because living as long and as healthy a life as possible should not depend on where you live, or on other factors such as gender, age, disability, or ethnicity. Much of the difference between social groups in terms of health outcomes can be explained by differences in lifestyle choices. For example, people who smoke, are inactive, eat too much and drink too much alcohol are all at far greater risk of ill-health and premature mortality, and these people tend to be disproportionately clustered in particular groups such as areas of high deprivation. The costs of these lifestyle choices are high, both for the individual, and for society. The avoidable disease burden of illness caused by obesity for example, may threaten to overwhelm our health and social care services if current trends are not reversed.

Improving the quality of life and independence of those with longterm illness and older people is important because the demography of the county is such that they make up a rapidly rising proportion of the whole population. It is essential that problems in later life are prevented as much as possible by the promotion of health improvement through lifestyle choice. It is also essential that the latest evidence as to what works is applied in supporting those who already find it hard to live independently. The application of new technologies and service redesign will be important areas for collaboration and partnership working as we face the demographic challenges of the County. We will also maintain the principle of people being empowered to make their own decisions about how they live, ensuring that choice is always possible, with the development of a more vibrant health and social care sector, including too the incorporation of the Big Society opportunity.

Improving mental health and well-being is important because this underpins so much of our overall ambition, to make Worcestershire a vibrant and healthy place to be. Families, individuals, and communities thrive when overall mental health and well-being is good, and they struggle when it is not. Working together to reach those who need help, and to promote mentally healthy lifestyles so that mental ill-health does not develop, is key if the county is to provide the best environment it can for those living in it. At a time of economic challenge and rapid social change, mental health can be compromised, and developing a resilient population can be one of our most effective ways of making sure that the County is fit for the future.

Health and Well Being Priority outcomes for the next 10 years are:

- To reduce health inequalities between social groups in terms of health and quality of life outcomes
- To improve the quality of life and independence of older people and those with a long-term illness
- To improve mental health and well-being.

Our Vision

"We will make Bromsgrove District the place to live, do business and to visit."

About Bromsgrove District

Geography and Population

Bromsgrove District is in North Worcestershire and over 90% of its 83.9 square miles is greenbelt. The population is estimated to be almost 93,400¹ and nearly 20% are aged over 65, which is 3% higher than the national average². This proportion is set to increase which is likely to significantly impact on policy and planning for the District.

Economy and Employment

The economic picture is comparatively positive and business survival rates remain above the national average³. The District's median household income is the highest in the County⁴ and the Claimant Count Unemployment Rate has been consistently lower than regional and national figures since October 2007⁵. However, the highest claimant rate is in Charford, followed by Sidemoor and Catshill Wards⁶ and the same three wards have high claimant rates for 18-24 year olds, putting them in the top ten wards in the County⁷.

Bromsgrove Town Centre is a major area of economic concern and its extensive redevelopment is underway. Improving the shopping and other facilities has come up as a key issue for residents.

Health and Wealth Inequalities

The health of people in Bromsgrove District is generally better than the England average according to the District's Health Profile 2011. However, the profile also points out that 16.8% of Year 6 children and 24.9% of adults are classified as obese. There were 1,710 hospital stays for alcohol related harm in 2009/10 and there are approximately 140 deaths from smoking each year. The Profile states that priorities in Bromsgrove include obesity, alcohol misuse and falls in older people.

Although over 46% of residents are classed as 'Wealthy Achievers'⁸ there are pockets of deprivation, most notably in Charford. The Indices of Multiple Deprivation 2007 (specifically income, health and education indicators) show Charford and Sidemoor as the areas of greatest need.

The demand for property within the District has had a significant impact on property prices which are higher than the County average. Therefore, affordability is an issue and suitable housing for the elderly is also a concern.

Crime

Bromsgrove District is a low crime area; however, domestic burglary rates have been high at times and the District's proximity to a large conurbation and its excellent motorway links are unfortunately contributing factors. Reported crime and disorder in Bromsgrove town centre is relatively low, and it is important that it remains this way as its landscape evolves through its regeneration. Anti-social behaviour continues to be high on the national agenda and recent research has also identified domestic abuse as a key concern.

Environment

The District is rich with biodiversity, geodiversity and attractive landscape. It has approximately 37,772 households⁹ and most CO₂ in Bromsgrove is produced from housing, followed by transport and businesses. With the cost of fuel increasing, more people are likely to suffer fuel poverty which has

¹ Office of National Statistics, mid-year estimates, 2010 (R&I Unit, Worcestershire County Council)

² Ibid

³ Office of National Statistics 2010, Business Demography 2009 (Local Economic Assessment Profile)

⁴ CACI Ltd, 2010. PayCheck (Worcestershire County Economic Assessment 2010-11)

⁵ Office of National Statistics, 2010. Claimant Counts downloaded from NOMIS (Local Economic Assessment)

⁶ Worcestershire County Economic Monthly Summary - July 2011

⁷ Office of National Statistics, 2010. Claimant Counts downloaded from NOMIS (County Economic Monthly Summary - July 2011)

⁸ Acorn, CACI, 2010 (Local Economic Assessment Profile)

⁹ Figure derived from CLG (Bromsgrove District Profile, R&I Unit, Worcestershire County Council)

social and health implications. Good energy management makes good environmental and economic sense. Reducing CO₂ emissions is a considerable challenge and remains a national priority.

Bromsgrove Partnership Priorities

The Bromsgrove Sustainable Community Strategy for 2010-13 and the priorities within that were based on an understanding of the available evidence and the views of the public. These priorities were reviewed in 2011 and simplified to the top three priorities. Key outcomes agreed for each priority and the Theme Groups responsible for delivering on those priorities, are shown below:

Priorities	Key Outcomes	Theme Groups
Economic Growth	<ul style="list-style-type: none"> • Regeneration of the Town Centre • Effectively market Bromsgrove District • Encourage business growth (including retention of businesses) 	Economic Development Theme Group
Balanced Communities	<ul style="list-style-type: none"> • Reduce alcohol misuse and smoking, encourage healthy diet and exercise and improve perception of mental health issues • Implement an age well scheme and focus on falls prevention • Deliver accessible, localised and sustainable services for vulnerable neighbourhoods via The Trunk (Areas of Highest Need Project) • Provide positive activities for young people 	Balanced Communities Theme Group
	<ul style="list-style-type: none"> • Reduce the fear of becoming a victim of domestic burglary • Maintain safe clean streets by tackling night time economy and reducing graffiti • Protect communities by tackling domestic abuse, youth related anti-social behaviour and supporting vulnerable people 	Bromsgrove Community Safety Partnership
Environment	<ul style="list-style-type: none"> • Reduce CO₂ emissions through improved energy efficiency in housing and businesses • Explore improving biodiversity and nature in key strategic sites; and how land use influences carbon emissions / carbon sinks • Ensure shared priorities are delivered in a cohesive way e.g. environmentally sustainable town centre 	Better Environment Theme Group

Delivery

Bromsgrove Partnership operates a Board and four Theme Groups and it is those Theme Groups which are the delivery arm of the Partnership. Theme Groups will decide the best way to meet the agreed priorities and their measures of success. Any barriers to delivery which they face will be dealt with by the Board. As many of the issues being tackled overlap across more than one Theme Group, all cross-cutting challenges and identified gaps will be considered at Board level to ensure a truly effective and cohesive partnership approach is taken.

The Trunk is the Bromsgrove Partnership's Areas of Highest Need project and is a multi-agency partnership which began in 2009. EPIC, a community interest company, was commissioned by Bromsgrove Partnership to run The Trunk and it is already delivering a programme of learning, skills acquisition, support activities and community resources for the residents of Charford and Sidemoor primarily with an outreach programme for Catshill residents. We will continue building on the project's success to ensure sustainability for the future.

With many organisations seeing a reduction in resources, Bromsgrove Partnership believes good partnership working is now even more crucial. Therefore, we will continue to work hard to meet the existing and future needs of our local community in the most effective and efficient way.

District Priorities - Malvern Hills Partnership

Our vision:

To build a district where people live in supportive communities; travel without reliance on owning a car; feel free from crime and the fear of crime. A place where the rural character and beauty of the area is looked after, where people can enjoy a good standard of living and health and wellbeing, have secure, well paid and fulfilling jobs and live in an affordable home that suits their needs.

The district:

The Malvern Hills District covers 577km of west Worcestershire. A predominantly rural area it is sparsely populated, consisting of many hamlets and villages. It is due to this rurality that over 32,000 (45%) of our residents live in areas which are amongst the 10% most deprived areas nationally in terms of geographical barriers to services, such as GP surgeries, general stores, primary schools and post offices.

A generally affluent and content district, with a cohesive community living in excellent surroundings and satisfied with the local public services it receives, the area can be characterised as a good place to live and work. However, there are pockets of deprivation. The ward of Pickersleigh has a number of areas which are in the worst 10% nationally in terms of income deprivation. It is estimated that 66% of the Pickersleigh population will most likely die before they reach 75, compared to the county as a whole. Unemployment levels are also at their highest in Pickersleigh, followed by Priory, Chase, Hallow and Baldwin and Lindridge.

With an already elderly population, projected to increase even more over the next 20 years, there will be greater demands on health, council and community services. The district already has 25% more hip fractures amongst the elderly than the national average, with a prediction that hospital admissions due to fall or hip fracture, which currently sits at around 1630 per year, will increase to 2,500 per annum.

Further to that, some of the things that make the district such a seemingly idyllic place to live; such as the close vicinity to the River Severn and the River Teme, whilst adding to the rural beauty of the district, means that the area is prone to flooding. Major floods occurred in 2000 and again in 2007, with a number of households and businesses displaced. The town of Tenbury was hit particularly badly due to a brook, which runs alongside the town's high street, overflowing onto the road. With no flood defences in place, the town has remained vulnerable, with over 200 properties rated as having a real risk of flooding.

The natural beauty of the area – the Hills themselves are classified as an Area of Outstanding Natural Beauty – together the close proximity of the towns to major road networks and transport links, and the fact children and adults enjoy healthier and more active lives, has made the district a desirable place to live. Decent affordable housing is regularly rated as one of the top five things that most need improving according to our residents. This will only intensify as the population lives longer; with older people occupying properties that have outgrown their needs.

Priorities of the Malvern Hills Partnership:

The Malvern Hills Partnership has recognised that there are a number of challenges that cannot be tackled by one organisation alone. Instead, in order to add real value, issues must be addressed collectively in order to be truly effective.

Our priorities are:

- To reduce the impact of rurality on our local communities
- To tackle issues associated with inequalities, including health inequalities
- To raise awareness of key environmental issues and to drive down our reliance on fossil fuels
- To protect residents and businesses from the impact of flooding

Delivery

Rurality

The Malvern Hills Partnership will ensure residents have better access to the services they need. In understanding the issues facing those living in rural areas; particularly with regards to transport and access to health services, the Partnership will work to ensure current and future services are more accessible. This includes meeting the specific needs of older residents and helping them to engage with public services so that they receive the support they need, as well as working with people throughout their lives to maximise the length of disability free life. Work in this area will lead to improved satisfaction and importantly, will reduce the deprivation rating for our rural residents.

Inequalities

The Malvern Hills Partnership will increase the ambition and aspiration of the residents living in our most deprived wards, starting with Pickersleigh. By building confidence and establishing projects and services right from the heart of the community, the partnership will have a positive impact on the lives of residents. Reducing levels of inequality will, in the medium to long term, drive down the fear of crime, whilst improving health outcomes, increasing employment and encouraging more resident involvement in positive activities. In turn, this will lead to more residents feeling a real part of their local communities.

Climate Change

The Partnership, through its support of Transition Malvern Hills and by the example set by partners, will seek to reduce carbon and greenhouse gas emissions. This partnership working will lead to a reduced carbon footprint for the district and an increased public understanding of what can be done to tackle climate change.

Flood Protection

By continuing to petition Central Government and by working together to identify and promote flood protection solutions to river and surface water flooding, the Partnership can collectively achieve more than one organisation alone. In time, this will mean a district where people can live without the fear of flooding.

District Priorities - Redditch Partnership

Vision

The Redditch Sustainable Community Strategy is built around a shared vision for the Borough. It is envisaged that by 2026:

'Redditch will be successful and vibrant with communities that have access to good job opportunities, good education, good health and are communities that people will be proud to live and work in'.

About Redditch

Redditch is situated in the north east of Worcestershire and lies 15 miles south of the West Midlands conurbation. The Borough covers a total of 54 square kilometres, and is comprised of several communities focused around district centres. Redditch was designated a New Town in 1964 and since then the population has increased dramatically from 32,000 to around 78,813 (2001 census).

Compared to other areas of Worcestershire, the Borough has a higher proportion of young people aged 0-17 (22.4% compared to 20.8% in the County), and a smaller proportion of individuals aged 65 or over (14.1% compared to 18.7% in the County). Redditch has the largest proportion of ethnic minority groups of Worcestershire's six districts with 8% of the population from an ethnic group.

In 2009, the then Government's performance assessment regime, the Comprehensive Area Assessment (CAA) gave Worcestershire a 'red flag'. This red flag was given specifically for the differences in the quality of life for people living in Redditch compared to people living in the rest of Worcestershire. Particular areas highlighted included: lower life expectancy; high levels of smoking; poorer GCSE exam results; more people reliant on benefits; and more families on a low income.

Health Inequalities

In broad terms the health of people in Redditch is similar to the England average; however, there are significant differences in health and well being between Redditch and Worcestershire. Inequalities particularly exist in lifestyle choices including smoking, physical activity, and alcohol.

Nationally, alcohol abuse has been flagged as an issue and Redditch is no different. Approximately 19.3% of people in Redditch are considered to be "binge drinkers" and there are approximately 1,629 hospital stays per year for alcohol related harm. Levels of smoking have also been identified as an issue of concern for Redditch. The prevalence of adults who smoke is estimated at 22% which is just below the England average of 22.2% and the worst in the County. According to the 2010 Health Profile, 29.9% of adults in Redditch are classed as obese. The percentage of adults classed as healthy eaters has decreased since 2009 from 24.3% to 21.7% and is now significantly worse than the England average.

Educational Attainment

Educational performance of pupils in Redditch has been recognised as an issue over many years. Redditch has consistently fallen behind Worcestershire in the percentage of pupils achieving 5 or more GCSEs at grades A* to C. Data from 2009 and 2010 shows that while average results are getting better in Redditch, they are still behind those of the County as a whole.

The Economy

Job losses for people living in Redditch have increased the most and recent statistics from the Office for National Statistics show that more people are out of work with the overall unemployment level in Redditch at 8.7%. This is 0.6% lower than the regional average, but 0.8% higher than the national average. The gap between the unemployment level for Redditch and Worcestershire is 4.2% with Worcestershire's unemployment level at 4.5% (as at March 2010).

Pockets of Deprivation

According to the Indices of Multiple Deprivation 2007, from the district level summary (where 1 is the most deprived) of the average deprivation score, Redditch is ranked 131st out of 354 areas nationally. This is the most deprived area in Worcestershire. Redditch is in the top 40% most deprived districts.

The most deprived areas in Redditch include parts of Winyates, Church Hill, Batchley and Woodrow. Winyates housing estate is the most deprived area in Redditch, and is the sixth most deprived area in the County. Based on this evidence, Redditch Partnership decided to focus its Areas of Highest Need project on Winyates Centre and the immediate surrounding area.

Priorities

- 1. Health Inequalities** - focus is on three issues: smoking, alcohol; and obesity / health lifestyles.
- 2. Education attainment and raising aspirations of young people** - focus is on three issues: improving literacy and numeracy; raising aspirations; and improve statistical levels of attainment.
- 3. The economy of Redditch with a focus on providing a larger and more diverse job offer** - focus is on three broad issues: promotion of Redditch as a business location; jobs and worklessness; and fostering economic ambition in young people.
- 4. Areas of deprivation with an initial focus on Winyates and Church Hill** - Winyates project focuses on: enhanced security measures for residential areas in Centre; and community engagement in the area.

Delivery

Four action plans have been produced which focus on the four priority areas. They contain actions which are to be undertaken in partnership and which are not already being undertaken by partner organisations as part of their core business. Delivery of the action plans is driven by the Theme Groups with regular reports up to the Redditch Partnership Management Board. The action plans are viewed as 'live' documents which can be altered and amended as new projects come on stream or if circumstances change.

The actions listed are just the start and Redditch Partnership must develop and build on these over the next three years, responding to new ideas and developing innovative solutions to meet the Vision it has set out for Redditch. The yearly meeting of Redditch Partnership will formally review overall progress towards achieving the vision and also hold the Partnership Board to account.

District Priorities - Worcester Alliance

Our Vision:

The Worcester Alliance vision is to make Worcester a **"First Rank Cathedral and University City"**.

This means developing the services, the infrastructure and the quality of life for local people to the level that one would expect of Europe's best historic cities.

About Worcester City

Worcester is an historic and thriving city on the banks of the river Severn. It is the county town for Worcestershire and is a key regional centre of economic and social activity. The total population of Worcester is 94,721, the distribution of age is broadly in line with the UK average with the majority of residents in the 20-55 age bracket. About 5% of Worcester's population is made up of black and minority ethnic communities.

Worcester is already a great place to live, work and visit surrounded by an outstanding natural environment. It has a vibrant retail economy which is important for the City's future and tourists and visitors make a significant contribution to the local economy. In 2010, they generated around £80m of spend and sustained around 2000 jobs with an estimated 1.3m trips. The city is home to over 2,300 businesses in a range of industrial and commercial sectors and important future plans include the delivery of the Worcester Technology Park. However, the city also has the lowest rate of business births in the county and needs to grow more of its own businesses to ensure a sustainable economy with a balance of local and national and global businesses.

The new Worcestershire Local Enterprise Partnership (LEP) is will play a key role in the future development of the City's economy through its role in encouraging inward investment, stimulating the local economy, identifying barriers to growth and promoting schemes, for example to meet transport infrastructure demands, that will remove or reduce these barriers.

Average household income in Worcester in 2010 was £35000 which is lower than both the County and national average and more households in Worcester City fall into the lowest income bracket, earning less than £10,000 per year. In Worcester 3.9% of the population aged 16-64 were claiming Job Seekers Allowance in July 2011, slightly higher than the average for Worcestershire of 3.2%. However, this figure rises to 7.6% in Gorse Hill and 7.2% in Warndon. Overall employment rates are only slightly lower in the city than the county average at 74.2% compared to 74.3 % and higher than the England average of 70.4%. 65% of residents work in or around the City.

There is still a great disparity between the quality of life for people living in different localities in the city, which ranges from some of the highest to some of the lowest in the country in terms of prosperity, health, crime and educational attainment. The percentage of residents aged between 16 - 74 years who have no qualifications has reduced since 2007, 27.6%, lower than both the Worcestershire and England average 28.1% and 28.9%, respectively, ensuring that all young people in the City have access to education, training and employment opportunities remains a priority. A slightly higher percentage than the County and national average have achieved higher level qualifications at 20.4% compared to 19.3% and 19.9% respectively.

We need to work with our partners to ensure that the City continues to grow and provide the jobs, homes and infrastructure that will enable it to successfully compete with larger centres in the West Midlands and a vision and plans for future growth and development are being developed through the South Worcestershire Development Plan and a new city centre masterplan.

Worcester City Priorities

Priority One - Economy

- To have the right infrastructure in place to support a successful and growing economy
- To support business growth and expansion and attract new businesses which provide a diverse economy and more, higher paid, quality jobs
- To ensure the City has a vibrant retail offer
- To make sure that people have the right skills for existing, growing and new businesses
- To develop plans to reduce the numbers of young people not in employment or education and encourage more apprenticeships

Priority Two – Communities

- To improve the quality of life for local residents across the City as a whole and with a focus on areas of highest need
- To work creatively and innovatively in partnership with local communities to tackle local issues and meet local needs and build resilience
- A range of quality housing which meets local needs and supports cohesive neighbourhoods
- To ensure local people benefit from improved health and wellbeing, reducing health inequalities in the City and promoting healthier lifestyles

Priority Three – Environment

- To ensure Worcester continues to be an attractive place to visit, work and live in, enhancing and protecting open and green space which is seen as important
- To help make the city resilient to flooding, climate change and extreme weather events
- Promoting strong planning policies and working with partners to minimise the impact of development on the natural environment

Delivery

The Worcester Alliance recognises that if we want to improve the lives of local people we need to work in partnership, joining up services and bringing agencies and communities together to tackle issues.

In Autumn 2011 the Worcester Alliance plans to review how it works as a partnership to make sure that we have the right structures in place, and will also be developing robust plans to tackle the priorities identified above. We will build on the work that has already been undertaken through Worcester Forward, the previous Sustainable Community Strategy, for example the Areas of Highest need project.

District Priorities - Wychavon Strategic Partnership

Our vision

Our vision is of a strong, vibrant district with a thriving and distinctive local economy. A place where people live in decent, affordable homes and people are healthy regardless of which area they live in. A place where people are involved in their local communities; where older people feel supported and young people have positive things to do and decent prospects.

Our district

Wychavon covers 673km² of the southern and eastern parts of Worcestershire. It is the largest of the six Worcestershire districts. The three main towns of Droitwich Spa, Evesham and Pershore, along with the village of Broadway, account for almost half of the district's population. The rest of the district is more sparsely populated and includes nearly 100 smaller villages and hamlets.

The Wychavon district has a population of around 117,000. This is predicted to increase, at a faster growth rate than the national average, to 124,700 by 2026. The proportion aged under 16 is set to fall to below 15% by 2026, whilst the proportion aged over 60 is due to increase to 37%. An increasingly ageing population will place greater demands on health, housing and other public services.

The district is a good place to live and work, with a rich natural environment, historic heritage and low crime levels. 87% of residents are satisfied with the local area as a place to live and 69% feel they belong to their neighbourhood. Activities for teenagers are residents' second highest priority for improvement.

There are approximately 51,500 homes in Wychavon. Levels of home ownership are high at 76%. Wychavon has over 2,250 housing register applicants in housing need – the highest levels in Worcestershire. With the mean cost of a dwelling eight times the average household income, there is a significant shortage of affordable housing to buy and rent. This will increase as the population lives longer and older people occupy properties that have outgrown their needs.

Wychavon is home to over 5,000 businesses. A significant percentage of the workforce is employed in manufacturing, hotels and restaurants, agriculture, food distribution and the public sector. Since 2007 there has been a significant fall in business creation rates and in 2009 enterprise deaths exceeded births by around 30%.

Unemployment levels, which have been traditionally very low, are currently around 3%. 8% of working age people are claiming key out of work benefits. 18% of 16 to 64 year-olds are economically inactive, or classed as 'workless'. 9.7% of the population have no qualifications. There is a skills gap in the Droitwich area, which is related to the lack of a local college.

Overall, the district is relatively well-off and lies in the bottom third of most deprived local authorities in England. But three areas are in the top 30% most deprived nationally and 15 areas are among the 10% most deprived nationally in terms of barriers to housing and services. This is related to the rural character of the district and limited public transport options in some rural areas. There are also smaller pockets of deprivation in parts of the district.

Wychavon has the second highest average household income in Worcestershire; but income levels vary significantly across the district. Overall, 12% of children are living below the official poverty line. However, there is a wide geographic variation in levels of child poverty across the district. In one Droitwich ward, levels are nearly 51%.

80% of residents consider their health to be good or very good. Life expectancy is above the England average. Death rates from heart disease, stroke and cancer have fallen over the past ten years. However, the gap in life expectancy between people in the most and least deprived areas has widened. People from the least deprived areas can expect to live around six years longer than those in the most deprived areas. Wychavon has one of the highest proportions (24.8%) of overweight or obese children in reception year in the county and nearly a third of children in Year 6 are overweight or obese.

Our priorities

Wychavon Strategic Partnership recognises that a number of the challenges described above cannot be tackled effectively by one organisation alone. We have identified seven priorities where we will work together to make a real impact, with sustainability as an overarching principle: These are:

1. Supporting and improving the local economy
2. Developing skills and lifelong learning
3. Delivering housing that meets local needs
4. Reducing health inequalities and promoting healthy lifestyles
5. Supporting older people
6. Providing positive activities for young people
7. Supporting people to play an active role in their communities and to take responsibility for improving their lives

Delivery

Partners on the Wychavon Strategic Partnership will seek to deliver these priorities as sustainably as possible through action to:

- Support urban and rural businesses, boost town centre economies, promote tourism, raise income levels, encourage environmental technology and local distinctiveness
- Increase employability and work-based skills, family learning, adult literacy and numeracy, and language skills
- Build more affordable housing, better match homes to needs, bring empty homes back into use and improve the condition of existing homes
- Take action to reduce the incidence of heart disease, diabetes and alcohol consumption, and tackle obesity in children and health inequalities in deprived areas
- Support older people within their own homes, encourage independent living, health and well-being, and quality of life
- Encourage volunteering, personal and social responsibility and enable change in neighbourhoods.

We will also deliver some of the priorities through the **Opportunity Vale of Evesham** project. This is providing help to around 1,430 hard pressed households in 11 small areas in the Vale of Evesham. Through this project we are improving skills and confidence, reducing fuel poverty and improving health.

District Priorities - Wyre Forest Matters

Our vision:

To build a district which people want to live in and visit; where they feel free from the fear of crime and a place where the unique rural character and beauty of the area is looked after by all. A district where children can thrive and look forward to the possibility of suitable employment following their education. Where business is actively encouraged and the economy becomes stronger and where the population are healthy whatever their age.

The district:

The area takes its name from The Forest of Wyre, once a medieval hunting forest, now a popular visitor attraction. The three main towns of Kidderminster, Bewdley and Stourport-on-Severn and several surrounding villages like Arley, Rock, Chaddesley Corbett and Wolverley make up the district. The area is both rural and urban and there are pockets of wealth and deprivation throughout the district.

The area has some of the best attractions in the Midlands from an exciting safari and leisure park to Britain's premier steam railway.

The Wyre Forest District has a population of 98,000 people and is situated in north Worcestershire. Of the six Worcestershire districts, Wyre Forest has the smallest proportion of young people (aged 0-19). Worcestershire as a whole is characterised by an ageing population, with a declining proportion of young people (aged 0-19) and an increasing proportion of older people (aged 65 or more). Among older people, there is a gradual but entirely predictable increase in the number of people aged 85 years or more.

There is a strong and direct correlation between the increase in the proportion of elderly people and the number of those with disabilities and other medical conditions.

Wyre Forest District had an estimated population (mid 2005) of 98,000 people, of which 3,000 people, or 3.1 per cent, were of minority ethnic origin. Wyre Forest has a distinctive community of 500 people of Bangladeshi origin, by far the largest in the county, owing its foundation historically to the availability of work in the Kidderminster carpet industry. There is also a well-established gypsy and traveller community living locally, many now settled in houses, but no reliable data exists on numbers.

50.8 per cent of the Wyre Forest population are women. The Census 2001 showed that women were far more likely than men, in a ratio of 9:1, to live in lone-parent households with dependent children, and, if working, to work part-time. Wyre Forest had 2,048 lone-parent households with dependent children, of which 89.2 per cent, were headed by women, with 31.8 per cent of those women in part-time work.

Of the six Worcestershire districts Wyre Forest has the lowest proportion of economically active people and people in employment.

Wyre Forest has the highest proportion of economically inactive people with nearly 20 percent of the county's claimants for Job Seeker's allowance. It also has the lowest rate of gross weekly pay at £405, almost £50 less than the county average, £150 less than for Bromsgrove, and £260 less than for Malvern Hills.

The major causes of death, circulatory diseases and cancers, are lifestyle related. To maintain the reductions in death rates, Wyre Forest will need to reduce smoking and alcohol consumption, and tackle obesity through a better diet and more physical activity.

Our priorities:

- A. To boost the economy and encourage employment within the district**
- B. To encourage better health and well-being**
- C. To help to provide education as a means to employment**
- D. To improve the local environment**

The work of Wyre Forest Matters:

Wyre Forest Matters has recognised that there are a number of challenges that cannot be tackled by one organisation or project alone. Instead, in order to add real value, issues must be addressed collectively in order to be truly effective.

Delivery

We aim to:

- Continue with a strategic, business-led approach to regeneration via the ReWyre initiative. To work towards improved infrastructure and connectivity including improved road links with the motorway network and promoting our high capacity broadband advantages to potential new businesses. Assist partners to boost the economy within the district using various methods including promoting and increasing tourism, helping local businesses to use local suppliers and encouraging employment by linking in with local businesses and promoting programmes such as apprenticeships.
- Improve the health and well-being of the district by promoting healthier lifestyles and encouraging young people to improve their fitness levels through differing methods. We will also be promoting the advantages of staying fitter to older residents in order to maintain health in older age. The partnership will focus on assisting partners in their projects to reduce obesity and alcohol dependency in people of all ages.
- Improve the local environment and continue to make Wyre Forest a desirable place to both live in and to visit. The partnership will promote the work being done by partners to restore local heathlands and rare plants and insects as well as encouraging public participation in the running of local spaces such as parks. The partnership will be active in assisting the Community Safety Partnership and Prevent team to make sure Wyre Forest remains a safe place to live in. This partnership will also lead to an increased public understanding of what can be done to tackle climate change.
- Improve education as a means to gain employment in the district. The partnership will work together to provide a link between business and education in the district and to reduce the gaps in skills and knowledge for those seeking employment at all ages but will focus on school leavers, those recently made redundant and those out of work with low skills levels. This in turn will help to raise aspirations and improve recruitment and retention levels in local businesses.

Contact information

For further information about this strategy and the Worcestershire Partnership please contact:

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**LICENSING
COMMITTEE**

31st October 2011

STREET TRADING POLICY - REVIEW

Relevant Portfolio Holder	Councillor Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	
Key Decision / Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To receive a report on the Street Trading Policy for the District following a consultation exercise undertaken during the period 10th June 2011 to 13th September 2011.

2. RECOMMENDATIONS

- 2.1 **That Members approve the wording of the Street Trading Policy Statement (Appendix 1), Information Pack (Appendix 2) and Street Trading Standard Conditions (Appendix 3), and agree that these three documents be adopted to form the Council’s Street Trading Policy; and**
- 2.2 **that Members recommend to Full Council that the fees and charges as set out at Part 5 and Part 7 of the Information Pack (Appendix 2) be approved by Full Council.**

3. KEY ISSUES

Financial Implications

- 3.1 Estimated costs of the service have been included within the Worcestershire Regulatory Services (WRS) budget and are reflected as non-profit making.

Legal Implications

- 3.2 The law relating to Street Trading is set out in the Local Government (Miscellaneous Provisions) Act 1982. Bromsgrove District Council (The Council) pursuant to Section 3 of the 1982 act has resolved to adopt Schedule 4 of the Act to control Street Trading in the District. Further, the Council has resolved that every street within the area of the district of Bromsgrove should be designated as a Consent

LICENSING COMMITTEE

31st October 2011

Street, under the Act, (LGMPA) (except those shown at Appendix 1 and nominated as Prohibited Streets).

- 3.3 By adopting the new Policy Members are not being asked to make any changes to the Prohibited Streets. In relation to fees, Members are reminded that there is case law which establishes the principle that fees can only be charged on a costs recovery basis. In other words the fees must reflect that actual cost to the authority of the officer time involved in administering the issuing of Consents for street trading. The Council would be open to challenge if the fees were set at a higher level.

Service / Operational Implications

- 3.4 At the Licensing Committee held on the 10th January 2011, it was agreed that Officers would review the current Street Trading Policy with results to be presented to the Licensing Committee meeting to be held on the 6th June 2011.
- 3.5 At the Licensing Committee on 6th June 2011, Officers presented Members with a revised Policy for Street Trading and an application information pack.
- 3.6 Consultation took place between 10th June 2011 and 13th September 2011 with all relevant agencies and all consent holders. No representations/objections were received.
- 3.7 The wording of the proposed Policy statement (Appendix 1) is based on the same policy that has already been established in two other Local Authorities within the County; where it has been adopted the policy has shown to be effective. This policy is also to be introduced in two Local Authorities in the near future.
- 3.8 The introduction of this proposed policy will enable a transparent, objective and consistent approach to Street Trading on a countywide basis. This will be of benefit to customers who trade in different parts of the County.
- 3.9 Members requested Officers to look at fees in particular; the proposed fees (shown in Appendix 2 – Information Pack) are consistent with the adjoining Local Authority and set on a recovery of costs basis.
- 3.10 The Standard Conditions to be attached to Street Trading Consents are included at Appendix 3.

LICENSING COMMITTEE

31st October 2011

Customer / Equalities and Diversity Implications

- 3.11 The Council currently has a Street Trading Policy. The changes to that Policy were consulted on through a 12 week consultation process. Current consent holders will not be adversely affected by this Policy change.
- 3.12 The draft revised Policy has gone through a 12 week consultation and has been be circulated and published on Bromsgrove District Council's web site as part of the formal consultation process.
- 3.13 Policies have several advantages, ensuring transparency so that individuals know where they stand and can plan their affairs. That like cases can be dealt with similarly so there is fairness and consistency, and there is promotion of efficient administration.

4. RISK MANAGEMENT

- 4.1 None

5. APPENDICES

Appendix 1	Street Trading Policy Statement
Appendix 2	Customer Information Pack
Appendix 3	Standard Conditions attached to consents.

6. BACKGROUND PAPERS

Street Trading Policy amended May 2010
Local Government (Miscellaneous Provisions) Act 1982 Section 3,
Schedule 4.

AUTHOR OF REPORT

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Worcestershire Regulatory Services

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STREET TRADING - POLICY STATEMENT

UNDERLYING PRINCIPLES

1. Street Trading is regarded as an acceptable activity in Bromsgrove within the consented areas (Appendix A), provided that it is located where it can make a positive contribution to add interest, vibrancy, and diversity to the area and does not give rise to problems associated with Crime and Disorder.
2. The Council is the responsible authority for granting Street Trading Consents in Bromsgrove and will ensure that traders operate in accordance with conditions attached to such Consents (Appendix 3).
3. The Council accepts that Bromsgrove comprises distinct areas with differing historic and commercial characters, and varying streetscape qualities, which should be individually developed and promoted.
4. The Council will consult with the following agencies:
 - The Highways Authority – Worcestershire County Council;
 - The Chief Officer of Police;
 - Worcestershire Regulatory Services – Compliance Team;
 - The Councils Street Scene and Community Services Team;
 - The Council's Community Safety Team;
 - Trading Standards;
 - The Parish Council (if any) in which the Trading Unit is to be located;
 - The Ward Councillors; and
 - The owners/occupiers of any properties near to the proposed location of trading site.
 - Any other relevant agency
5. The Crime and Disorder Act (1998) stresses the need to take positive action to combat crime and the fear of crime. Therefore, prior to granting any Street Trading Consent the Council will pay particular attention to any potential crime and disorder arising directly or indirectly from the Consent and will give significant weight to the views of the Police and Community Safety Officer.
6. The Council may issue Consent for up to one year or a lesser period where appropriate if the trading activity is seasonal or of a temporary nature.
7. Applications will only be considered where an applicant has completed an application form and will not be granted unless an applicant has paid the appropriate Consent fee.

8. Applications for a Street Trading Consent will be considered and determined under the Council's Scheme of Delegation by the Head of Worcestershire Regulatory Services, or otherwise by the Council's Licensing Sub-Committee.
9. Where more than one trader applies for Consent to trade from an approved site, the applications will be referred to the Council's Licensing Sub-Committee.

CRITERIA FOR CONSIDERING APPLICATIONS FOR STREET TRADING CONSENTS

When considering an application for a Street Trading Consent, the Council will take into account the following matters when reaching its decision:

1. Responses from Consultees and other interested parties.
2. The proposed siting and design of the street trading vehicle and whether or not it enhances the area within the immediate vicinity.
3. Any potential obstruction to the free flow of pedestrians or of vehicles in the street, with special regard for the visually impaired.
4. Road safety, either arising from the siting of the street trading vehicle or as a result of customer visiting or leaving the site, including existing traffic orders and waiting restrictions.
5. The nature of the proposed goods to be traded and whether this will create conflict with the trade of adjacent, established shops.
6. Whether the proposed siting of the street trading vehicle obstructs the frontage of adjacent established shops.
7. The numbers, distribution and location of existing street trading consents.
8. The likelihood of excessive noise, odour and litter being generated.
9. Whether the proposal would conflict with any other policies of the Council.

APPENDIX A

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

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STREET TRADING**INFORMATION PACK****1. What is a Street Trader?**

A Street Trader is someone who:-

- i. Trades on any road, footways, highways, and other adjacent areas to which the public have access without payment. Traders must obtain land owners' permission when trading on private land.
- ii. Sells or exposes or offers for sale any article, whether food or non-food, including a living thing, whether with or without a stall or vehicle.
- iii. Trades from a fixed location.

2. Does the Control apply to all Traders?

No, there are various exemptions to the requirement to hold a Street Trading Consent:-

- i. Trading as a pedlar with a valid Pedlar's certificate issued under the Pedlars Act 1871. A pedlar is a person who travels and trades on foot and goes from town to town or from house to house carrying goods to sell. A pedlar cannot trade from a fixed spot. Pedlar's certificates are obtained from any main Police Station.
- ii. A roundsman, who is a person who delivers orders to the customer's door. This is a trader who calls by prior arrangement with the customer and sells at the customer's premises. Ice cream sellers or mobile food sellers are not deemed to be "roundsmen" and require a licence to trade in the street.
- iii. News vendors selling only newspapers and periodicals, unless the stall exceeds one metre in length or width, or two metres in height.
- iv. Trading from the forecourt of a petrol filling station.
- v. Trading from a stall outside a shop as an extension of that business.

3. How is Street Trading Controlled in Bromsgrove?

Bromsgrove District Council has adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1982 so that it can effectively control street trading.

- i. All streets within Bromsgrove District have been designated as consented streets apart from those specifically prohibited (see Appendix A of the Council's Street Trading Policy).
- ii. This means that it is an offence to trade without Consent in any street, road, footway, highway, or adjacent area to which the public have access without payment, other than those prohibited where no trading at all can take place.

- iii. Trading without consent may result in prosecution.
- iv. If a trader has been granted a consent the Council has the right to vary or revoke the Consent at any time if the trader fails to comply with the conditions attached to the Consent.
- v. If you wish to trade outside of the Bromsgrove District you should contact the appropriate District Council for that area. Please note that different Councils may have different procedures and rules regarding street trading.
- vi. If you wish to trade within the Bromsgrove District an application should be made to the Worcestershire Regulatory Services, Licensing, Burcot Lane, Bromsgrove. B61 1AA.

4. How do I apply for Consent?

- i. Complete the appropriate application form – for a “static trader” if you wish to trade from a pitch, or for a “mobile” trader if you sell from street to street.
- ii. Attach to the application form the required documents, including a Basic Criminal Records Bureau Disclosure as listed on the application form.
- iii. Post to Bromsgrove District Council, Worcestershire Regulatory Services, Licensing, Burcot Lane, Bromsgrove. B61 1AA or take to the Customer Service Centre, School Drive, Bromsgrove the completed application form, and original copies of any supporting documents (these will be copied and returned to you).

5. What Are the Fees Payable for Consent?

- i. Fees are payable for each unit or site. The fee is payable once a decision has been made on an application for a Consent. Fees should be sent with the completed application form.
- ii. Fees may be payable in instalments, by agreement with the Council.
- iii. Fees are reviewed annually and are applicable from 1st April each year.
- iv. Fees payable for static traders who trade from a fixed pitch are:-

	Food		Non Food	
	<i>Initial</i>	<i>Renewal</i>	<i>Initial</i>	<i>Renewal</i>
Single Unit up to 12m ² (max 5m length)	£1418	£1301	£1183	£1064
For every additional 12m ² or part thereof or length more than 5m	£600			
Mobile traders	£575 per vehicle, per annum			

6. How Long Does Consent Last for?

- i. Consent can be issued for any period up to a maximum of 12 months but will expire on 31st March next, unless surrendered earlier.
- ii. Renewals will take place on receipt of a completed renewal application form and payment of the appropriate fee.

7. Are Consents Transferable?

- i. No, they are not.
- ii. The Consent holder is entitled to a refund of part of the fee paid if the Consent is surrendered part way through the year.
- i. Refunds may be made on a pro rata basis, subject to an administration charge of £35.
- ii. If you do not renew the Consent on the expiry or surrender it before then, then any other person will be able to apply to trade from the same site.

8. What are the Responsibilities of a person granted consent?

Such a person is responsible for ensuring that:-

- i. The consent conditions are complied with.
- ii. All relevant certificates are produced to the Council with any application for Consent.
- iii. The vehicle or stall is registered with the Council if selling food of any description.
- iv. The Council will not be held responsible for any acts or omissions arising from the grant of Consent.
- v. Where trading is on private land, to which the public has access without restriction, permission to trade must be obtained from the owner/occupier as well as the Council

9. Does the Grant of Consent by the Council give any other entitlement?

- i. No - It only permits trading within the terms of the Consent as specified. The Consent does not override any parking restriction or other traffic regulation.
- ii. The Consent to trade does not imply approval from any other person or authority.

10. Consideration and Determination of your Application

- i. When received by the Licensing Section your application form will be checked. Provided there are no queries arising from the application form, your application will be acknowledged in writing within 5 working days of receipt. If there is a query then you will be contacted in writing and/or by telephone and given the opportunity to respond.

- ii. The completed application form will be copied for comment to various parties.

Usually these are the Police, Worcestershire County Council Highways Partnership Unit Manager, Ward Councillors, the Parish or Town Council, Economic Regeneration & Tourism Manager, Community Development Control Manager, Operational Services Manager and local businesses within the vicinity of the proposed site of operation.

- iii. We aim to complete this process within 20 working days but may take longer if a Licensing Sub-Committee hearing is necessary.
- iv. If queries are raised at this stage then you will be contacted in writing and/or by telephone and given the opportunity to address them.
- vi. Having received all comments/recommendations and taking into account the Council's adopted Street Trading Policy, the Head of Worcestershire Regulatory Services or one of his nominated officers, under the Council's Scheme of Delegation, may then determine applications where there are no objections and where the application is to be granted. Where your application cannot be granted, or where objections are received, your application will be referred to the Council's Licensing Sub-Committee for consideration and determination.
- vi. You will be informed in writing of the recommendation to the Licensing Sub-Committee and the date of the meeting to which you will also be invited to attend.
- vii. If your application is granted, the Consent will be issued, together with a copy of the Standard Conditions applicable to street trading Consents plus any Special Conditions deemed necessary by the Council.
- viii. If the Committee refuses your application you will be notified in writing of the reasons for refusal.
- ix. There is no right of appeal in the case of refusals or against the application of conditions.

11. Is there an Independent Body which represents Street Traders?

There is a body which offers advice on all aspects of outside catering. This body is called MOCA (Mobile and Outside Catering Association Ltd.) and is located at:-

Centre Court
1301 Stratford Road
Hall Green
Birmingham
B28 9HH

Tel 0121 693 7000
Fax 0121 693 7100
Website www.moca.co.uk

BROMSGROVE DISTRICT COUNCIL

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

STREET TRADING - STANDARD CONDITIONS

1. Bromsgrove District Council (“the Council”), pursuant to Section 3 of the Local Government (Miscellaneous Provisions) Act 1982 (“the Act”) have resolved that Schedule 4 to the Act, to control street trading in the district should come into force from May 2010.
2. The Council has resolved that every street within the area of the district of Bromsgrove is to be designated as a Consent Street” under the Act, (except those shown at Appendix One and nominated as Prohibited Streets) which means a street in which street trading is prohibited without a Consent issued by the Council.
3. A street trading Consent is issued by the Council subject to the following conditions, insofar as they do not conflict with or are amended by any specific conditions imposed on the grant of the Consent:-
 - (a) The Consent is valid for the period shown on the Consent
 - (b) The Consentee shall pay a fee to the Council in accordance with the approved list of fees.
 - (c) The Consent may be surrendered by the Consentee at any time, providing that the Council shall repay to the Consentee that part of the fee considered by the Council appropriate for the unexpired period of the licence, less £35 for administrative expenses, the exception being the day rate.
 - (d) The Consent holder must at all times while trading display in a conspicuous position the Consent issued by the Council.
 - (e) The Consentee shall not carry on his/her trade in such a way as to cause obstruction of any part of the street in which he/she is trading, or danger to persons using the street.
 - (f) The Consentee shall not carry on his/her trade in such a way as to cause a nuisance or annoyance to persons using the street or to occupiers in the vicinity.
 - (g) The Consentee shall not sell any type of food, goods or merchandise other than that specified in the Consent.

- (h) The Consentee shall provide and maintain, where appropriate, adequate facilities for the collection of litter resulting from his/her trading and at the close of each trading day shall remove any litter resulting from his/her trading from the street. The Consentee shall be responsible for any damage to the highway or otherwise resulting from the trading activity.
- (i) The Consentee shall make such provision as is necessary to prevent the deposit in any street of solid or liquid refuse occurring from the trading activity and shall not discharge any waste water to the street surface or to the surface water drains.
- (j) The Consentee shall not use any television, tape recorder or other device for the reproduction of sound while trading without the express permission of the Council.
- (k) The Consentee shall not trade outside the times and days permitted by the Consent
- (l) The Consentee shall not trade in any location other than the location permitted by the Consent
- (m) Any vehicle, stall or container used by the Consentee in the course of street trading shall be constructed and maintained to the satisfaction of the Council and shall comply with legislation in force at the time or any relevant British Standard.
- (n) The use and storage of liquid petroleum gas shall comply with the Code of Practice or requirements of the Fire Officer.
- (o) The Consent shall not operate for any other purpose than to permit the Consentee to trade in a Consent street in accordance with the conditions imposed. The Consentee must ensure that he/she has obtained any other approval or registration required under any other statutory provisions relevant to his/her trade.
- (p) The Consentee must be 18 years of age or over and shall be responsible at all times for control of the stall. Any persons assisting on the stall shall be 18 years of age or over.
- (q) The Consent is personal to the Consent holder and shall not be assigned or transferred to any other person or company.
- (r) The Consent holder or his employee must move his vehicle/stall or vacate the site immediately upon the instruction of a Police Officer or Authorised Officer of the Council.
- (s) Nothing herein contained shall prejudice the rights, powers, duties and obligations of the Council or any other enforcing authority under any public or private statutes, orders, regulations or byelaws.

- (t) The Consent holder shall at all times maintain a valid Third Party Public Liability Insurance policy to the satisfaction of the Council and shall produce a valid certificate of such insurance at any time upon the request.
- (u) Nothing contained in these conditions shall relieve or excuse the Consent holder or his/her employee or agent from any legal duty or liability and the Consent holder shall indemnify the Council in respect of all claims, actions, demands or costs arising from trading.
- (v) The conditions attached to the Consent may be varied by the Council at any time.
- (w) Any breach of these conditions may lead to the Consent being suspended or revoked.
- (x) In these conditions “the Consent” means a Consent issued under Section 3 of and Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982. Consentee means the person named on the Consent issued by the Council and includes any employee, servant or agent of the licence holder and “the Council” means Bromsgrove District Council.

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