



## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE CABINET**

**WEDNESDAY 1ST JUNE 2011 AT 6.00 P.M.**

**THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE**

**MEMBERS:** Councillors R. Hollingworth (Chairman), Mrs. M. A. Sherrey JP (Vice-Chairman), Dr. D. W. P. Booth JP, M. A. Bullivant, C. B. Taylor and M. J. A. Webb

### **AGENDA**

1. To receive apologies for absence
2. Declarations of Interest
3. To confirm the accuracy of the minutes of the meeting of the Cabinet held on 6th April 2011 (Pages 1 - 8)
4. Minutes of the meeting of the Overview and Scrutiny Board held on 5th April 2011 (Pages 9 - 14)
  - (a) To receive and note the minutes
  - (b) To consider any recommendations contained within the minutes
5. Minutes of the meeting of the Audit Board held on 11th April 2011 (Pages 15 - 20)
  - (a) To receive and note the minutes
  - (b) To consider any recommendations contained within the minutes
6. To receive verbal updates from the Leader and/or other Cabinet Members on any recent meetings attended in an ex-officio capacity (Pages 21 - 22)
7. Enforcement and Fixed Penalty Notices for Environmental Services (Pages 23 - 32)

8. Air Quality Management Area Declaration - Worcester Road, Bromsgrove (Pages 33 - 42)
9. Bromsgrove Town Conservation Area (Amendment to Area Boundary) and Designation of St. John's Conservation Area (Pages 43 - 50) - Appendix C To Follow
10. Performance Monitoring Quarter 4 2010/2011 (Pages 51 - 56)
  - Appendices For Item 7 – Enforcement And Fixed Penalty Notices For Environmental Services (pages 57 – 74)
  - Appendices For Item 9 – Bromsgrove Town Conservation Area And St. John's Conservation Area. (Pages 75 – 114) - Appendix C To Follow
  - Appendices For Item 10 – Performance Monitoring Quarter 4 2010/2011 (Pages 115 – 130)
11. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS  
Chief Executive

The Council House  
Burcot Lane  
BROMSGROVE  
Worcestershire  
B60 1AA

23rd May 2011

# Agenda Item 3

## BROMSGROVE DISTRICT COUNCIL

### MEETING OF THE CABINET

WEDNESDAY, 6TH APRIL 2011 AT 6.00 P.M.

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

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

149/10 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

150/10 **DECLARATIONS OF INTEREST**

Councillor Mrs J. Dyer MBE declared a personal interest during the discussion on Agenda Item 10 (Government Homelessness Grant and Support for Preventative Services) as a Trustee of Bromsgrove Youth Homelessness Forum.

151/10 **MINUTES**

The minutes of the meeting held on 2nd and 23rd February 2011 were submitted.

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

152/10 **OVERVIEW AND SCRUTINY BOARD**

The minutes of the meetings of the Overview and Scrutiny Board held on 1st February 2011 and 1st March 2011 were submitted.

**Minutes of the meeting held on 1st February 2011**

**RESOLVED** that the minutes of the meeting held on 1st February 2011 be noted, including the recommendations contained at 9/10 relating to the Draft Medium Term Financial Plan which had been taken into account as part of Cabinet discussions thereon.

**Minutes of the meeting held on 2nd March 2011**

Following particular discussion on the contents of minute 16/10 relating to the Annual Civic Bonfire Event, it was

**RESOLVED:**

- (a) that recommendation (a) relating to the further investigation of sponsorship of the event be approved;
- (b) that no action be taken with regard to recommendation (b) relating to a postal code sampling survey as this was felt to be impracticable and of limited value;
- (c) that it be noted that recommendation (c) relating to continued review of the event in the context of budget restraints was being already undertaken; and
- (d) that the remainder of the minutes be noted.

153/10 **WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE**

The minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 28th February 2011 were submitted.

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

154/10 **SHARED SERVICES BOARD (NON CONFIDENTIAL)**

The minutes of the meeting of the Shared Services Board held on 22nd March 2011 relating to non confidential and non exempt items were submitted.

**RESOLVED** that the minutes be noted

**RECOMMENDED** that the revised programme timeline for the delivery of Shared Services and Transformation between the two Councils be approved.

155/10 **VERBAL UPDATES FROM THE LEADER AND/OR OTHER CABINET MEMBERS ON ANY RECENT MEETINGS ATTENDED IN AN EX-OFFICIO CAPACITY**

Councillor G. N. Denaro reported that he had attended a meeting of the Birmingham and Solihull Local Enterprise Partnership (LEP).

Councillor Mrs. J. Dyer MBE reported that she had attended a LEP Transport Group.

Councillor Mrs M. A. Sherrey reported she had attended a BECAN celebration event at the Ryland Centre which had been supported by District Council officers and which had been extremely successful.

156/10 **BROMSGROVE MUSEUM**

The Cabinet considered a report on the latest position regarding negotiations on the disposal of the Bromsgrove Museum building.

The Head of Legal, Equalities and Democratic Services reported on a request received from the Norton Collection Museum Trust (formerly the Friends of the Norton Collection Charitable Trust) to be granted a twelve month option to

purchase the Bromsgrove Museum building which would enable third parties to commit funds to the project on a more secure basis.

**RESOLVED:**

- (a) that the latest position regarding negotiations with the Norton Collection Museum Trust be noted;
- (b) that the Norton Collection Museum Trust be granted an option to purchase the Museum building for the sum of £285,000 on terms to be agreed; and
- (c) that authority be delegated to the Head of Legal, Equalities and Democratic Services in consultation with the Leader of the Council to determine the terms of the option to purchase on the basis that it would be for a definite period of twelve months from the date that the option is granted.

157/10 **BROMSGROVE WAR MEMORIAL - CHANGE OF NAME**

Members considered a report on a request for the transfer of a licence previously granted by the Council to the THANKSS Charity (To Honour and Acknowledge those Killed and Still Serving) to the Bromsgrove Armed Forces Memorial Fund. Members were reminded that the Licence was in respect of the erection of a war memorial on land at Amphlett Hall, Crown Close, Bromsgrove.

Members queried whether in view of the change of name of the Charity, it was still the intention to honour those currently serving in the armed forces as well as those who had lost their lives. The Section 151 Officer undertook to check this with the organisation.

**RESOLVED:**

- (a) that the request to transfer the licence previously granted to the organisation known as THANKSS to the Bromsgrove War Memorial Fund to enable the erection of a memorial on land at Amphlett Hall, Bromsgrove be approved;
- (b) that the above approval be subject to the Bromsgrove War Memorial Fund becoming a registered Charity and the production of a viable business case in respect of the project; and
- (c) that authority be delegated to the Section 151 Officer, in consultation with the Portfolio Holder for Community Services, to approve the detail of the business case and design of the memorial.

158/10 **GOVERNMENT HOMELESSNESS GRANT AND SUPPORT FOR PREVENTATIVE SERVICES**

The Cabinet considered a report on progress made on current schemes to prevent and address homelessness within the District funded by grant from the Department of Communities and Local Government (DCLG) during 2010/2011.

The report also sought approval from Cabinet for the allocation of DCLG grant funding to specific schemes during 2011/2012 which had been recommended by the Bromsgrove Homelessness Strategy Steering Group.

**RESOLVED:**

- (a) that the update on the homelessness prevention and support schemes funded by the DCLG homelessness Grant during 2010/2011 be noted;
- (b) that the use of the DCLG Homelessness Grant for 2011/2012 be approved in respect of the schemes for 2011/2012 recommended by the Bromsgrove Homelessness Strategy Steering Group;
- (c) that the funding from the DCLG Homelessness Grant of a new temporary Private Sector Housing Options part time post be approved for one year at a cost of £10,100, together with the establishment of a fund of £5,000 to offer discretionary Housing Benefit payments to those who have accessed the private rented sector through the Housing Options service and others adversely affected by the Housing Benefit changes; and
- (d) that authority be delegated to the Head of Community Services in consultation with the Portfolio Holder for Strategic Housing, to allocate any under spend or make further adjustments necessary to ensure full utilisation of grant allocation for 2011/2012 in support of existing or new schemes and to approve expenditure of the Non Tenure Specific Economic Recovery Fund.

159/10 **COUNTYWIDE HOUSING STRATEGY FOR WORCESTERSHIRE 2011 - 2014**

The Cabinet considered a report on a draft Countywide Housing Strategy and accompanying action plan together with a local Housing Strategy Action Plan for Bromsgrove.

It was reported that the Countywide Housing Strategy had been developed jointly by the six District Councils in Worcestershire following approval for this approach from Chief Executives and Leaders in 2009. Previously each of the Strategic Housing Authorities had developed individual strategies and this had improved ways of working together and had lead to an increase in the number of countywide initiatives.

Whilst Worcestershire Districts had been working in effective partnership for a number of years on housing matters, it was envisaged that the adoption of this Countywide Strategy would enable a more integrated approach to the development and delivery of housing services.

Members welcomed improved partnership working through the Countywide Strategy together with the individual Strategic Housing Action Plan which was specific to the Bromsgrove District.

**RESOLVED:**

- (a) that the report be noted;
- (b) that the Draft Countywide Housing Strategy and action plan attached as appendix 1 to the report be approved and that authority be

- delegated to the Head of Community Services in consultation with the Portfolio Holder for Strategic Housing to agree any minor changes arising from the consultation process; and
- (c) that the Housing Strategy Action Plan for Bromsgrove attached as appendix 2 to the report be approved.

160/10 **WORCESTERSHIRE LOCAL INVESTMENT PLAN AND AFFORDABLE HOMES PROGRAMME**

The Cabinet considered a report relating to:

- (i) a proposed Local Investment Plan (LIP) for Worcestershire;
- (ii) a range of proposed Government reforms to the way that social housing is delivered, in particular the Homes and Communities Agency's (HCA) new "Affordable Housing Programme Framework"; and
- (iii) the proposed response of the Council's Principal Preferred Partners (BDHT and West Mercia Housing) to the Government's new framework for the delivery of affordable housing. In particular the report gave an overview of the bid currently being formulated by BDHT and West Mercia for submission to the HCA by 3rd May 2011 in order to seek grant subsidy over the next four years. It was clear that the HCA would require confirmation that the bid had the support of the Strategic Housing Authority.

In relation to (iii) the Strategic Housing Manager gave an update on the recent discussions which had taken place with BDHT and the amended detail of their developing bid to HCA which now proposed 229 dwellings over a four year period. It was reported that due to the timescale and outcomes required by the HCA the proposal for the ring fencing of 50% of capital receipts from rural disposals was no longer workable and therefore section 6.8 of the report should be disregarded.

Members discussed the proposed bid in detail and raised issues of concern particularly regarding the loss of housing stock in rural areas. It was felt however that following the discussions which had taken place with BDHT and in view of the continuing need for cooperation and close working on future bids to HCA it should be possible to address any potential issues at an early stage. Members were also mindful of the commitment which BDHT were making to the bid.

**RESOLVED:**

- (a) that the Worcestershire Local Investment Plan attached as appendix 1 to the report be approved;
- (b) that the range of proposed reforms in respect of the delivery of affordable housing and the summary of key elements of the HCA's new Affordable Delivery Framework as set out in section 5 of the report be noted;
- (c) that the content and principles of the BDHT bid to HCA as outlined in section 6 of the report and as amended at the meeting be approved, subject to it being made clear to BDHT that there is a requirement for improved communication with the Council's Chief Executive in respect of approval for proposed disposals, in order to ensure that no

unreasonable concentration or pattern of disposals occurs in any particular rural area or other part of the District.

161/10 **BROMSGROVE PRIVATE SECTOR HOUSING STRATEGY AND ASSISTANCE POLICY**

Members considered a report on an updated version of the Council's Private Sector Housing Strategy (2009 – 2014) which reflected additional and improved information available since the Strategy was approved in April 2009 together with the current level of funding available and an updated action plan.

Members also considered a revised version of the Council's Private Sector Housing Assistance Policy which contained proposed amendments to achieve a uniform policy in respect of the processing of Disabled Facility Grants and Home Repair Assistance across the Worcestershire Districts whose customers are served by the Worcestershire Care and Repair Service.

In addition Members noted that the Kick Start Equity Release Scheme would cease to operate as from 31st March 2011 following the withdrawal of both regional funding and Government funding to support private sector housing renewal.

Members felt that in relation to the repayment of Home Repair Assistance Loans, whilst the removal of the ten year time limit for repayment was to be welcomed, the amount repayable when the property was sold should continue to be index linked.

**RESOLVED:**

- (a) that the updated Private Sector Housing Strategy and accompanying Action Plan as attached as appendices to the report be approved;
- (b) that the revised Private Sector Housing Assistance Policy be approved with the exception of the current proposal to amend the repayment terms in respect of Home Repair Assistance Loans so that the sum repaid is not index linked whilst removing the current ten year time limit and that accordingly, the Strategic Housing Manager be requested to propose to the next meeting of the Worcestershire Care and Repair Service that the index linking element be retained whilst removing the ten year repayment period;
- (c) that the position relating to the closure of the Kick Start Equity release Scheme be noted.

162/10 **COUNCIL PLAN 2011 - 2014**

The Cabinet considered the Council Plan for 2011-2014 including the action plan setting out how the Council's priorities are to be delivered.

**RECOMMENDED** that the Council Plan 2011-2014 attached as an appendix to the report be approved.

163/10 **ANNUAL REVIEW OF OPERATIONAL POLICY UNDER THE REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)**

The Cabinet considered a report on the annual review of the Council's use of covert surveillance under the Regulation of Investigatory Powers Act 2000 (RIPA) together with the updated RIPA policy.

**RESOLVED** that the report be noted.

164/10 **ADOPTION OF PLANNING ENFORCEMENT POLICY**

The Cabinet considered for information a report to the Planning Committee on the adoption of a Planning Enforcement Policy. It was noted that the recommendation of Planning Committee would be considered by Council

**RESOLVED** that the report be noted.

165/10 **LOCAL GOVERNMENT ACT 1972**

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

<u>Minute No.</u>	<u>Paragraphs</u>
166/10	3
167/10	1 and 4

166/10 **PROPOSAL FOR ALLOCATION OF ADDITIONAL CLG HOMELESSNESS GRANT FUNDING FOR 201/2011**

Following consideration of the proposal within the report it was

**RESOLVED:**

- (a) that the additional DCLG Homelessness Grant of £10,000 for 2010/2011 to assist those under 25 to access the private rented sector be noted; and
- (b) that subject to officers being satisfied that additional funding is required and subject to DCLG approval, Homelessness Grant be utilised to support the proposal set out in the report.

167/10 **SHARED SERVICES BOARD (CONFIDENTIAL)**

The minutes of the meeting of the Shared Services Board held on 22nd March 2011 relating to confidential items were submitted.

**RESOLVED** that the minutes be noted

**RECOMMENDED** that the business case recommendations together with the delivery of a shared Leisure and Cultural Service by a single Leisure and Cultural Service management and development team hosted by Redditch Borough Council be approved.

168/10 **COUNCILLOR MRS J. DYER MBE AND COUNCILLOR R. D. SMITH**

The Leader referred to this being the last Cabinet meeting which Councillor Mrs. J. Dyer and Councillor R. D. Smith would be attending as they were not standing for re-election in May. The Leader thanked both Members for their hard work and wished them well for the future.

On behalf of himself and other Council officers the Chief Executive also thanked Councillor Mrs Dyer and Councillor Smith for the support and help they had given to officers during their time as Portfolio Holders.

The meeting closed at 7.55 p.m.

Chairman

## **BROMSGROVE DISTRICT COUNCIL**

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

**TUESDAY, 5TH APRIL 2011 AT 5.30 P.M.**

PRESENT: Councillors S. R. Colella (Chairman), D. L. Pardoe (Vice-Chairman), R. J. Deeming, Mrs. R. L. Dent, J. A. Ruck, C. R. Scurrall, Mrs. C. J. Spencer (Present from Minute No. 25/10 to Minute No. 30/10), C. B. Taylor, C. J. Tidmarsh and L. J. Turner

Invitees: Councillor G. N. Denaro and Councillor M. J. A. Webb

Officers: Ms. J. Pickering, Mrs. C. Felton, Mr. G. Revans, Ms. R. Dunne, Mrs. A. Wardell-Hill, Ms. S. Horrobin and Ms. A. Scarce

#### 25/10 **APOLOGIES**

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

#### 26/10 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest or whipping arrangements.

#### 27/10 **COMMUNITY INVOLVEMENT IN LOCAL DEMOCRACY - PRESENTATION (INCLUDING 12 MONTH REVIEW)**

The Board received a presentation from the Senior Corporate Policy and Performance Officer which highlighted the work that had been carried out in both Local Democracy Week and Democracy Year 2010/11, and which had formed a part of the recommendations put forward by the Community Involvement in Local Democracy Task Group in May 2010.

The Senior Corporate Policy and Performance Officer informed Members that Local Democracy Week had been timed to lead into the local election and had brought together colleagues from different departments within the Council and external partners, with a particular focus on young people through schools and youth centres. The activities had been designed to cover different areas of the District, had produced a programme that could be repeated in the future, developed relationships with community and provided ongoing engagement with democracy. The following areas were covered in detail within the presentation:

- A market stall in Bromsgrove Town Centre manned by the Elections Team.

- Work at Rubery Youth Centre including meeting with the Youth Management Team and the design of a Decision Makers Questionnaire.
- Visit to Haybridge High School to deliver a lesson on women in democracy, which was linked to International Woman's Day. A group of students attended the Council's celebration of this event which was held in the Spadesbourne Suite.
- Several local schools took part in Community Clean-ups.
- Sessions with young people took place at Woodrush High School and Youth Centre which explored what democracy meant to the young people.
- Information was provided to students and staff on voting and elections, with a "mock" polling station. at NEW College at the Bromsgrove and Redditch campuses.
- Work with the Youth Management Team at the Trunk which discussed the qualities of a good representative and issues relevant to young people.

The Senior Corporate Policy and Performance Officer also informed Members that as a result of the success of the activities, the following items were planned for the future:

- Web pages for young people would be developed.
- The X-press Democracy Magazine would be updated.
- Engagement with Young People was being reviewed in partnership with the Children and Young People Theme Group and 2 mini conferences were proposed.
- The possibility of inviting representatives of the Worcestershire Youth Cabinet in to meet Councillors.

The Board asked what, if any, the future plans were for this type of work to be carried out in future years. The Head of Legal, Equalities and Democratic Services informed Members that an evaluation of the activities would be carried out and those which had been most successful and had the most benefit to the Council, would be built upon for future years, and it was anticipated that similar exercises, wherever possible, would be carried out in 2011/12 and 2012/13. Material had been provided to some schools to enable them to include some of the areas covered within their own Citizenship lessons and information would also be made available on the website in due course.

The Chairman thanked the Senior Corporate Policy and Performance Officer for providing a very informative presentation.

28/10 **MINUTES**

The Minutes of the Overview and Scrutiny Board meeting held on 1st March 2011 were submitted.

**RESOLVED** that the minutes be approved as a correct record.

The Board was provided with updates on the matters arising from Minute No. 15/10 and the Head of Environmental Services confirmed that the financial information would be provided, via email, for Members as soon as it was available.

29/10 **ENFORCEMENT AND FIXED PENALTY NOTICES FOR ENVIRONMENTAL SERVICES - BRIEFING PAPER**

The Chairman welcomed the Head Of Environmental Services, the Environmental Services Manager and the Waste & Street Scene Policy, Publicity and Performance Manager to the meeting and advised that an opportunity to pre-scrutinise the Enforcement and Fixed Penalty Notices for Environmental Services had been requested by Members at the meeting held on 1st March 2011.

The Portfolio Holder for Community Services introduced the briefing paper which outlined the use of enforcement action to tackle environmental problems such as fly-tipping and dog fouling and the opportunities for continued improvement to street cleaning performance and improved environmental enforcement within the Council. The Portfolio Holder gave details of what was classed as 'environmental crime' and the 5 stage approach for dealing with the offences, which were detailed in the proposed Joint Environmental Enforcement Strategy. Members had also been provided with details of the level of Fixed Penalty Notices (FPNs) for the various environmental crimes.

The Head of Environmental Services informed Members that, although Redditch Borough Council's (RBC) area and needs were slightly different to those of Bromsgrove District Council's, the enforcement and FPNs for Environmental Services had been successful at RBC, for example there had been a reduction in fly-tipping from 1,270 cases in 2007 to 870 cases in 2010.

A full report would be presented to Cabinet at the meeting to be held on 6th June 2011 and the Portfolio Holder informed Members that, if the report was agreed at this meeting, introduction of the FPNs would be implemented as quickly as possible. However, this would be dependant upon the recruitment of staff. It was anticipated that there would be 3 Environmental Enforcement Officers across the Shared Service and the benefits of this would include the provision of cover for sickness and holidays.

The Board discussed how the 5 stage approach would work and the difficulty in gathering evidence for the court proceedings stage. Members also discussed under what circumstances an FPN could be issued and the necessity to use all stages of the process. The use of covert investigations was also discussed and Members were informed that there was a significant amount of legislation which governed this type of investigation. The Head of Environmental Services informed Members that it was envisaged that preventative work through education of residents would play a large part in reduction of offences in the District.

**RESOLVED** that the briefing paper be noted and that the Board include a review of the Enforcement and Fixed Penalty Notices within Environmental Services policy, following implementation, on the Work Programme.

30/10 **COUNCIL PLAN 2011-2014 REPORT**

The Board considered a report on the Council Plan 2011-2014. The Senior Corporate Policy and Performance Officer informed Members that the Council Plan had been restructured this year in order to take account of both the financial and political changes that have taken place.

The Executive Director, Finance and Corporate Resources informed Members that there was less actions and objectives in the Council Plan than in previous years. This was due to the Council bringing forward the Shared Service and Transformation programme from a 3 year time schedule to 18 months. Heads of Service had therefore been asked to include only achievable actions and objectives, as it was imperative that the Shared Service and Transformation programme be completed within the timeline set.

The Board discussed the following in more detail:

- Implementation of the Countywide Housing Strategy Action Plan
- The review of protocols and procedures relating to the homelessness service.
- Installation of Solar panels
- Who the Council Plan was aimed at.
- Duplication of information within the Plan and the format of the Plan in future years.
- Key Performance Indicators for older people.

**RESOLVED** that the Council Plan for 2011-2014 be noted.

31/10 **ALTERNATIVE ARRANGEMENT TO THE PLACE SURVEY**

The Senior Corporate Policy and Performance Officer informed the Board that the Place Survey and the majority of performance indicators included within it had been abolished. In the past this had been dealt with through Worcestershire Viewpoint, in partnership with all districts and the County Council. The funding for this would remain in place until May 2012 and the Council would continue to make use of this facility for benchmarking purposes.

At a more local level, the Head of Leisure and Cultural Services and the Head of Customer Service would also be involved in providing more district relevant questions, including customer satisfaction, for a predominantly online questionnaire which would run each quarter. This would be promoted by the business card system, which was a process used successfully on previous occasions. The business card would direct people to the County Council Business Portal which the Council had access to and although led by the County Council the documentation would be Council branded. This portal had already been used for the Core Strategy and Town Centre consultations. The Senior Corporate Policy and Performance Officer informed Members that the

facility was able to collate the data into a suitable format for use in what ever way the Council required, whilst also allowing a printable version of the questions to be used when necessary.

The Chairman thanked the Senior Corporate Policy and Performance Officer for the update.

32/10 **MINUTES OF THE MEETING OF THE OLDER PEOPLE'S TASK GROUP 12 MONTH REVIEW HELD ON 9TH MARCH 2011**

The Chairman introduced this item and explained that the Minutes of the Older People Task Group Review had been provided as an update to the progress that had been made in implementing the recommendations following the Task Group Report which had been received by Cabinet on 3rd March 2010. After discussion it was

**RESOLVED:**

- (a) that progress on the recommendations as set out in the Minutes be noted;
- (b) that the Overview and Scrutiny Board include a review of the Worcestershire County Council's draft Older People's Strategy in the Work Programme;
- (c) that the Director of Policy, Performance and Partnerships continues to scope the possibility of a handbook for GPs on the health related services that the Council provides and to source possible funding for this;
- (d) that the Portfolio Holder for Older People, the Young and Vulnerable, the Director of Policy, Performance and Partnerships and the Age Well Co-ordinator promote the activities offered for the over 50s via the Parish Council Forum;
- (e) that the Director of Policy, Performance and Partnerships revisit and review the Older Person's Services Directory and mapping exercise during 2012/2013 and considers involving the Parish Council Forum when undertaking this exercise;
- (f) that the Director of Policy, Performance and Partnerships contact the Older People's Forum regarding its help with a mystery shopping exercise specifically on older people's services;
- (g) that the Director of Policy, Performance and Partnerships engages with the Portfolio Holder and the Older People's Forum to look at the possibility of championing a 'Village Agents' project for 2011;
- (h) that the Director of Policy, Performance and Partnerships and the Benefits Services Manager look at including benefits information in the leaflets produced and distributed by Lifeline Officers; and
- (i) that the Director of Policy, Performance and Partnerships and Climate Change Manager look at ways of engaging with specific partner agencies, for information and promoting energy saving ideas for older people and to use any future Older People's events to promote these ideas.

33/10 **OVERVIEW AND SCRUTINY BOARD QUARTERLY RECOMMENDATION TRACKER**

The Board considered the Quarterly Recommendation Tracker Report and Officers provided a verbal update on progress in respect of the recommendations from the Alvechurch Multi-Use Games Area (MUGA) Inquiry. Members requested that the recommendations from the MUGA Inquiry remain on the Quarterly Recommendation Tracker Report until the 12 month review had taken place.

Officers advised that following the presentation on Local Democracy and the updated information provided in the Minutes of the Older People Task Group, the Tracker Report would be amended accordingly.

After further discussion it was

**RESOLVED** that the Quarterly Recommendation Tracker be noted and the completed items be removed from the Tracker.

34/10 **FORWARD PLAN OF KEY DECISIONS 1ST APRIL TO 31ST JULY 2011**

The Board considered the Forward Plan of Key Decisions and agreed, after discussion that as there was not a meeting of the Board until 13th June 2011 it was not appropriate to put forward any item from the Forward Plan for scrutiny at this time.

35/10 **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME**

The Board considered the Work Programme and was informed by Officers that the Head of Leisure and Cultural Services was not available to attend the meeting on 13th June 2011 in respect of the Silverdale Play Area Petition item. Members requested that a detailed report still be provided at that meeting and if necessary, the Head of Leisure and Cultural Services attend a subsequent meeting to answer any further questions which may arise.

**RESOLVED** that the Work Programme be noted, subject to the above amendment.

The meeting closed at 7.12 p.m.

Chairman

## BROMSGROVE DISTRICT COUNCIL

### MEETING OF THE AUDIT BOARD

MONDAY, 11TH APRIL 2011 AT 4.00 P.M.

PRESENT: Councillors S. R. Peters (Chairman), B. Lewis F.CMI (Vice-Chairman),  
Ms. H. J. Jones and C. R. Scurrall

Also in attendance: Mr. D. Evans, Audit Commission (during Minute No's  
42/10 to 51/10)

Officers: Ms. J. Pickering, Mr. A. Bromage and Ms. P. Ross

42/10 **APOLOGIES**

An apology for absence was received from Councillor D. Hancox.

43/10 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

44/10 **MINUTES**

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

**RESOLVED** that the minutes be approved as a correct record.

45/10 **AUDIT COMMISSION CERTIFICATION OF CLAIMS AND RETURNS -  
ANNUAL REPORT 2009/2010**

The Chairman welcomed Mr. D. Evans from the Audit Commission to the  
meeting.

Mr. D. Evans presented the Audit Commission Certification of Claims and  
Returns Annual Report undertaken during 2009/2010. He informed Members  
that grant paying Government Departments attached conditions to grants and  
that the Council had to show that it had met those conditions. The certification  
work carried out by the Audit Commission involved applying prescribed tests  
designed to give reasonable assurance that claims and returns were fairly  
stated and followed specified terms and conditions. The following three claims  
had been certified:

- Housing Benefit and Council Tax Benefit
- National non domestic rates
- Disabled Facilities grants

The Chairman and Portfolio Holder for Resources expressed concern that a further 20 housing benefit cases had had to be tested, after the initial 20 housing benefit cases had identified an error, an overpayment of benefit of 33 pence. The Chairman and Portfolio Holder for Resources had been surprised that a de minimis had not been set and that due to this error being identified, the Audit Commission had submitted a qualification letter to the Department for Work and Pensions (DWP).

Members noted that the fees charged for grant certification work in 2009/2010 for the three claims had significantly reduced. This had been due to the Council's quality of working papers being improved in all areas.

**RESOLVED:**

- (a) that the Certification of Claims and Returns – Annual Report be noted;
- (b) that officers respond to the Recommendations as set out in the report; and
- (c) that the Portfolio Holder for Resources to correspond with the DWP regards no de minimis being set for the testing of claims.

46/10 **UNIVERSAL CREDIT AND ITS IMPACT ON LOCAL AUTHORITIES**

Members considered a report which provided details of the latest proposals concerning Universal Credit and the creation of a Single Investigation Service by the Department for Work and Pensions (DWP).

**RESOLVED** that Members review the contents of the report and the likely impact to local authority benefits and benefit fraud work.

47/10 **TREASURY MANAGEMENT STRATEGY STATEMENT & INVESTMENT STRATEGY 2011/2012 - 2013/2014**

Consideration was given to a report on the Treasury Management Strategy Statement and Investment in relation to Bromsgrove District Council which had been prepared to comply with the Local Government Act 2003 and to ensure that the Council demonstrated accountability and effectiveness in the management of its funds.

Members noted that to comply with Treasury Management Best Practice, the Performance Indicators included in the report had previously been reported to Cabinet on 23rd February 2011.

**RESOLVED:**

- (a) that the Audit Board undertake additional scrutiny of the Strategy during 2011/2012 to ensure the Council's investments were being managed in a risk free environment;
- (b) that the Authorised Limit for borrowing at £3,500,000 if required be noted;
- (c) that the maximum level of investment to be held within each organisation (i.e. bank or building society) at £1m subject to market conditions as detailed at Appendix D to the report be noted; and

- (d) that it be noted that a need for training for Treasury management had been identified and would be incorporated within the Modern Councillor Programme (Training and Development Events for Members).

**RECOMMENDED:**

- (a) that the Council approves the Treasury Management Strategy Statement and Investment Strategy 2011-2012 to 2013-2014 as detailed at Appendix 1 to the report; and
- (b) that the Council approves the unlimited level for investment in Debt Management Account Deposit Facility (DMADF)

48/10 **INTERNAL AUDIT DRAFT OPERATIONAL PLAN 2010/2011**

Members considered a report which presented the Bromsgrove District Council's Internal Audit Draft Operation Plan 2011/2012 and the Internal Audit Shared Service's set of key performance indicators for 2011/2012.

Mr. A. Bromage, Worcestershire Internal Audit Shared Service, Audit Manager presented the report and informed Members of the objectives of the Worcestershire Internal Audit Shared Service. The Audit Manager and the Executive Director Finance and Corporate Resources responded to Members' questions regards the reduced resource allocation for 2011/2012.

The Audit Manager informed Members that the Service Manager of the Worcestershire Internal Audit Shared Service was confident that she could provide management and those charged with governance with the assurances and coverage that they required over the system of internal control within the reduced resource allocation. The introduction of a consistent audit methodology and computerised audit software for 2011/2012 would result in a more efficient way of undertaking, documenting and managing work. This would lead to a reduction in the number of days required for audit reviews without a proportionate reduction in the assurances and coverage provided to management as more audits would be covered within a given resource allocation than would have been the case in previous years.

The Audit Manager informed Members that operational progress against the Internal Audit Plan for 2011/2012 would be closely monitored by the Service Manager of the Worcestershire Internal Audit Shared Service. The success or otherwise of the Internal Audit Shared Service would be measured against the agreed set of Key Performance Indicators (KPIs) for 2011/2012. These KPIs would be reported, on a monthly basis, to the Shared Service's Client Officer Group, which comprised of the section 151 officers from client organisations and on a quarterly basis to the Audit Board.

**RESOLVED:**

- (a) that the Internal Audit Draft Operational Plan 2011/2012 as detailed in Appendix A to the report be approved; and
- (b) that the Internal Audit Shared Service's set of key performance indicators for 2011/2012 as detailed in Appendix B to the report be approved.

49/10 **INTERNAL AUDIT PERFORMANCE AND WORKLOAD**

Consideration was given to a report that provided a summary of the current performance and workload of the Internal Audit Section.

**RESOLVED:**

- (a) that the current status and work completed in the Audit Plan up to 28th February 2011 be approved;
- (b) that the Current Performance Indicator statistics be noted; and
- (c) that amendments to the section's standard documentation be noted.

50/10 **RISK MANAGEMENT TRACKER - QUARTER 3**

Members considered a report which presented an overview of the current progress in relation to Actions/Improvements (actions) as detailed in the service area risk registers for the period 1st April 2010 to 30th December 2010. Members were asked to note that Regulatory Services were currently not included within the risk management process to allow for the shared service to be fully embedded.

The Executive Director Finance and Corporate Resources informed Members that a full review of risk management was being undertaken. Currently the focus had been on departmental risk registers and she thought that Audit Board Members should be provided with a higher level of review and that a more strategic corporate risk register should be developed to include the transformation process and shared services. Members were asked to note that as from April 2011 Regulatory Services would be included within the newly developed corporate risk register.

**RESOLVED** that the progress to date against all service area risk register actions for 1st April 2010 to 30th December 2010, Quarter 3, be noted.

51/10 **LOCAL GOVERNMENT ACT 1972**

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

<u>Minute No.</u>	<u>Paragraphs</u>
52	3 and 7

52/10 **RECOMMENDATION TRACKER**

Members considered a report that presented a summary of progress to date against audit report "priority one" and key "priority two" findings and agreed actions.

The Audit Manager presented the report and referred to Appendices 1 and 2 of the report. The Audit Manager responded to the Chairman with regard to the lack of update information provided by management for any of the “priority one” and for 2 of the “priority two” findings.

Members agreed that as no update had been provided and no input had been received from management, the information presented had been virtually the same information presented during the December 2010 Audit Board meeting and therefore no further discussion was required.

**RESOLVED:**

- (a) that the “priority one” and key “priority two” findings and agreed actions as set out in Appendices 1 and 2 to the report be noted; and
- (b) that any necessary action and reporting process be agreed.

**RECOMMENDED** that the Portfolio Holder for Resources be requested to determine if the findings had been a “priority one” or “priority two” finding and managers be informed that it was imperative that they provided an update on all “priority one” and “priority two” findings to future meetings of the Audit Board.

The meeting closed at 4.44 p.m.

Chairman

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# Agenda Item 6

**THERE ARE NO ENCLOSURES FOR THIS AGENDA ITEM**

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## BROMSGROVE DISTRICT COUNCIL

### **CABINET REPORT**

1st June 2011

#### **ENFORCEMENT ACTION & FIXED PENALTY NOTICES FOR ENVIRONMENTAL SERVICES**

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

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

- 1.1 This report outlines the opportunities for continuing to improve environmental enforcement within Bromsgrove District. With the addition of an Environmental Enforcement Officer, Bromsgrove District Council will be in a position to continue improving Street Cleansing performance
- 1.2 Comparisons with neighbouring Councils and in particular with Redditch Borough Council identify the importance and effectiveness of environmental enforcement.
- 1.3 This report draws attention to the shift in environmental enforcement issues being dealt with at a local level within local authorities and moving away from the jurisdiction of the local police force through the amendments to legislation in the Clean Neighbourhoods and Environment Act (CNEA) 2005.
- 1.4 This report seeks the approval of delegated authorities to nominated officers in order to carry out the relevant regulatory powers to tackle environmental crimes.

#### **2. RECOMMENDATIONS**

- 2.1 **That Cabinet formally resolve the in principle decision made on 2<sup>nd</sup> February 2011 to vire savings within Environment Services to fund the post of Environmental Enforcement Officer.**
- 2.2 **That Cabinet recommend to Full Council:-**
  - (i) **that members approve and adopt the Environmental Strategy at Appendix A in accordance with the powers for adoption as set out at Appendix A (i) together with the statutory powers to enable Fixed Penalty Notices to be issued as set out in Appendix B;**
  - (ii) **that members approve and adopt the delegations to officers set out in Appendix C and grant delegated authority to Head of Legal,**

**Equalities and Democratic Services to make any consequential amendments to the Constitution;**

- (iii) **that members approve and adopt the recommended levels for fixed penalty notices as set out in Appendix B, on the basis that these amounts will form part of the Councils Fees and Charges and will be subject to future adjustment by Cabinet as part of the annual review of fees and charges.**

**3. BACKGROUND**

- 3.1 In order to reduce crime and the fear of crime within a neighbourhood, signs of even low level crimes such as environmental crimes, need to be removed or reduced, as litter and dirty streets, graffiti, dumped rubbish and cars all give a feeling of unease whilst at the same time encouraging similar criminal behaviour. Environmental crimes have an adverse impact on the local environment and quality of life.
- 3.2 To mitigate against environmental crime, a comprehensive Environmental Enforcement Strategy is required which focuses on not only the traditional aspects of environmental management, such as litter picking and sweeping and enforcement but also the softer elements such as advice giving and education (including both perpetrators and observers). However, by ensuring cases which do lead to enforcement are well publicised, a clear message will be sent out to other potential perpetrators of environmental crime.
- 3.3 Under the Environmental Protection Act (EPA) 1990, the Council has a duty to keep streets and public spaces clean and clear of litter and refuse. A range of powers for local authorities came into effect under the Clean Neighbourhoods and Environment Act (CNEA) 2005. The CNEA has extended local authority powers to deal with issues that are considered environmental crime.
- 3.4 There is increasing expectation from residents regarding enforcement against environmental crime. This is particularly pertinent as other Worcestershire<sup>1</sup> authorities have been using Fixed Penalty Notices (FPNs) for some years and the expectation to provide a similar level of same service within this District is not unreasonable.

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<sup>1</sup> Redditch Borough Council, Wyre Forest District Council, Wychavon District Council, Worcester City Council and Malvern District Council

**CABINET REPORT**

**1st June 2011**

- 3.5 Historically the Council has taken a line of no enforcement and instead relied on educating residents where the opportunity arose with positive messages through the press. Awareness campaigns on dog fouling and litter have been carried out and local business have been sent leaflets on fly-tipping through the annual business rates mailer. However education and enforcement need to sit hand in hand in order to give the advisory approach enough authority to become effective.
- 3.6 Limited enforcement activities have been undertaken including warning letters and 2 attempted prosecutions for fly-tipping. Other legislation can be used to deal with environmental problems, for example planning legislation relating to unkempt land and fly-posting will be used by Regulatory Services where officers will decide which is the best legislation to use and where necessary co-ordinate enforcement action.
- 3.7 An Environmental Enforcement Strategy needs to be transparent, making clear what is acceptable and unacceptable and the consequences of non compliance ensuring consistency and proportionality across all offences.
- 3.8 In particular, fly-tipping is a crime which is of significant concern for Bromsgrove District. During 2006-2010 5,164 incidents were recorded and responded to; this is the highest level within the county. For all other authorities in Worcestershire there is an overall decreasing trend in the number of reported fly-tips, conversely for Bromsgrove the figures show an upward trend.
- 3.9 Redditch Borough Council has employed the use of FPNs and 2 environmental enforcement officers since 2005. The officers have used enforcement actions to support operational activities and deter and penalise accordingly for litter and fly-tip offences, dog fouling and offences relating to waste receptacles.
- 3.10 A graduated 5 stage approach is proposed as a fundamental principle when applying any enforcement activity ranging from stage 1 for less serious offences, through to stage 5 as detailed below;

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

- 3.11 The Environmental Enforcement Officer would be given complete discretion towards the severity of the penalty. It should also be noted it is not necessary to progress through the stages and offences can be taken to stage 5 on a first account if this is considered appropriate.
- 3.12 The flexible approach as laid out in 3.10 means that the perpetrator of the crime may be allowed to pay for a contractor to clean up the resulting litter or fly posting etc. This allows the Council to direct resources where they are required and reduces Council costs. The perpetrator will therefore bear the full cost of the clean up, whilst foregoing the prescribed FPN which can be higher than the associated FPN itself.
- 3.13 The graduated approach to enforcement reduces the likelihood of appeals being made. However an appeal can be made by using the Council's corporate complaints system. The Service manager will review and respond to each case with the case being referred to the Head of Service or Director where appropriate. Where a fixed penalty notice remains unpaid, cases will be referred to Legal Services in order that prosecution can be considered.

**4. KEY ISSUES**

- 4.1 Essential to the success of an Environmental Enforcement Strategy is an enforcement officer post that will be responsible for applying proportionate enforcement action for environmental crimes where necessary. An environmental enforcement officer position would compliment street cleansing activities and enable thorough investigations of environmental crime as well as acting as a deterrent by having a presence in targeted locations.
- 4.2 The environmental enforcement officer would follow up on environmental crimes and carry out full investigations including gathering evidence, taking witness statements, undertaking PACE<sup>2</sup> interviews, preparing case files and attending court proceedings. Outcomes from all investigations will fall into one of the 5 categories outlined in 3.10.
- 4.3 In particular the officer would pursue enforcement action relating to:
- general littering on both council and private open space
  - fly-tipping

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<sup>2</sup> Police and Criminal Evidence Act Interview as outlined in the Police and Criminal Evidence Act, 1984

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- dog fouling
  - abandoned cars
  - graffiti
  - fly-posting
  - waste offences such as bins left on streets and non compliance with the statutory notice
- 4.4 The officer would target particular hotspot areas as well as undertaking reactive investigations from across the district.
- 4.5.1 The creation of the new environmental enforcement officer post will be reliant upon the deletion of an existing street cleansing post which is concerned in the main with fly-tipping clearance; the work of which will be covered by other street cleansing staff, and other changes to the street cleansing service that will release the required resources.
- 4.6 Many local authorities have chosen to use FPNs as an enforcement mechanism in combating environmental crimes. The use of FPNs is considered to be an effective deterrent against environmental crime providing they are used as part of a wider environmental approach as outlined in 3.10. The CNEA extends the range of offence that FPNs may be issued for as well as allowing local authorities discretion to agree the level to be charged. Fixed Penalty Notices should be adopted as an enforcement option as part of the 5 stage approach (see 3.10) as this will provide the Council with a full arsenal of appropriate enforcement measures to tackle environmental crimes.
- 4.7 The Community Safety Team also wishes to use the powers requested by this report, to compliment their existing delegated powers from West Mercia Police to combat anti-social behaviour (ASB). Incidents of anti-social behaviour and environmental crime are often overlapping; for example there are clear links between incidents of fly tipping and the risk of deliberate fires, graffiti and criminal damage, alcohol misuse in the street and litter. The CNEA powers within this report will allow the Community Safety Team to take an integrated approach to tackle ASB and environmental crime.
- 4.8 The Council currently employs two Neighbourhood Wardens and a third is funded through the Community Safety Partnership and joint working with this team will greatly enhance capacity to deal with environmental crime. Neighbourhood Wardens with additional CNEA powers will also have a positive impact in dealing with anti-social behaviour, as one example, an FPN may be issued to those who litter the streets and open spaces with

alcohol containers as well as having their alcohol confiscated. Neighbourhood Wardens already undertake enforcement activities as well as deliver interventions to prevent crime, raise awareness within communities and undertake community engagement. Wardens are well equipped, skilled and experienced in tackling ASB, tackling environmental crime would be a natural evolution in the service they provide to communities.

- 4.8 The environmental enforcement service will be introduced as a shared service with Redditch Borough Council.

**5. FINANCIAL IMPLICATIONS**

- 5.1 The cost of employing one full time environmental enforcement officer , including provision of a vehicle, publicity materials and on costs will be in the region of £40K.
- 5.2 Budgetary provision does not currently exist for this purpose, however funding for the new post will be met from existing staffing budgets, due to an anticipated vacancy within the street cleansing team in the new financial year (2011/12).
- 5.3 There is a potential amount of income generation through the issuing of FPNs, however, the amount is unknown and is unlikely to be significant. Any receipts made from FPNs are currently confined to being directed towards spend by the Council within the area of Environmental Crime.
- 5.4 No monies are required to be vired across into the Street Cleansing budget, however the establishment list will need to be brought into line with any change in staffing structure to reflect staffing cost requirements.

**6. LEGAL IMPLICATIONS**

- 6.1 The Environmental Protection Act 1990 is a key piece of legislation with regards to waste and the Council's responsibilities on dealing with it.
- 6.2 The Clean Neighbourhoods and Environment Act, 2005 is fundamental to allowing authorised officers of the Council to serve Fixed Penalty Notices on perpetrators of environmental crimes.

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**1st June 2011**

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

**7. POLICY IMPLICATIONS**

- 7.1 A Joint Environmental Enforcement Strategy covering both Bromsgrove and Redditch is attached at Appendix A and will require Council approval prior to implementation.

**8. COUNCIL OBJECTIVES**

- 8.1 One Community  
8.2 Value for Money  
8.3 Town Centre

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS**

- 9.1 The main risks associated with the details included in this report are:
- Increasing Environmental Crime;
  - Unsafe communities (real and perceived);
  - Negative Impact on street cleanliness and associate National Indicators<sup>3</sup>
- 9.2 Currently the risks identified in are not addressed by any risk register and will be added to the Environmental Services risk register in due course.

**10. CUSTOMER IMPLICATIONS**

- 10.1 Residents will benefit from the Council undertaking environmental enforcement as the environmental quality of areas will improve.
- 10.2 Publicity will be undertaken to raise awareness of environmental crimes through the activities of the environmental enforcement officer. This will be particularly pertinent at the launch of the new enforcement activities where full coverage will be given to the environmental crimes covered and the new range of enforcements available to the Council.

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

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

**11. EQUALITIES AND DIVERSITY IMPLICATIONS**

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

**12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT**

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

**13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY**

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

**14. HUMAN RESOURCES IMPLICATIONS**

- 14.1 The creation of the new Environmental Enforcement Officer Post will be overseen by Human Resources and will be governed by relevant policies and procedures.

**15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS**

- 15.1.1 In undertaking enforcement activities for environmental crime, Environmental Services will be able to improve performance on actions against fly-tipping (formerly monitored by NI196) and also to show continuing improvement on the quality of street cleaning (formerly NI195).
- 15.1.2 With the introduction of enforcement activities, over time there should be a marked reduction in environmental crimes as outlined in 4.3.

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

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

**17. HEALTH INEQUALITIES IMPLICATIONS**

17.1 None.

**18. LESSONS LEARNT**

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

**19. COMMUNITY AND STAKEHOLDER ENGAGEMENT**

19.1 None

**20. OTHERS CONSULTED ON THE REPORT**

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

**21. WARDS AFFECTED**

All Wards

**22. APPENDICES**

**CABINET REPORT**

**1st June 2011**

Appendix A Joint Environmental Enforcement Strategy for Bromsgrove and Redditch

Appendix A (i) Powers For Adoption

Appendix B Overview of Fixed Penalty Notices

Appendix C Scheme of delegations plus list of legislation

**23. BACKGROUND PAPERS**

None

**24. KEY**

**Clean Neighbourhoods and Environment Act  
Environmental Protection Act  
Fixed Penalty Notices  
Redditch Borough Council  
ASB  
Behaviour**

**CNEA  
EPA  
FPN's  
RBC  
Anti**

**Social**

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## **CABINET**

Date: 1<sup>st</sup> June 2011

**AIR QUALITY MANAGEMENT AREA DECLARATION**  
**WORCESTER ROAD, BROMSGROVE**

Relevant Portfolio Holder	<b>Councillor Kit Taylor</b>
Relevant Head of Service	<b>Steve Jordan</b>
Non-Key Decision	

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

- 1.1 Part IV of the Environment Act 1995 requires local authorities to review and assess the current, and likely future, air quality in their areas against the objectives in the National Air Quality Strategy. Where objectives are likely to be exceeded, the local authority is required to designate an Air Quality Management Area (AQMA) for the relevant locations.
- 1.2 Monitoring and assessment undertaken at Worcester Road, Bromsgrove has concluded that the national air quality objective for nitrogen dioxide is being exceeded. Therefore designation of the area outlined in red on the appended plan as an AQMA is proposed.

### **2. RECOMMENDATIONS**

- 2.1 That Cabinet recommend to Full Council the formal designation of the area marked red on the plan attached at Appendix 1 as an Air Quality Management Area by the making of an order under section 83(1) of the Environment Act 1995.
- 2.2 That Cabinet recommend to Full Council that authority be delegated to the Head of Regulatory Services and the Head of Legal, Equalities and Democratic Services to prepare and sign the Air Quality Management Area order for Worcester Road.
- 2.3 That Cabinet/ Council note that in accordance with the relevant provisions of the Environment Act 1995, a provisional air quality Action Plan shall be completed within 18 months of the making of the Air Quality Management Area Order.

### **3. BACKGROUND**

- 3.1 Part IV of the Environment Act 1995 requires local authorities to review

and assess the current, and likely future, air quality in their areas against the objectives in the National Air Quality Strategy. Where objectives are likely to be exceeded, the local authority is required to designate an Air Quality Management Area (AQMA) for the relevant locations. An action plan must then be prepared setting out the measures to ensure that the air quality objectives within the area covered by the AQMA are not exceeded.

- 3.2 Bromsgrove District Council's Updating and Screening Assessment 2009 and Progress report 2010 concluded that it was necessary to proceed to a Detailed Assessment of nitrogen dioxide in Worcester Road, Bromsgrove.
- 3.3 The Detailed Assessment was completed in July 2010 and concluded that the air quality objective for nitrogen dioxide was being exceeded in Worcester Road, Bromsgrove. The report has been accepted by the Department for Environment, Food and Rural Affairs (DEFRA) as satisfactory. The full report can be viewed on Bromsgrove District Council's website or a hard copy can be provided on request.
- 3.4 The Detailed Assessment concluded that there are predicted exceedances of the annual mean nitrogen dioxide Air Quality Strategy objective of 40µg/m<sup>3</sup> at sensitive ground floor and first floor receptors along the Worcester Road. The maximum modelled annual mean nitrogen dioxide concentration in 2009 was 51.5µg/m<sup>3</sup>.
- 3.5 Annual mean nitrogen dioxide contour plots show that where receptors fall outside of the 40 µg/m<sup>3</sup> contour at ground-floor level, they tend to fall within the 36 µg/m<sup>3</sup> contour.
- 3.6 There is some uncertainty surrounding both the measured and modelled concentrations. It is therefore recommended that an AQMA is declared to include, as a minimum, those residential properties that lie within the 36 µg/m<sup>3</sup> contour to be precautionary.

#### **4. KEY ISSUES**

- 4.1 As established by the Environment Act 1995 Part IV, all local authorities in the UK are under a statutory duty to undertake an air quality assessment within their area and determine whether they are likely to meet the air quality objectives set down by Government for a number of specified pollutants. The process of review and assessment of air quality undertaken by local authorities is set out under the Local Air Quality Management (LAQM) regime and involves a phased three yearly assessment of local air quality. Where the results of the review and assessment process highlight that problems in the attainment of health-based objectives for air quality will arise, the authority is under a

statutory obligation to declare an Air Quality Management Area (AQMA) – a geographic area defined by high levels of pollution and exceedances of health-based standards.

The LAQM regime was first set down in the 1997 National Air Quality Strategy (NAQS) and introduced the idea of local authority 'Review and Assessment'. The Government subsequently published policy and technical guidance related to the review and assessment processes in 1998. This guidance has since been reviewed and the latest documents include Policy Guidance (LAQM.PG (09)) and Technical Guidance (LAQM.TG (09)). The guidance lays down a progressive but continuous framework for local authorities to carry out their statutory duties to monitor, assess and review air quality in their area and produce action plans to meet air quality objectives.

DEFRA and the Devolved Administrations released the latest Policy and Technical Guidance in February 2009, in anticipation of the fourth round of review and assessment. The fourth round began with an Updating and Screening Assessment (USA), which was completed by local authorities by the end of April 2009, and builds upon the Council's previous work in the first three rounds.

Previous Local Air Quality Management (LAQM) assessment work conducted by Bromsgrove District Council has also identified three AQMAs in Bromsgrove District:

- Lickey End Bromsgrove ( Junction 1 M42 roundabout)
- Redditch Road, Stoke Heath
- Kidderminster Road Hagley

Birmingham Road in Bromsgrove town centre is a potential location for future Detailed Assessment. However, the Council has been monitoring nitrogen dioxide using diffusion tubes at three worst-case locations on Birmingham Road. The results show that the annual mean objective for nitrogen dioxide has been met there for the last three years. Bromsgrove District Council will continue to monitor nitrogen dioxide concentrations on Birmingham Road and will proceed to a Detailed Assessment if exceedances of the annual mean objective are measured in the future.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 Further assessment work in the AQMA may require additional diffusion tube installation. The cost of this is minimal and can be carried out from the existing budget allocated for Local Air Quality Management.

**6. LEGAL IMPLICATIONS**

- 6.1 Part IV of the Environment Act 1995 requires local authorities to review and assess the current, and likely future, air quality in their areas against the objectives in the National Air Quality Strategy. Where objectives are likely to be exceeded, the local authority is required to designate an AQMA for the relevant locations. An action plan must then be prepared, setting out the measures to ensure that the air quality objectives within the area covered by the AQMA are not exceeded.

**7. POLICY IMPLICATIONS**

None identified in this report.

**8. COUNCIL OBJECTIVES**

- 8.1 Objective two – **Improvement**  
The outcome of this declaration will ensure that air quality issues in respect of traffic are formally highlighted and form part of considerations in the preparation of local transport plans in particular LTP3 that will be developed by the County Council.
- 8.2 Objective three – **Sense of Community and Well Being**  
It is envisaged that the eventual outcome of the declaration will lead to the air quality exceedances being reduced leading to increased well-being in health terms.
- 8.3 Objective four – **Environment**  
Resolution of traffic problems will lead to improvements in the environment.

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS**

- 9.1 The main risks associated with the details included in this report are:
- Failing to meet Statutory and Government demands relating to local air quality management as outlined in the above legislation. This item is included on the Planning and Environment Risk Register

- Failing to declare the Air Quality Management Area would be a reputational risk to the Council in relation to the objective Environment and Climate Change

9.2 These risks are being managed as follows:

- Risk Register: Planning and Environment
- Key Objective Ref No: 3
- Key Objective: Effective, efficient and legally compliant Environmental Health Service

**10. CUSTOMER IMPLICATIONS**

10.1 The recommendations will formally highlight the need for improved traffic management in the areas affected with the Highways Agency and Worcestershire County Council acting as the Highways Authority. It will also enable air quality to be a material consideration in respect of applications for new building developments requiring planning permissions.

**11. EQUALITIES AND DIVERSITY IMPLICATIONS**

11.1 There are no implications of this report which adversely affect the Council's Equalities and Diversity Policies.

**12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT**

12.1 None identified in this report.

**13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY**

13.1 It is envisaged that the eventual outcome of the declaration will lead to the air quality exceedances being reduced and a general improvement in air quality.

13.2 The recommendations will formally highlight air quality issues in respect of transport planning. The resolution of traffic problems will lead to improvements in the environment.

# **CABINET**

Date: 1<sup>st</sup> June 2011

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**14. HUMAN RESOURCES IMPLICATIONS**

14.1 There are no human resources implications.

**15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS**

15.1 None identified in this report

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

16.1 There are no community safety implications

**17. HEALTH INEQUALITIES IMPLICATIONS**

17.1 It is envisaged that the eventual outcome of the declaration will lead to the air quality exceedances being reduced leading to increased well-being in health terms.

**18. LESSONS LEARNT**

18.1 Previous Local Air Quality Management (LAQM) assessment work conducted by Bromsgrove District Council has also identified three AQMAs in Bromsgrove District:

- Lickey End Bromsgrove ( Junction 1 M42 roundabout)
- Redditch Road, Stoke Heath
- Kidderminster Road, Hagley

As referenced in the main body of the report the Council will continue to monitor the current AQMAs, the proposed AQMA at Worcester Road and the wider district

**19. COMMUNITY AND STAKEHOLDER ENGAGEMENT**

19.1 Local residents and businesses were consulted by letter on 15<sup>th</sup> November 2010 in relation to the outcome of the monitoring and the possible introduction of an AQMA.

In addition a drop-in session was held at St. Peters Community Centre, Rock Hill on 30<sup>th</sup> November 2010.

Comments and observations were invited.

**20. OTHERS CONSULTED ON THE REPORT**

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

**21. WARDS AFFECTED**

- Whitford Ward
- St. Johns Ward
- Charford Ward

**22. APPENDICES**

Appendix 1: Proposed AQMA Location Plan

**23. BACKGROUND PAPERS**

**CABINET**

Date: 1<sup>st</sup> June 2011

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- Detailed Assessment 2010
- Detailed Assessment & Progress Report Appraisal 2010

**24. KEY**

N/A

**AUTHOR OF REPORT**

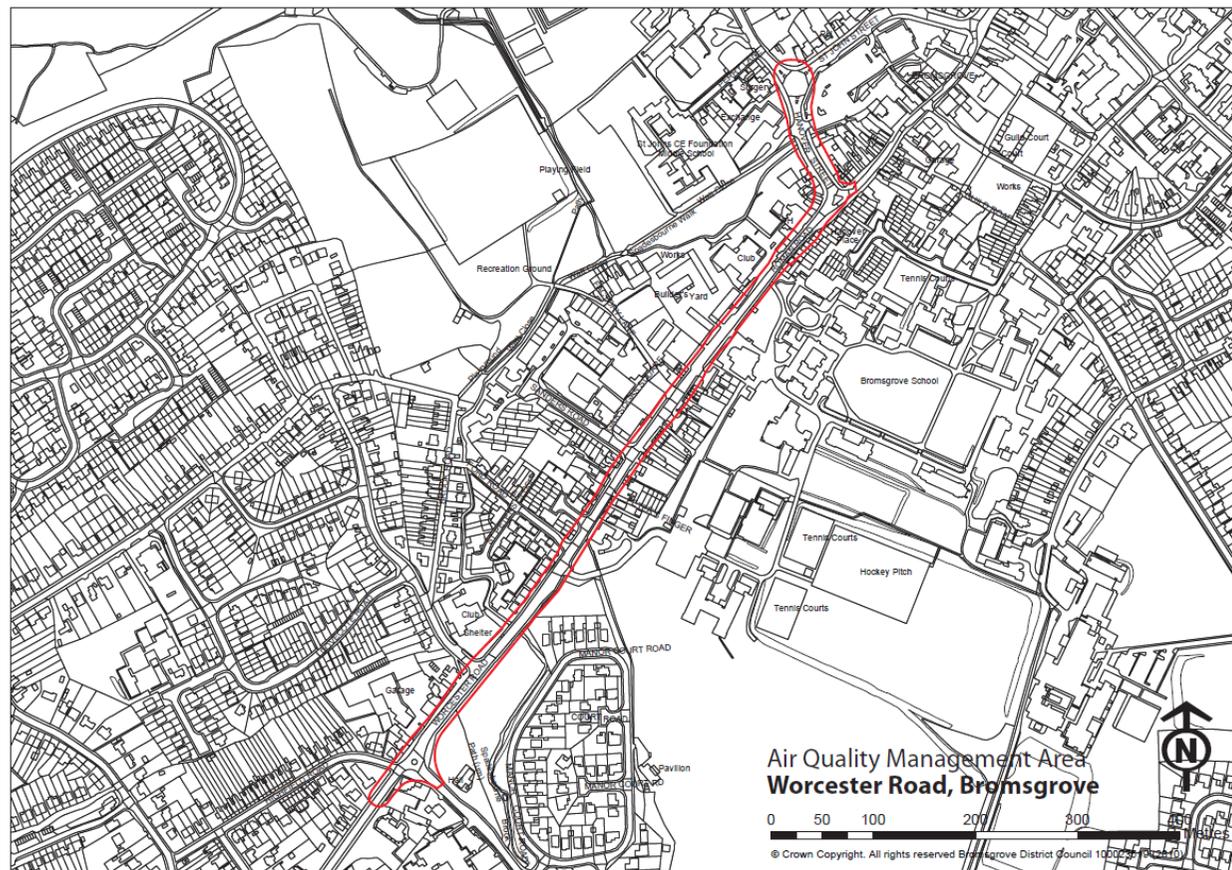
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# BROMSGROVE DISTRICT COUNCIL

## CABINET

Date: 1<sup>st</sup> June 2011

### APPENDIX 1: Proposed AQMA Location Plan



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## BROMSGROVE DISTRICT COUNCIL

### **CABINET**

1<sup>ST</sup> JUNE 2011

#### **PROPOSED AMENDMENTS TO THE BROMSGROVE TOWN CONSERVATION AREA AND DESIGNATION OF ST JOHNS CONSERVATION AREA**

Relevant Portfolio Holder	Councillor Kit Taylor
Relevant Head of Service	Ruth Bamford, Head of Planning and Regeneration
Non-Key Decision	

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

- 1.1 The Council has a statutory duty under s69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate any areas which they consider to be of special architectural or historic interest as Conservation Areas. The Council has a further duty under s71(1) to formulate and prepare proposals for the preservation and enhancement of its Conservation Areas.

#### **2. RECOMMENDATIONS**

- 2.1 That the Cabinet approve:

- the amended boundary of the Bromsgrove Town Conservation Area as described in the notice and schedule of properties attached as Appendix A.
- the designation of a new St. Johns Conservation Area as described in the notice and schedule of properties attached as Appendix B.

#### **3. BACKGROUND**

- 3.1 The Bromsgrove Town Conservation Area was originally designated by Worcestershire County Council in 1968 and was extended in 1983 and again in 1989. Initially defined as two sub areas, the St. Johns section became part of the town centre designation over time, despite a physical gap in the boundary between the High Street and St. John Street excluding the Market Hall site and the road.
- 3.2 The 2009 review of the Bromsgrove Town Conservation Area highlighted some potential boundary changes to focus on the main retail area and the alleyways leading beyond. The first proposed amendment would remove the western section of Worcester Road beyond the Hanover Street junction, from the Conservation Area. This amendment is proposed because that section has a limited relationship with the centre of

the Conservation Area and the few surviving historic buildings already have listed building status. The second proposed amendment is to designate a separate St. Johns Conservation Area (which is currently included in the Bromsgrove Town Conservation Area boundary) in recognition of its unique character.

- 3.3 The existing section of St. Johns included in the Bromsgrove Town Conservation Area includes St John Street, St Johns Church and Churchyard, Perry Lane, part of Kidderminster Road and part of Crown Close. It is proposed that this be extended to include Bromsgrove Cemetery and some additional properties on Church Lane and Crown Close and a separate designation made in recognition of the unique character of the area.

**4. KEY ISSUES**

- 4.1 A Conservation Area is defined in the 1967 Civic Amenities Act as “an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”. It is not the purpose of a Conservation Area to prevent development, but to manage change in a positive and proactive way that benefits current and future generations.
- 4.2 Conservation Area status means that a special form of Planning Permission called Conservation Area Consent is required for the total or substantial demolition of any building over 115m<sup>3</sup> in size, the demolition of a boundary wall over 1m in height next to the highway or 2m elsewhere, the removal of any agricultural building constructed before 1914 and removal of pre-1925 gravestones. There is a general presumption against the loss of buildings which make a positive contribution to the character or appearance of the Conservation Area. Some permitted development rights are restricted in Conservation Areas including the erection of dormer windows, satellite dishes and replacement signage. Additional controls are also placed over trees within the area, meaning that an owner must submit a formal notification of works to the Council six weeks before starting work.
- 4.3 When assessing applications for development within designated Conservation Areas, the Local Planning Authority must pay special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Areas under s72(1) of the Act. This does not mean that development will necessarily be opposed, only that this should not be detrimental to the significance of the wider Conservation Area.

- 4.4 The proposed boundary of the St. John's Conservation Area would include Bromsgrove Cemetery which is managed by the Council. If the cemetery is included this would have no impact on the maintenance liability or the programming of burials. The only additional procedure applies to the complete removal of any pre-1925 gravestones or any of the boundary walls surrounding the cemetery which would need a special type of Planning Permission called Conservation Area Consent. Normally a notification of works to trees is required within Conservation Areas, but as the trees within the cemetery are managed by the Council this would be dealt with internally between departments.
- 4.5 The Conservation Area Character Appraisals attached as Appendix C and D have no formal status and are used for information purposes only to support effective management of change within a Conservation Area. The documents would however be given some weight in the determination of planning applications and appeals, as it has been through a public consultation process. A character appraisal identifies the factors and features which make an area special, based on an in-depth assessment of an area's buildings, spaces, evolution and sense of place. Management proposals for the Conservation Areas have also been included as an appendix to the character appraisal document.

**5. FINANCIAL IMPLICATIONS**

- 5.1 None. The cost of preparing and advertising the changes to the Bromsgrove Town Conservation Area and designation of the new St John's Conservation Area is being met by the existing Strategic Planning team budget.

**6. LEGAL IMPLICATIONS**

- 6.1 The Council has a statutory duty under s69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate any areas which they consider to be of special architectural or historic interest as Conservation Areas. The Council has a further duty under s71(1) to formulate and prepare proposals for the preservation and enhancement of its Conservation Areas.
- 6.2 If the changes to the boundary of the Bromsgrove Town Conservation Area are approved, formal notifications would be sent to those properties which are omitted from the boundary. If the designation of the St. Johns Conservation Area is approved, formal notifications would be sent to each owner/occupier within the boundary.

- 6.3 The proposed changes to the Bromsgrove Town Conservation Area and the St. John's Conservation Area designation would also be advertised in the Bromsgrove Advertiser and London Gazette, and notifications would also be sent to the National Planning Unit, English Heritage and the Land Registry. There is no statutory right of appeal against Conservation Area designation.

**7. POLICY IMPLICATIONS**

- 7.1 If the designation of the new St. John's Conservation Area is approved by Cabinet, the Conservation Area status would be a material consideration in the determination of planning applications and appeals.

**8. COUNCIL OBJECTIVES**

**8.1 Objective 1 Regeneration: Priority 2 Town Centre**

The Bromsgrove Town and St. John's character appraisals shall be used as part of the evidence base for Policy CP16 of the draft Core Strategy 2 and the draft Town Centre Area Action Plan, which in turn supports the Council objective to regenerate the town centre.

**8.2 Objective 3 One Community and Well Being: Priority 4 One Community**

The main purpose of a Conservation Area designation is to highlight the importance of the historic environment and engage the local community in their cultural heritage. Details of the proposed changes to the Bromsgrove Town Conservation Area and designation of a new St. Johns Conservation Area were made available on the Council's website, at the Customer Service centre in the Dolphin Centre and the Council House to ensure that it reached a wide audience. The historic built environment is often seen as a traditional and elitist subject and we hope to address this by providing a more inclusive and accessible conservation service to the local community in the future.

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS**

- 9.1 These risks are being managed as follows:

**Risk Register:** Planning and Regeneration  
**Key Objective Ref No:** 5

**Key Objective:** Effective, efficient, and legally compliant Strategic Planning Service

**Key Control:** Carry out Conservation Area character appraisals and management plans in accordance with national planning guidance

**10. CUSTOMER IMPLICATIONS**

- 10.1 The public consultation has been carried out in line with current legislation and adopted standards contained in the Bromsgrove District Council Statement of Community Involvement (SCI).

**11. EQUALITIES AND DIVERSITY IMPLICATIONS**

- 11.1 None

**12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT**

- 12.1 All work related to the proposed designation and public consultation has been carried out by existing staff.

**13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY**

- 13.1 The retention and repair of historic buildings harnesses their embodied energy and reduces the need for the production of new building materials and associated construction energy costs.

**14. HUMAN RESOURCES IMPLICATIONS**

- 14.1 None

**15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS**

- 15.1 None

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

- 16.1 None

**17. HEALTH INEQUALITIES IMPLICATIONS**

- 17.1 None

**18. LESSONS LEARNT**

- 18.1 Any lessons learnt from the public consultation and designation process will influence proposals relating to other Conservation Areas in the future

**19. COMMUNITY AND STAKEHOLDER ENGAGEMENT**

- 19.1 A six week consultation period on the proposed changes to the Bromsgrove Town Conservation Area boundary, and the draft character appraisal and management proposals was undertaken from 21<sup>st</sup> January until 4<sup>th</sup> March 2010. This included an exhibition on the history of the High Street alongside the wider core strategy and area action plan consultation events from 14<sup>th</sup> to 26<sup>th</sup> February. Formal consultation letters were sent to those properties which would be removed from the boundary, plus local and national amenity societies, and information on the proposals were made available on our website to the general public. The consultation included the principle of splitting the existing designation into two separate Conservation Areas.
- 19.2 A second consultation period on the proposed designation of the St. Johns Conservation Area, draft character appraisal and management proposals was undertaken from 22<sup>nd</sup> March until 22<sup>nd</sup> April. This included an exhibition in the Customer Service Centre available from 25<sup>th</sup> March until 27<sup>th</sup> April. Formal consultation letters were sent to all residents within the proposed boundary, plus local and national amenity societies, the Diocese of Worcester and the Head of Environmental Services. Information on the proposals was also made available on our website to the general public.
- 19.3 A summary of the consultation comments received and the Councils response has been included as Appendix E and F. No objections were received to the designation of a new St. John's Conservation Area but some negative comments were received during the Bromsgrove Town consultation.

**20. OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	Yes
Chief Executive	
Executive Director (S151 Officer)	
Executive Director – Leisure, Cultural, Environmental and Community Services	
Executive Director – Planning & Regeneration, Regulatory and Housing Services	Yes

**BROMSGROVE DISTRICT COUNCIL**

**CABINET**

**1<sup>ST</sup> JUNE 2011**

Executive Director - Finance & Corporate Resources)	
Director of Policy, Performance and Partnerships	
Head of Service	Yes
Head of Resources	
Head of Legal, Equalities & Democratic Services	Yes
Head of Environmental Services	Yes
Corporate Procurement Team	

**21. WARDS AFFECTED**

St. Johns

**22. APPENDICES**

- A Notice and schedule of properties within the revised Bromsgrove Town Conservation Area
- B Notice and schedule of properties within the new St. Johns Conservation Area
- C Bromsgrove Town Conservation Area Character Appraisal
- D St. Johns Conservation Area Character Appraisal
- E Summary of consultation comments received on proposed changes to the Bromsgrove Town Conservation Area
- F Summary of consultation comments received on proposed designation of a St. Johns Conservation Area

**AUTHOR OF REPORT**

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## BROMSGROVE DISTRICT COUNCIL

### **CABINET**

1 JUNE 2011

#### MARCH (PERIOD 12) PERFORMANCE REPORTING

Relevant Portfolio Holder	Councillor Mark Bullivant
Relevant Head of Service	Hugh Bennett, Director of Policy, Performance and Partnerships
Non-Key Decision	

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

- 1.1 To report to Cabinet on the Council's performance at the year ending 31 March 2011 (period 12).

#### **2. RECOMMENDATIONS**

- 2.1 That Cabinet notes that 55% of PIs are stable or improving.
- 2.2 That Cabinet notes that that 59% met their target at the year end.
- 2.3 That Cabinet notes the performance figures for March 2011 as set out in Appendix 2. Detailed figures are shown in Appendix 3.
- 2.4 That Cabinet notes the comparisons to previous years as summarised in section 4.1.
- 2.5 That Cabinet approves the proposed revised reporting format for 2011/12 onwards, as set out in section 4.2 and section 4.3.

#### **3. BACKGROUND**

- 3.1 The full list of performance indicators due to be reported monthly is set out in **Appendix 2** where:-

On Target	I	Performance is Improving
Less than 10% from target	S	Performance is Stable
More than 10% from target	W	Performance is Worsening
No target set	N/a	No target set

- 3.2 Comparisons of overall performance improvements this month to last month are shown on Appendix 1.

#### **4. KEY ISSUES**

- 4.1 59% of PI's met their target in 2010/11, compared to 69% in 2009/10 and 78% in 2008/09. Although this is lower than previous years it should be noted that a further 14% of PI's missed their target by less than 10%, some of these by a very small margin.
- 4.2 As part of the implementation of the shared service for Policy, Performance and Partnerships team the resource available across Bromsgrove and Redditch Councils has decreased. One of the proposed actions to mitigate this is to move to a standard reporting system for both Councils. Examination of the two systems currently in use shows that the Redditch 'EDC' system is the better of the two systems and it is proposed to use this system to record and report performance for both Councils from 2011 onwards. An additional benefit of this system is that it will save some effort in all departments when they are recording their performance. The format of the performance report will change slightly; an illustrative layout is shown at appendix 4.
- 4.3 As it has already been determined that specific targets will not be applied to performance measures the concept of 'traffic lighting' performance no longer applies, hence, as can be seen in the example report shown at appendix 4, there are no traffic lights shown for each performance indicator. Performance will be identified as either Improving or Worsening.

**5. FINANCIAL IMPLICATIONS**

- 5.1 None

**6. LEGAL IMPLICATIONS**

- 6.1 None

**7. POLICY IMPLICATIONS**

- 7.1 None

**8. COUNCIL OBJECTIVES**

- 8.1 Performance reporting & management links to the Improvement objective

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS**

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

- Data quality problems
- Poor performance

9.2 These risks are being managed as follows:

- Implementation of the Data Quality Strategy
- Robust follow up on performance issues, including performance clinics

9.3 There are no Health & Safety considerations.

**10. CUSTOMER IMPLICATIONS**

10.1 Performance Improvement is a Council Objective.

**11. EQUALITIES AND DIVERSITY IMPLICATIONS**

11.1 None.

**12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT**

12.1 None.

**13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY**

13.1 None.

**14. HUMAN RESOURCES IMPLICATIONS**

14.1 None.

**15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS**

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

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

16.1 None.

**CABINET**

**1 JUNE 2011**

**17. HEALTH INEQUALITIES IMPLICATIONS**

17.1 None.

**18. LESSONS LEARNT**

18.1 Not applicable.

**19. COMMUNITY AND STAKEHOLDER ENGAGEMENT**

19.1 None

**20. OTHERS CONSULTED ON THE REPORT**

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

**21. WARDS AFFECTED**

All

**22. APPENDICES**

- Appendix 1 Performance Summary for the period.
- Appendix 2 Detail Performance report for the period.
- Appendix 3 Detailed figures to support the performance report.
- Appendix 4 Sample of revised format performance report

**23. BACKGROUND PAPERS**

None

**24. KEY**

- PI - Performance Indicator
- NI - National Indicator ( a PI defined by government and used by all Councils)
- LPI - Local Performance Indicator – (a PI defined by Bromsgrove, District Council to measure performance on local priorities)
- CAA - Corporate Area Assessment – the methodology used by the Audit Commission to judge the performance of Councils and partners

**AUTHOR OF REPORT**

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### **Joint Environmental Enforcement Strategy** Bromsgrove District Council & Redditch Borough Council

#### **1.0 Introduction – Why do we need a Strategy?**

- 1.1 In order to reduce crime and the fear of crime within a neighbourhood, signs of even low level crimes such as environmental crimes, need to be removed or reduced, as litter and dirty streets, graffiti, dumped rubbish and cars all give a feeling of unease whilst at the same time encouraging similar criminal behaviour. Environmental crimes have an adverse impact on the local environment and quality of life.
- 1.2 To mitigate against environmental crime, this Strategy focuses on not only the traditional aspects of environmental management, such as litter picking and sweeping and enforcement but also the softer elements such as advice giving and education (including both perpetrators and observers). However, by ensuring cases which do lead to enforcement are well publicised, a clear message will be sent out to other potential perpetrators of environmental crime.
- 1.3 Under the Environmental Protection Act (EPA) 1990, the Council has a duty to keep streets and public spaces clean and clear of litter and refuse. A range of powers for local authorities came into effect under the Clean Neighbourhoods and Environment Act (CNEA) 2005. The CNEA has extended local authority powers to deal with issues that are considered environmental crime.
- 1.4 This Strategy supports Bromsgrove District Council's priorities of economic development, town centre and one community and all three Redditch Borough Council priorities – i.e. enterprising, safe and clean and green.

#### **2.0 What is classed as 'environmental crime'?**

- 2.1 The following are classed as environmental crimes and powers are given to Local Authorities to tackle these primarily through the EPA 1990, the CNEA 2004 and include:

##### **2.2 Litter**

Includes the offence of dropping litter as well as litter emanating from a business or littered private land which is open to the public such as a retail park or train station. Litter can also emanate from a premises which is not containing refuse correctly.

##### **2.3 Fly-tipping**

Varies in size from a single mattress or black bin bag to large-scale truck loads of construction, demolition and excavation waste. Some illegal dumps, whilst small in size, can be serious particularly if hazardous waste is involved. Waste is classed as a fly-tip if it is too large to be removed by a normal hand sweeping barrow. In simple terms, a single full bin bag upwards would constitute a fly-tip. Similarly several carrier bags full of rubbish dumped together would also constitute a single fly-tip. The majority of fly-tipping in Redditch is small amounts of domestic waste. In the more rural areas of Bromsgrove there are more instances of commercial loads of fly-tipping such as tyres, business or construction waste.

### **2.3 Dog fouling**

Offences whereby owners allow their dogs to foul on public open spaces. Please note that this enforcement activity does not include dog control orders or stray dogs, these are dealt with by Regulatory Services.

### **2.4 Abandoned vehicles and nuisance vehicles**

Councils have a duty to deal with abandoned vehicles and can issue Fixed Penalty Notices for the offence. Please note that this enforcement activity does not carry out enforcement activities in relation to parking offences. In Redditch there is also a local policy which deals with the problem of untaxed nuisance vehicles which are parked on Council land which can be extended across Bromsgrove.

### **2.5 Graffiti and fly-posting**

We are currently working on a cross service/partnership approach to tackling graffiti and fly-posting where the responsibilities of the different agencies and land owners will be clarified. However, environmental enforcement officers and Anti Social Behaviour Officers will take enforcement action in relation to these issues.

### **2.6 Waste**

Covers offences in relation to waste receptacles, such as leaving bins permanently on public land, and non compliance with the Statutory Notice issued to all householders in relation to the household waste service. Covers both household and commercial waste issues, e.g. checking on waste transfer notes or waste carrier's licences

## **3.0 Levels of Enforcement**

3.1 The interface between giving advice and more serious enforcement action is critical. In Bromsgrove and Redditch a staged approach is used as outlined below:

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

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

3.3 The authorities will use the power whereby a discount on a FPN can be offered for early payment – full details of the amounts for the various offences are set out in appendix C. The standard period for payment of fixed penalties is set in the legislation at 14 days. Once a FPN has been issued, an authority cannot prosecute for the alleged offence if the fixed penalty is paid within this period and this must be stated on the notice itself. For this reason, the period during which a discount for early payment is offered, must be less than 14 days and to avoid confusion, guidance recommends that it should not be more than 10 days.

**4.0 Awareness raising**

- 4.1 An important part of the role of enforcement officers is to carry out proactive visible enforcement to tackle problems like littering and dog fouling.
- 4.2 Campaigning and the use of good quality promotional materials – statutory notices, standard letters, stickers, cards etc. plays an important part of this enforcement strategy. Additionally, regular publicity to promote our enforcement activities will take place, and we will ensure that we publicise successful outcomes in relation to a specific event.

**5.0 Partnerships across the Council and with other Agencies**

- 5.1 Environmental enforcement work supplements and forms part of our street cleaning and waste collection services. It supplements the schedules which are in place to keep the streets and other public open spaces clean and tidy and household waste collection services.
- 5.2 Working together with other service areas and agencies like social landlords is a critical part of the approach to tackling environmental crime. For example, in Redditch there are regular walkabouts in conjunction with tenancy and ASB officers as well as community support officers and police. Support of and attendance at events like PACT meetings is also an important part of our Strategy.

**6.0 How do we check that what we are doing is working?**

- 6.1 We will provide regular updates to Members on enforcement work and also report activities in relation to fly-tipping through the Flycapture database and any other such reporting systems that are required in the future.

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CNEA powers for Adoption are summarised below:

### 3.15 **Abandoned Vehicles**

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

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

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

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

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

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### 3.16 **Cars on the highway**

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

#### 3.16.1 **Sale of vehicles**

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

#### 3.16.2 **Repairing of vehicles**

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

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

**3.17 Litter**

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

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

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

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

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

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

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

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

- 3.18.1 The Act also enables local authorities to restrict the distribution of flyers, hand-outs and pamphlets that can end up as litter. Local authorities can designate areas by Order, where it is an offence to distribute free printed materials such as leaflets and flyers. It is an offence for a person to distribute any free printed matter, or to cause another person to do so, without the consent of the authority, on any land that the authority has designated under this Schedule.
- 3.18.2 Council's are encouraged to work with retailers and businesses to minimise problems, before imposing restrictions. Authorised officers can seize any materials that are being distributed in contravention of such an Order, and can issue a Fixed Penalty Notice of **between £50 and £80** may be issued. Free newspapers are included and covered by this power.

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### 3.19 Defacement

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

- 3.19.1 Graffiti/fly-posting removal notices ('defacement notices') can be served on owners, occupiers or operators – such as telecommunications companies whose property is defaced with graffiti or fly-posting.
- 3.19.2 The act removes the loophole which allowed owners of premises or events advertised to prove that the advertisement was placed without their knowledge and that they took reasonable steps to prevent it.
- 3.19.3 Authorised Officers may serve a Fixed Penalty Notices of **between £50 - £80** for offences related to graffiti and fly-posting.

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### 3.20 Waste

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

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

cases for legal action. Despite several promising cases no investigations have successfully led to prosecution.

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### 3.21 Shopping Trolleys

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

3.21.1 Current Situation:

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

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3.22 **Dogs & Noise**

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

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

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

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

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Appendix B – Overview of FPNs

	Offence	Amount	Who can issue FPNs	Section & Legislation	Qualifying functions for which receipts may be used*	Recommended level of FPN	Amount if paid within 10 days*
1	Nuisance Parking	Amount fixed at £100	Local authority authorised officers	s.6(1) Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>• functions under Refuse Disposal (Amenity) Act 1978</li> <li>• functions under sections 99-102 Road Traffic Regulation Act 1984</li> <li>• enforcement of sections 3 and 4 Clean Neighbourhoods and Environment Act 2005</li> </ul>	<b>Fixed £100</b>	<b>n/a</b>
2	Abandoning a vehicle	Amount fixed at £200	Local authority authorised officers	s.2A(1) Refuse Disposal (Amenity) Act 1978	<ul style="list-style-type: none"> <li>• Functions under the Refuse Disposal (Amenity) Act 1978</li> <li>• functions under sections 99-102 Road Traffic Regulations Act 1984</li> <li>• enforcement of sections 3 and 4 Clean Neighbourhoods and Environment Act 2005</li> </ul>	<b>Fixed £200</b>	<b>n/a</b>
3	Litter	Can be set at local level (between £50-£80). Default £75	Litter authority <sup>2</sup> authorised officers, including persons not directly employed by the authority such as Police Community Support Officers	s.88(1) Environmental Protection Act 1990	<ul style="list-style-type: none"> <li>• Litter-related functions under Part 4, Environmental Protection Act 1990</li> <li>• Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003</li> <li>• Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005</li> </ul>	<b>£75 (currently set at £50 in RBC)</b>	<b>£50</b>
4	Street litter control notices and litter clearing notices	Can be set at local level (between £75-110). Default £100	Principal Litter authority authorised officers	s.94A(2) Environmental Protection Act 1990	<ul style="list-style-type: none"> <li>• Litter-related functions under Part 4, Environmental Protection Act 1990</li> <li>• Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003</li> <li>• Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005</li> </ul>	<b>£100 (currently set at £50 in RBC)</b>	<b>£75</b>
5	Unauthorised distribution of	Can be set at	Principal litter	Schedule 3A, para. 7(2)	<ul style="list-style-type: none"> <li>• Litter-related functions under Part 4, Environmental Protection Act 1990</li> </ul>	<b>£75</b>	<b>£50</b>

Appendix B – Overview of FPNs

	Offence	Amount	Who can issue FPNs	Section & Legislation	Qualifying functions for which receipts may be used*	Recommended level of FPN	Amount if paid within 10 days*
	literature on designated land	local level between £50-£80). Default £75	authority authorised officers, including persons not directly employed by the authority	Environmental Protection Act 1990	<ul style="list-style-type: none"> <li>• Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003</li> <li>• Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005</li> </ul>		
6	Graffiti and fly-posting	Can be set at local level (between £50-£80). Default £75	Local authority <sup>2</sup> authorised officers, including persons not directly employed by the authority such as Police Community Support Officers	s. 43 Anti-social Behaviour Act 2003	<ul style="list-style-type: none"> <li>• Litter-related functions under Part 4, Environmental Protection Act 1990</li> <li>• Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003</li> <li>• Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005</li> </ul>	<b>£75 (currently set at £50 in RBC)</b>	<b>£50</b>
7	Failure to produce authority (waste transfer notes)	Amount fixed at £300	Officers of Waste collection authorities/ Environment Agency	s. 5B(2) Control of Pollution (Amendment Act 1989	<ul style="list-style-type: none"> <li>• functions, including enforcement concerning offences, under section 5 Control of Pollution (Amendment) Act 1989</li> </ul>	<b>Fixed £300</b>	<b>n/a</b>
8	Failure to furnish documentation (waste carrier's licence)	Amount fixed at £300	Officers of Waste collection authorities/ Environment Agency	s. 34A(2) Environmental Protection Act 1990	<ul style="list-style-type: none"> <li>• functions including enforcement concerning offences, under Part 2 Environmental Protection Act 1990</li> </ul>	<b>Fixed £300</b>	<b>n/a</b>
9	Offences in relation	Can be	Waste	s.47ZA(2)	<ul style="list-style-type: none"> <li>• Functions, including enforcement concerning</li> </ul>	<b>£100</b>	<b>£75</b>

Appendix B – Overview of FPNs

	Offence	Amount	Who can issue FPNs	Section & Legislation	Qualifying functions for which receipts may be used*	Recommended level of FPN	Amount if paid within 10 days*
	to waste receptacles	set at local level (between £75-£110). Default £100	collection authority authorised officers	Environmental Protection Act 1990	offences, under Part 2 Environmental Protection Act 1990	<b>(currently set at £50 in RBC)</b>	
10	Offences under Dog Control Orders	Can be set at local level (between £50-£80). Default £75	Authorised officers of primary and secondary authorities, including persons not directly employed by the authority such as Police Community Support Officers	s. 59(2) Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>Litter-related functions under Part 4, Environmental Protection Act 1990</li> <li>Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003</li> <li>Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005</li> </ul>	<b>£50 (currently set at £50 in RBC)</b>	<b>£75</b>
11	Failure to nominate key-holder (within an alarm notification area) or to notify local authority in writing of nominated key-holder's details	Can be set at local level (between £50-£80). Default £75	Local authority authorised officers, including persons not directly employed by the authority	s. 73(2) Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>Functions under Chapter 1, Part 7 Clean Neighbourhoods and Environment Act 2005</li> <li>functions under the Noise Act 1996</li> <li>functions under sections 79 to 82 of the Environmental Protection Act 1990, in connection with statutory nuisances and noise</li> </ul>	<b>Dealt with by Regulatory Services</b>	
12	Noise from dwellings	Can be set at local level (between	Local authority officers	s. 8 noise Act 1996	<ul style="list-style-type: none"> <li>functions under the Noise Act 1996</li> <li>functions under Chapter 1, Part 7 Clean Neighbourhoods and Environment Act 2005</li> <li>functions under sections under 79 to 82 of the</li> </ul>	<b>Dealt with by Regulatory Services</b>	

Appendix B – Overview of FPNs

	<b>Offence</b>	<b>Amount</b>	<b>Who can issue FPNs</b>	<b>Section &amp; Legislation</b>	<b>Qualifying functions for which receipts may be used*</b>	<b>Recommended level of FPN</b>	<b>Amount if paid within 10 days*</b>
	Noise from licensed premises	£75-110). Default £100  Amount fixed at £500	Local authority officers		Environmental Protection Act 1990, in connection with statutory nuisances and noise.		

\* The CNEA introduced a power for authorities to offer a discount for early payment of a fixed penalty. There is a standard period for payment of fixed penalties, set in the legislation at 14 days. Once a FPN has been issued, an authority cannot prosecute for the alleged offence if the fixed penalty is paid within this period and this must be stated on the notice itself. For this reason, the period during which a discount for early payment is offered, must be less than 14 days and to avoid confusion, guidance recommends that it should not be more than 10 days.

## APPENDIX C

### Enforcement and Fixed Penalty Notices within Environmental Services - Scheme of Delegations

<i><b>Subject</b></i>	<i><b>Detail</b></i>	<i><b>Delegated by:</b></i>	<i><b>Delegated to:</b></i>
Enforcement & Fixed Penalty Notices for Environmental Services	1. To take enforcement action in relation to the offences listed at Appendix C including the issuing of Fixed Penalty Notices.	Executive / Leader	Head of Environment
	2. To select and authorise officers to take enforcement action in relation to the offences listed at Appendix C, including the power to give advice to offenders, to issue verbal warning and written warnings and issue Fixed Penalty Notices.	Executive/ Leader	Head of Environmental Enforcement
	3. To commence court proceedings where necessary; including authorising court proceedings, or defending any action.	Executive/ Leader	Head of Environment in consultation with Senior Solicitor
	4. To administer Formal Cautions as an alternative to court proceedings.	Executive/ Leader	Officers authorised in writing by the Head of Environment.

**Legislation relating to Environmental Offences and qualifying functions for which receipts may be used**

	<b>Offence</b>	<b>Who can issue FPNs</b>	<b>Legislation stating offence</b>	<b>Qualifying functions for which receipts may be used*</b>
1.	Abandoned vehicle	Local authority authorised officers.	s.2A(1) Refuse Disposal (Amenity) Act 1978 S 10 – 17 of the Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>• Functions under the Refuse Disposal (Amenity) Act 1978</li> <li>• Functions under sections 99-102 Road Traffic Regulation Act 1984</li> <li>• Removal and Disposal of vehicles Regulations 1986 (SI 1986/183)</li> <li>• sections 10-17 Clean Neighbourhoods and Environment Act 2005</li> </ul>
2.	Nuisance parking. Cars on the highway for sale or being repaired.	Local authority authorised officers.	S6 (1)of the Clean Neighbourhood and Environment Act 2005	<ul style="list-style-type: none"> <li>• Functions under the Refuse Disposal (Amenity) Act 1978</li> <li>• Functions under sections 99-102 Road Traffic Regulations Act 1984</li> <li>• Sections 3 and 4 of the Clean Neighbourhoods and Environment Act 2005 deals with offences of vehicles being offered for sale and vehicles being repaired</li> </ul>
3.	Litter	Local authority authorised officers.	s.88(1) Environmental Protection Act 1990 Section 27 of the Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>• Litter-related functions under Part 4, Environmental Protection Act 1990</li> <li>• Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003</li> <li>• Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005</li> <li>•</li> </ul>
4	Street Litter Control Notices and Litter Clearing Notices	Local authority authorised officers	s.94A(2) Environmental Protection Act 1990 Section 20 of the Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>• Litter-related functions under Part 4, Environmental Protection Act 1990</li> <li>• Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003</li> <li>• Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005</li> </ul>
5	Unauthorised distribution of literature on designated land	Local authority authorised officers	Schedule 3A, para 7(2) Environmental Protection Act 1990 Section 23 of the Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>• Litter-related functions under Part 4, Environmental Protection Act 1990</li> <li>• Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003</li> <li>• Dog Control Orders functions under Part 1, Chapter 6 Clean</li> </ul>

	<b>Offence</b>	<b>Who can issue FPNs</b>	<b>Legislation stating offence</b>	<b>Qualifying functions for which receipts may be used*</b>
				Neighbourhoods and Environment Act 2005
6.	Graffiti and fly-posting	Local authority authorised officers	s. 43 Anti-social Behaviour Act 2003 Section 31 of the Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>• Litter-related functions under Part 4, Environmental Protection Act 1990</li> <li>• Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003</li> <li>• Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005</li> </ul>
7.	Failure to produce authority (waste transfer notes)	Local authority authorised officers	s. 5B(2) Control of Pollution (Amendment) Act 1989 Section 35-54 of the Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>• functions, including enforcement concerning offences, under section 5 Control of Pollution (Amendment) Act 1989</li> </ul>
8	Failure to furnish documentation (waste carrier's licence)	Local authority authorised officers	s 34A(2) Environmental Protection Act 1990 Section 35-54 of the Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>• functions including enforcement concerning offences, under Part 2 Environmental Protection Act 1990</li> </ul>
9	Offences in relation to waste receptacles	Local authority authorised officers	s.47ZA(2) Environmental Protection Act 1990 Section 35-54 of the Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>• Functions, including enforcement concerning offences, under Part 2 Environmental Protection Act 1990</li> </ul>
10	Offences under Dog Control Orders	Local authority authorised officers	s. 59(2) Clean Neighbourhoods and Environment Act 2005 Section 57 of the Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>• Litter-related functions under Part 4, Environmental Protection Act 1990</li> <li>• Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005</li> </ul>

\*The various Acts under which fixed penalties are issued enable local authorities to use their fixed receipts only to help to meet the cost of certain specified functions. However, where a local authority is categorised as 'excellent' or 'good' under the CPA, the authority is able to spend penalty receipts on any of its functions.



## **BROMSGROVE DISTRICT COUNCIL**

### **PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990, SECTION 69**

#### **BROMSGROVE TOWN CONSERVATION AREA**

NOTICE IS GIVEN under the provisions of the 1990 Act that Bromsgrove District Council, has determined that the area described in the Schedule to this Notice is an area of special architectural or historic interest, and that it is desirable to preserve or enhance its character or appearance. On 1<sup>st</sup> June 2011 the Council accordingly varied the boundary of the Conservation Area originally designated in 1968 and extended in 1983 and 1989, as described in the attached schedule

The principle effects of the designation are as follows:

1. The Council is under a duty to prepare proposals to ensure the preservation or enhancement of the area.
2. Consent must be obtained from the Council for the demolition of any building in the area.
3. Special publicity must be given to planning applications for development in the area.
4. In carrying out any functions under the planning Acts (and in particular in determining applications for Planning Permission, Listed Building Consent and Conservation Area Consent) the Council and the Secretary of State are required to take into account the desirability of preserving or enhancing the character or appearance of the area.
5. Six weeks notice must be given to the Council before works are carried out to any tree in the area.

## SCHEDULE

The following properties are hereby **excluded** from the boundary of the Bromsgrove Town Conservation Area:

1-3 Hanover Street  
1-17 Hanover Place  
61-87 Worcester Road  
RMC House, Church Lane  
Amphlet Hall, Crown Close  
4, 6, 6a and 6b Crown Close  
St. Johns Surgery, 5 Kidderminster Road  
7, 9 and 11 Kidderminster Road  
Perry Hall, 13 Kidderminster Road  
8, 10, 12, 14 and 16 Kidderminster Road  
9, 11, 13 and 15 Perry Lane  
Church of St John the Baptist and lychgate  
10, 12, 12a, 14, 16, 18, 20 and 22 St. John Street  
St. John's Court, 28 St. John Street

The following properties are **included** within the revised boundary of the Bromsgrove Town Conservation Area:

Davenal House Surgery, 28 Birmingham Road  
Former Bromsgrove Museum, Birmingham Road  
St. James Court, The Strand  
1-27 The Strand (odds)  
2-26 The Strand (evens)  
Strand House, 2 Stourbridge Road  
18-22 Market Street (evens)  
1-135 High Street (odds)  
2-140 High Street (evens)  
2-12 Mill Lane  
1-9 Chapel Street  
1-15 Church Street (odds)  
4-12 Church Street (evens)  
1, 2, 4, 5, 6 New Road  
Cleggs Entry (to rear of 15 High Street)  
2-6 Market Place  
1 George Street  
1-55 Worcester Road (odds)  
2-60 Worcester Road (evens)

**Ruth Bamford**  
**Head of Planning and Regeneration**  
**Bromsgrove District Council**

Further information regarding the Conservation Area is available from the Conservation Officer by telephoning 01527 881326, emailing [conservation@bromsgrove.gov.uk](mailto:conservation@bromsgrove.gov.uk) or from the Council's website at [www.bromsgrove.gov.uk/conservation](http://www.bromsgrove.gov.uk/conservation)

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## **BROMSGROVE DISTRICT COUNCIL**

### **PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990, SECTION 69**

#### **ST. JOHN'S CONSERVATION AREA**

NOTICE IS GIVEN under the provisions of the 1990 Act that Bromsgrove District Council, has determined that the area described in the Schedule to this Notice is an area of special architectural or historic interest, and that it is desirable to preserve or enhance its character or appearance. On 1<sup>st</sup> June 2011 the Council therefore designated the area as a Conservation Area.

The principle effects of the designation are as follows:

1. The Council is under a duty to prepare proposals to ensure the preservation or enhancement of the area.
2. Consent must be obtained from the Council for the demolition of any building in the area.
3. Special publicity must be given to planning applications for development in the area.
4. In carrying out any functions under the planning Acts (and in particular in determining applications for Planning Permission, Listed Building Consent and Conservation Area Consent) the Council and the Secretary of State are required to take into account the desirability of preserving or enhancing the character or appearance of the area.
5. Six weeks notice must be given to the Council before works are carried out to any tree in the area.

## SCHEDULE

The following properties are included within the boundary of the St. John's Conservation Area:

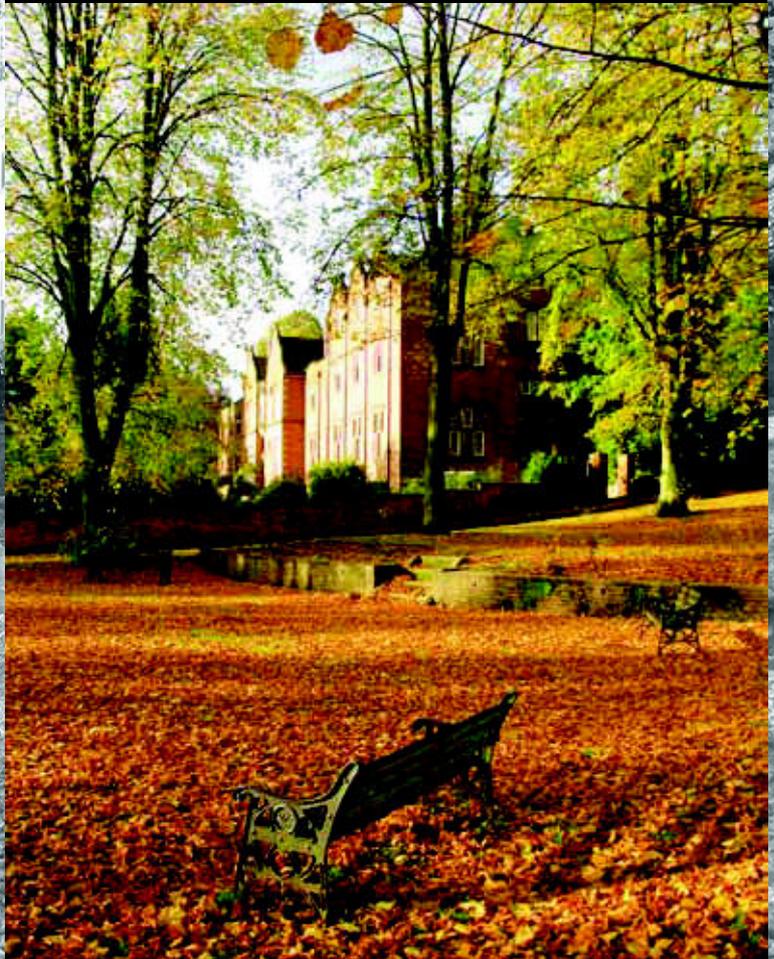
4 Church Lane  
44 Church Road  
Bromsgrove Cemetery, Lodge (2 Church Lane) and lychgate  
RMC House, Church Lane  
1, 3, 5, 7, 9 and 11 Church Lane  
St. John's House, 16 Church Street  
18 Church Street  
Amphlet Hall, Crown Close  
2, 4, 6, 6a and 6b Crown Close  
St. Johns Surgery, 5 Kidderminster Road  
7, 9 and 11 Kidderminster Road  
Perry Hall, 13 Kidderminster Road  
8, 10, 12, 14, 16 and 18 Kidderminster Road  
9, 11, 13 and 15 Perry Lane  
Church of St John the Baptist and lychgate  
10, 12, 12a, 14, 16, 18, 20 and 22 St John Street  
St. John's Court, 28 St. John Street

**Ruth Bamford**  
**Head of Planning and Regeneration**  
**Bromsgrove District Council**

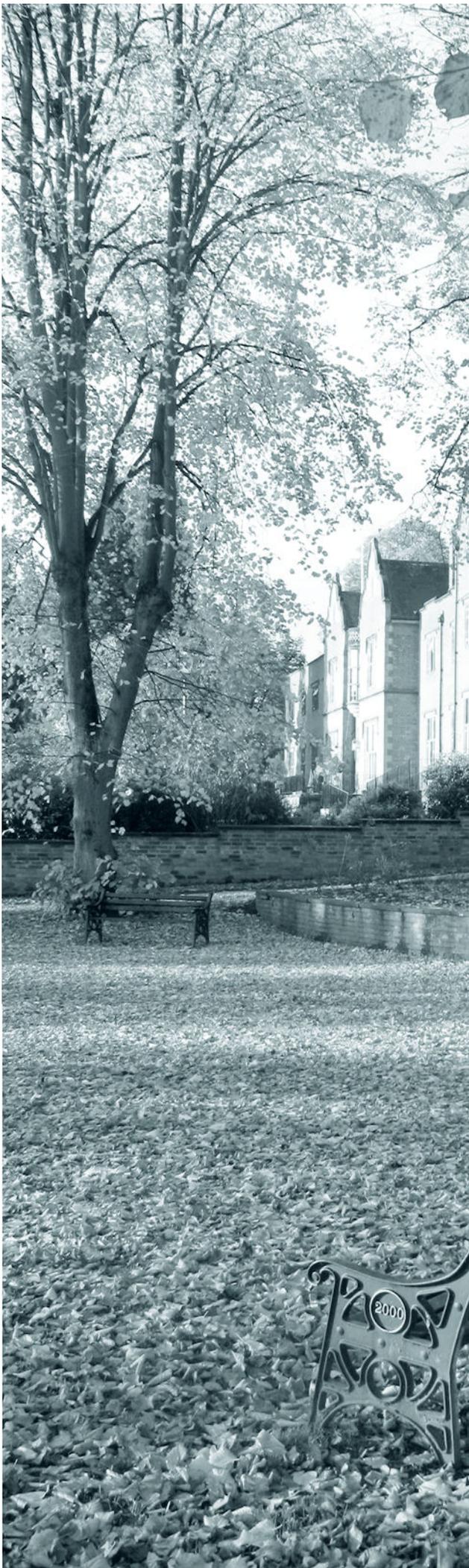
Further information regarding the Conservation Area designation is available from the Conservation Officer by telephoning 01527 881326, emailing [conservation@bromsgrove.gov.uk](mailto:conservation@bromsgrove.gov.uk) or from the Council's website at [www.bromsgrove.gov.uk/conservation](http://www.bromsgrove.gov.uk/conservation)

# ST. JOHN'S CONSERVATION AREA CHARACTER APPRAISAL

APRIL 2011



BROMSGROVE  
DISTRICT COUNCIL



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2.0	Planning Policy Context
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Appendix 1	List of Properties in the Conservation Area
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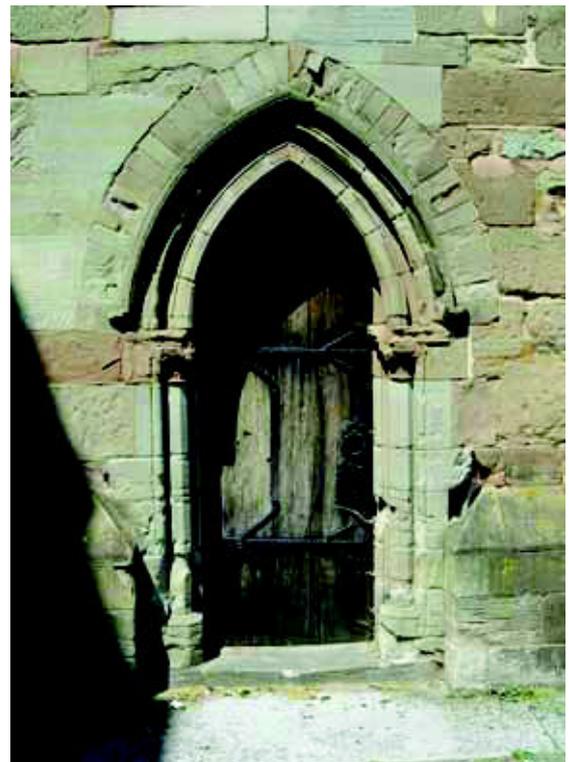
Map 1	Existing boundary of the Bromsgrove Town Conservation Area
Map 2	Proposed boundary of the St. John's Conservation Area



Comments are welcome and should be sent to the Strategic Planning Team, Bromsgrove District Council, Burcot Lane, Bromsgrove, B60 1AA. Email [conservation@bromsgrove.gov.uk](mailto:conservation@bromsgrove.gov.uk) or telephone 01527 881326

# 1.0 INTRODUCTION

- 1.1 The purpose of a Conservation Area Character Appraisal is to identify the factors and features which make an area special, based on an in-depth assessment of an area's buildings, spaces, evolution and sense of place. This is the first step in developing a management plan for the continued preservation and enhancement of a Conservation Area. An appraisal evaluates the positive, neutral and negative features of the area and suggests opportunities for improvement. It is not unusual for the boundary of a Conservation Area to fluctuate over time as the area evolves, and an assessment of the current and potential boundaries is normally part of the appraisal process.
- 1.2 The St John's area was originally part of the Bromsgrove Town Conservation Area designated by Worcestershire County Council in 1968. During the recent appraisal of the Town Conservation Area it was recognised that the St. Johns area was worthy of its own independent status in view of its unique character.
- 1.3 This appraisal of the St. John's Conservation Area was carried out in February 2011 in accordance with the guidance given by English Heritage in their 'Guidance on Conservation Area Appraisals' publication. Although produced by the Council, local societies and residents will be encouraged to contribute to and comment on the draft document. This will result in a well rounded assessment of the area incorporating local knowledge, perceptions and suggestions.
- 1.4 During the public consultation the draft character appraisal will be made available on the Council's website, at the Customer Service centre and the Council House to ensure that it reaches a wide audience. An exhibition at a local venue within the Conservation Area boundary is also usually held to ensure local resident participation in the process.
- 1.5 Map 2 identifies positive, neutral and negative buildings within the St. John's Conservation Area – this is not an exclusive list and omission of any particular building should not be taken as an indication that it has no value. Positive buildings make a notable contribution to the character and appearance of the Conservation Area and are usually good examples of historic buildings with only minor alterations or additions. Neutral buildings make a limited contribution and are generally the much altered historic buildings, but may provide opportunities for enhancement. Neutral buildings are those properties which detract from the character and appearance of the Conservation Area, where replacement with a new building would be encouraged, subject to compliance with other planning policies.





*Aerial view of St. John's and Bromsgrove Town Centre*

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## 2.0 PLANNING POLICY CONTEXT

- 2.1 A Conservation Area is defined in the 1967 Civic Amenities Act as “an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”. It is not the purpose of a Conservation Area to prevent development, but to manage change in a positive and proactive way that benefits current and future generations.
  
- 2.2 Conservation Area status means that a special form of Planning Permission called Conservation Area Consent is required for the total or substantial demolition of any building over 115m<sup>3</sup> in size, the demolition of a boundary wall over 1m in height next to the highway or 2m elsewhere and the removal of any pre-1925 gravestones (except on land associated with the Church). There is a general presumption against the loss of buildings which make a positive contribution to the character or appearance of the Conservation Area. Additional controls are also placed over trees within the area, meaning that an owner must submit a formal notification of works to the Council six weeks before starting work. Permitted development rights (works that can be done without Planning Permission) are also slightly different within designated Conservation Areas.

2.3 The primary legislation governing Listed Buildings and Conservation Areas is the Planning (Listed Buildings and Conservation Areas) Act 1990. This legislation includes certain statutory duties which the Council as Local Planning Authority must uphold. S69(1) of the Act requires Local Planning Authorities to designate any areas which they consider to be of special architectural or historic interest as Conservation Areas, and under s69(2) to review such designations from time to time. The Council has a further duty under s71(1) to formulate and prepare proposals for the preservation and enhancement of its Conservation Areas from time to time.

2.4 When assessing applications for development within designated Conservation Areas, the Local Planning Authority must pay special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Areas under s72(1) of the Act. This does not mean that development will necessarily be opposed, only that this should not be detrimental to the special interest of the wider Conservation Area. Specific guidance relating to development within Conservation Areas can be found within PPS5 Planning for the Historic Environment and its accompanying practice guide which are published by the Department for Communities and Local Government, at national government level





### 3.0 DEFINITION OF SPECIAL INTEREST

3.1 The special interest of a Conservation Area is defined by more than its appearance and includes the atmosphere, texture, sense of place and setting as well as more obvious qualities such as groups of historic buildings. Notable buildings and the spaces between buildings set an overall context for an area, but a designated Conservation Area should be more than just a collection of attractive buildings.



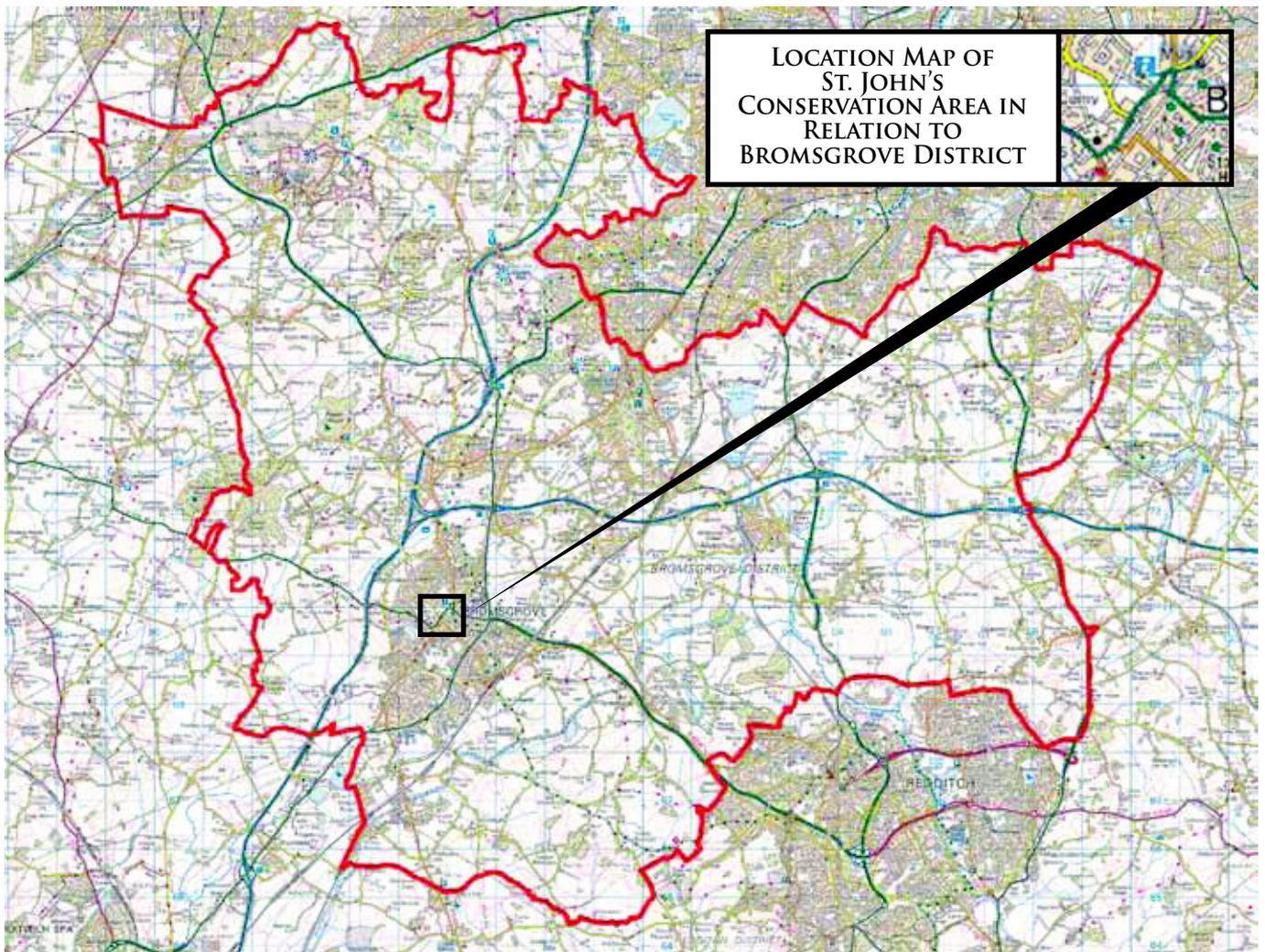
3.2 The St. John's Conservation Area has substantial historic and architectural interest, with some of the oldest surviving buildings in the town within the Conservation Area. The Church is a strong landmark feature for the town, and is supported by a collection of surrounding listed and unlisted historic buildings dating from the 17th to 19th centuries. The area as a whole has a leafy green setting which contributes to the local sense of place and establishes a positive relationship between the built and the natural environment.



## 4.0 ASSESSMENT OF SPECIAL INTEREST

### 4.1 Location and Setting

The St. John's Conservation Area is located to the west of Bromsgrove town centre, which itself lies in the south-west of the District of Bromsgrove, approximately 15 miles south-west of Birmingham and 15 miles north-east of Worcester. The proposed Conservation Area is centred upon the Grade I listed St. John's Church, which has an elevated position to the west of the town centre, and includes the 16th century churchyard and the 1857 cemetery further to the north. The adjacent Bromsgrove Town Conservation Area which focuses on the historic High Street was designated in 1968, and subsequently extended in 1983 and 1989.



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## 4.2 Historic Development and Archaeology



St Johns Church and Churchyard lies immediately to the west of the town on an area of raised ground overlooking what was once the Roman Road between Droitwich and the north midlands. This area may have been the site of an earlier Anglo Saxon Church, and the earliest remnants in the existing Church date from the 12th century, incorporating what was once a cruciform aisleless building. It has been speculated that the site of the existing Church is close to that of a much older nunnery and certainly records of Bromsgrove refer to a priest within the manor in 1086.

The extent of the medieval churchyard has not been clearly identified but 13th and 14th century deposits have been found on the former Market Hall site on St. John Street. The Grade I listed Church, its Grade II listed lychgate and the Grade II listed Ye Olde Black Cross public house on Worcester Road are the only surviving medieval buildings within and around the Conservation Area boundary. Previous archaeological investigations behind St. John Street (which contains 17th and 18th century buildings) discovered pre 17th century deposits - further evidence that this part of Bromsgrove was the focus of the earliest settlement. Limited archaeological investigation has taken place within the Conservation Area, however it is likely that further medieval deposits survive along St. John Street.



The parish of St. John's was substantial and once provided one of the wealthiest Church livings in the country. The first parish register was recorded in 1590 and included details of the earliest burials within the churchyard. The southern side of St. John Street was developed as tenement housing and evidence of 17th and 18th century buildings which may have burnt down was discovered on the Market Hall site in 1994. The expansion of St. Johns continued steadily throughout the 19th and 20th century with the growth of the town centre to the south and east and a large area of housing established to the north.

### 4.3 Key Views

The Grade I listed Church is very prominent in views from in and around Bromsgrove town centre and in and out of the St. John's Conservation Area. The group of historic buildings along St. John Street have significant group value, a fact which was referenced in the various statutory listing descriptions for the buildings. These views are enhanced by the number of fine trees and leafy setting of the area, which is quite different from the busy retail activity within the adjacent Bromsgrove Town Conservation Area. Significant views have been identified in Map 2 attached as an appendix.



### 4.4 Prevailing and Former Uses

The majority of the Conservation Area was historically occupied by ecclesiastical land, with commercial and residential properties appearing along St. John Street from the 17th century. Crown Close was once part of a larger area of glebe land, leased for grazing etc to support the Church. The area is now predominantly residential with commercial businesses and offices along St. John Street and Kidderminster Road.



### 4.5 Architectural Character and Key Buildings

#### St. John Street

The group of historic buildings along St John Street, which includes several listed buildings, has a strong streetscene presence and defines the southern boundary of the Conservation Area. Views of this group are prominent from the adjacent Bromsgrove Town Conservation Area and contribute to the setting of St. John's Churchyard.

St John's House at no 22 St John Street is Grade II listed and dates from the 18th century, although it was substantially rebuilt and extended in 1975. The building is two storey, constructed in traditional red brick with timber sliding sash windows and a panelled door with fanlight above. The building wraps around the corner onto Kidderminster Road, with an open car park area facing the roundabout. A notable yew tree (which is contemporary with the building) softens this corner and improves the setting of the listed building, which has been undermined by the dominance of the highway.





The Wishing Well PH at no.16 St. John Street (formerly the Shoulder of Mutton) was built in the early 19th century, but a pub is thought to have existed on the site since the 15th century. The building is constructed of painted brickwork with timber weatherboarding at the first floor and a tiled roof. The windows and doors have been replaced and the building extended and internally modernised by successive owners, but the building retains a historic character which makes a positive contribution to the Conservation Area. The caves to the rear were explored and identified as post medieval icehouses or outbuildings in 1995, although there are conjectural references to historic tunnels running between the Church and St John Street.



No.14 St. John Street (currently occupied by the George Davis salon) is also Grade II listed and dates from the 17th century. The most distinctive feature of this simple sandstone building is the single head of square timber framing at attic level inscribed RD1674. No.12a to the right is a 19th century addition, which has been reworked again in the 20th century.

The Grade II listed no.10 St John Street dates from the 18th century and is officially listed as no.12. This well proportioned Georgian house (now in office use) retains typical detailing of the period with a symmetrical form, central doorpiece with curved pediment and timber sliding sash windows. This building forms a positive foreground to the listed Church on the hill above, and features strongly in views of the Conservation Area from Market Place.



Adjacent to this and set back from the road is the former District Council Offices, which was converted to the St. John's Court care home in the 1980's. This grand Jacobean style building was once a much smaller but still ornate 19th century vicarage but was significantly extended in the 1940s and 1960s, before it became Grade II listed in 1971. The wrought iron gates were designed in 1953 by the Bromsgrove Guild.

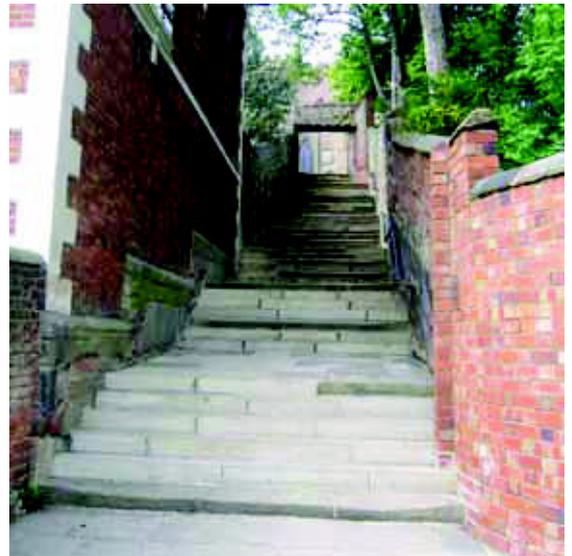
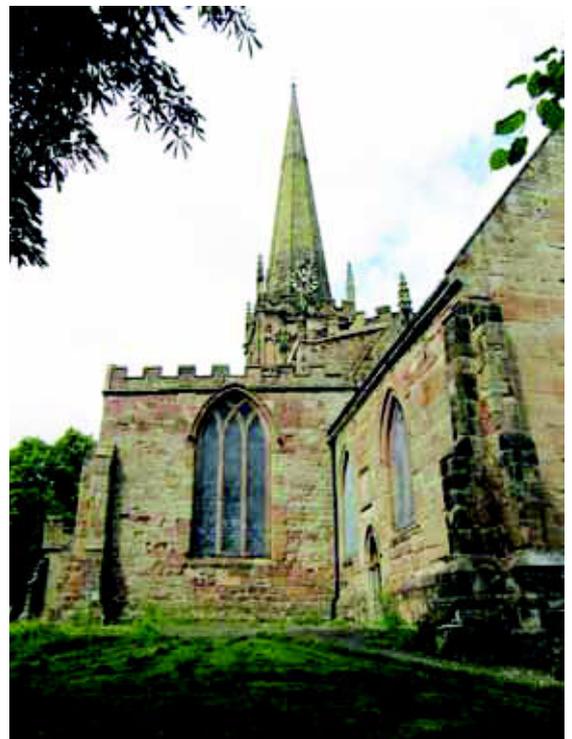
## The Church and Churchyard

The Grade I listed Church of St John the Baptist is at the heart of the St. John's Conservation Area and incorporates an earlier 12th century Church with later phases from the 15th to 19th centuries. It is conjectured that an earlier minster may have existed on the site based on topographical surveys (the site is on a hill, next to a stream and a Roman Road) and certainly records refer to a priest in the manor of Bromsgrove in 1086. The earliest Church had an aisleless cruciform layout, with the aisles added and the chancel rebuilt in the 13th century. The aisles were subsequently rebuilt in the 15th century and the porch added - the tracery on the north aisle windows survives from this period.

The building was extensively restored by Sir George Gilbert Scott in 1858 and is now an impressive Perpendicular Gothic style building with a battlemented parapet and crocketed pinnacles. The three stone statues of St Peter, St Paul and St John the Baptist above the great west window are medieval. The octagonal spire, which is a significant landmark in distant views, is 200ft high. The interior contains the 15th century tombs of Sir Henry Stafford and Sir John Talbot of Grafton, as well as later features and detailing such as the mosaic chancel floor designed by the Bromsgrove Guild. The existing Church has a commanding position overlooking the town, and features strongly in views from the nearby High Street and from the cemetery because of its elevated location.

The Church steps leading down to St. John Street are medieval and predate the lychgate which was erected in 1656. Originally 63 steps, now 48, the sandstone steps are important to the setting of the Church and were extensively repaired in 2006. The lychgate which is Grade II listed, is unfortunately in very poor condition due to continued acts of vandalism but is scheduled to be repaired in May 2011.

The extent of the medieval churchyard is not known, but existing gravestones date from 1617 to 1857, when the new cemetery was opened to the north. The Lime trees which surround the churchyard were planted around 1790 and the stone boundary walls added in 1815. Many 17th and 18th century memorials survive within the churchyard, although somewhat eroded by time. One of the more notable examples is the pair of gravestones erected for Thomas Scaife and Joseph Rutherford who were engineers of the Birmingham and Gloucester Railway killed in an industrial accident in November 1840. Their gravestones were funded by their former colleagues and include a railway based poem and plaques depicting steam locomotives.



## Cemetery

Bromsgrove cemetery was consecrated in 1858 and was designed by C H Cooke following the typical Victorian pattern of a curving perimeter path with a central cross route and small paths radiating outwards. Early Victorian cemeteries focused on the picturesque style with sweeping lines of trees, later more utilitarian layouts based on a grid pattern were introduced as a more efficient use of land, but still with a focus on views and meandering spaces. Bromsgrove cemetery combines these two philosophies with important views formed through the centre and tree planting used to define smaller spaces.



The cemetery contains a large number of Victorian monuments, sculptures and gravestones many of which are surrounded by cast iron cressing. In the fashion of the time many gravestones incorporate symbols of spiritual significance, remembrance or immortality such as angels or open books, emblems of traditional trades and carvings of flowers and animals.

Many well known figures are buried in the cemetery including architect John Cotton and Anthony Pratt, inventor of the Cluedo boardgame. Also buried within the cemetery is J.D. Collis, once headmaster of Bromsgrove School, supporter of the nailmaster's strikes and key to the survival of the former Hop Pole (now Tudor House) on New Road.



The central Gothic cross erected as a memorial to Captain John Adams (who lived at Perry Hall) in 1858, was removed for safe keeping and future restoration by the District Council in 2007. The cemetery lodge was replaced in 1958 but the historic oak lychgate built by Walker of Evesham survives at the corner of Church Lane, although in need of repair.



## Perry Hall, Perry Lane and Church Lane

Perry Hall on Kidderminster Road is a Grade II listed building, and dates from the early 19th century but is thought to have been built on the site of an earlier farm. The building is now part of Bromsgrove School but was built in 1828 by Captain John Adams, a key local figure, who was commemorated by the Gothic memorial cross which until recently stood in the centre of Bromsgrove cemetery. In 1860 the property passed to the Housman family and was the childhood home of A.E Housman the poet, his brother Laurence Housman the playwright and sister Clemence who was a novelist and suffragette.



Perry Lane adjacent was once part of John Adams estate with the four cottages built in the early 1850's. The cottages have all been altered and extended but remain in residential use. The adjacent cottages at 7-11 Kidderminster Road are of similar age but are now in a mix of residential and office use. Their appearance has unfortunately been affected by the introduction of PVC windows and concrete tiled roofs.



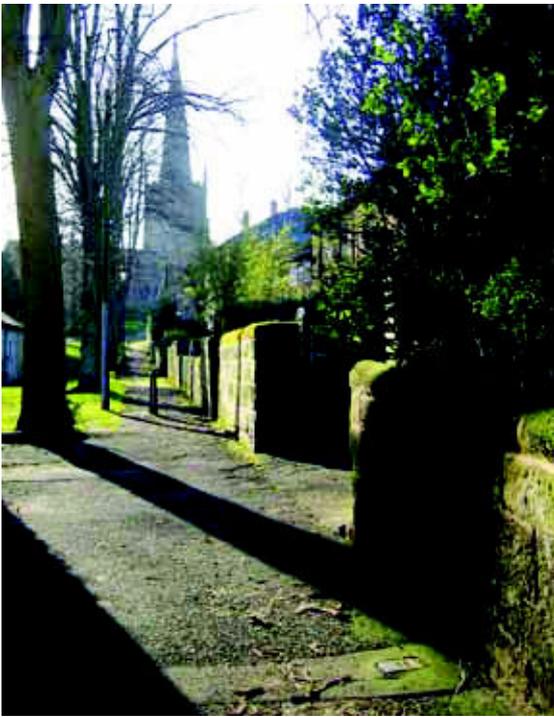
Almost opposite Perry Hall at 16 Kidderminster Road is Rydal Mount, which was built in the late 1850's by nailmaster Thomas Croxton. The building was originally named Alma House after the Battle of Alma in 1854 – the first battle of the Crimean War. The house later became the Vicarage to St. Johns Church before it was sold in 1977. The site also includes a rendered octagonal gatehouse facing Church Lane which adds interest to the streetscene along with the historic stone boundary walls.



Opposite this on the corner of Church Lane and Kidderminster Road, is the Bromsgrove Unionist Club, originally known as Oakdene and built in 1887 to a design by John Cotton (now buried in Bromsgrove Cemetery) for the Sanders family.

Benjamin Sanders was a very influential Bromsgrove citizen, owner of the town's Button Factory, and lived in the house until his death in 1910. His daughters gifted the land opposite to the town, now the site of Sanders Park. The trees within the grounds of Oakdene are protected by a Tree Preservation Order, the only one within the Conservation Area boundary





#### 4.6 Building Materials

Red brick is the predominant building material within the Conservation Area, with some painted and timber framed buildings on St. John Street. The Church is red sandstone, most of the memorials and gravestones are also sandstone with cast iron railings around some of the Victorian monuments within the cemetery. The stone boundary walls around the Churchyard and cemetery define the streetscene particularly along Church Lane and make a positive contribution to the character and appearance of the Conservation Area.

#### 4.7 Public Realm

The public realm along St. John's Street has undoubtedly been affected by the intrusion of the highway, which effectively severs the area from the rest of the town centre. The Spadesbourne Brook on the opposite side (now next to a temporary surface car park) is the only softening feature but has limited effect given its continuing condition issues and past culverting. Fortunately the large grassed area by St John's Court and Crown Close have been retained and contribute positively to the approach to the Church from the south.



The most positive aspect of the existing public realm is the survival of the historic stone walls which help frame views through the streetscene and encircle key open spaces.

#### 4.8 Important Trees and Green Spaces

St. Johns churchyard is the key open space within the Conservation Area, followed closely by the cemetery to the north. The 2007 English Heritage publication "Paradise Preserved" summed up the value of historic cemeteries as open spaces,



*"Cemeteries were conceived and designed both as gardens of the dead and as a memorial. They are functional landscapes and many of our historic cemeteries are still being used for the business of burying and mourning, and as places for quiet reflection. They are valued and enjoyed by local people as open spaces and for the wildlife and they make an important contribution to the quality of life of the local community. Cemeteries are distinct from other burial places and other green spaces. This interweaving of architecture, sculpture, landscape, wildlife and poetry is like no other place in the historic environment"*

The most significant trees within St John's are the Limes forming the 'grove' around the Church, which were planted around 1790 and the later limes planted around Crown Close. The planting of a circle of trees around the Church is thought to have a much older historical significance as there appears to have been a circle of trees in the same place throughout the last 1000 years or more. There is also conjecture that an inner ring of trees existed at some point forming a living 'henge' in the pattern of sacred pagan sites, and very much in the Celtic and Anglo-Saxon pre-Christian tradition.

The cemetery has one of the best collections of trees in this part of Worcestershire with species from across the 19th century British Empire including the Giant Redwood at the centre, the lime avenues and yew trees. A 300-400 year old Sweet Chestnut which predates the cemetery can also be found near to Church Road. Yew trees are often found in Churchyards as a symbol of everlasting life. References to the significance of the species linked to the concept of the 'tree of life' can be found in several different religions and in Christianity the yew tree is used as a representation of the Resurrection.

The group of 16 trees including Yew, Oak and Beech at the Unionist Club at 18 Kidderminster Road are protected by a Tree Preservation Order. No other tree preservation orders have been designated within the Conservation Area boundary, and a large proportion of the trees are managed by the District Council.





#### 4.9 General Condition of the Area

The overall condition of the historic buildings within the Conservation Area is good, with only the lychgate at the Church steps and the second lychgate to the cemetery in need of significant repair. The grade II listed lychgate which dates from 1656 has been added to the Council's draft Building at Risk register and its repair is a key objective of the draft management plan.



The historic monuments and gravestones within the Churchyard have suffered some surface erosion, which is to be expected given their age and exposed hilltop location. The Churchyard and the cemetery to the north are both well maintained however with signs of active tree management and regular grass cutting.

The wider public realm has a less consistent quality and appearance with a predominance of tarmac, which has been badly patched in places for example in the lane leading from the churchyard to Kidderminster Road. The stone walls also vary in condition and several areas in Church Lane require re-pointing – again the erosion and lichen growth is normal given the age of the walls and location.



#### 4.10 Challenges and Opportunities

The main challenge facing the Conservation Area is the proposed redevelopment of the former Market Hall site which if not sited and designed appropriately could have an adverse impact on the setting of the listed buildings on St. John Street and views of the Church above from the Bromsgrove Town Conservation Area.

This redevelopment is equally a key opportunity to lessen the dominance of the highway and reinstate an active and interesting frontage along St. John Street.

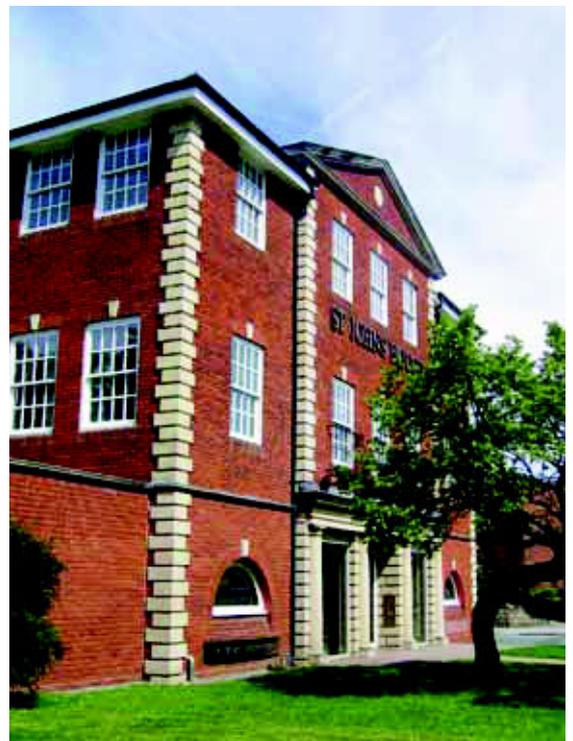
A secondary issue is the quality of the signage along St. John Street and examples of plastic banner signs erected without Advertisement Consent. The office uses have fared better than the commercial units, and signage clutter is less of a problem here than in the High Street.

## 5.0 PROPOSED BOUNDARY CHANGES

St John Street, St Johns Church and Churchyard, Perry Lane, part of Kidderminster Road and part of Crown Close was originally included as part of the Bromsgrove Town Conservation Area in 1968. Initially defined as two sub areas the St. Johns section became part of the town centre designation over time, despite a physical gap in the boundary between the High Street and St. John Street. Map 1 shows the existing designated boundary.

As part of the formal review of the Bromsgrove Town Conservation Area in 2011, the designation and expansion of the St. Johns as an individual Conservation Area was identified as a possible revision. This was in recognition of the unique character of St. Johns and distinct special interest, which is significantly different from the character and appearance of the Bromsgrove Town Conservation Area. Map 2 shows the proposed extended boundary of the St. John's Conservation Area which includes Bromsgrove Cemetery and some additional properties on Church Lane and Crown Close. A list of properties within the revised boundary is attached as Appendix 1 for clarity.

The separation of the town centre and St. John's designations and associated boundary amendments requires formal approval by the Council's Cabinet. It is provisionally programmed that this will take place in June 2011, following a public consultation period on the proposed St. Johns Conservation Area boundary and character appraisal. The consultation period on the Bromsgrove Town Conservation Area amendments and character appraisal ended on 4th March 2011 and no objections were raised to the proposed separation into two designated conservation areas.





## 6.0 MANAGEMENT PROPOSALS

Appendix 2 includes a draft management plan for the area. This is not an absolute list but outlines the main issues which need to be addressed and possible tasks and timescales. It should be made clear that the Council cannot give a definite commitment to undertake these tasks, which will ultimately depend on future financial and staff resources.

The main issues which need ongoing management are

- Ensuring that the redevelopment of the market site preserves or enhances the conservation area, and positively contributes to its setting
- Quality of signage should adhere to the Council's adopted supplementary guidance on shopfronts and advertisements
- Maintenance of the open spaces and trees
- Repairs to the historic gravestones within the churchyard



## 7.0 PUBLIC CONSULTATION

Before final publication this document will be subject to a six week public consultation period to gather views on the assessment of the area, the proposed boundary changes and the draft management plan. The comments received shall be summarised and included in the final document for public interest.

# APPENDICES



# APPENDIX 1

## List of Properties in the Conservation Area

4 Church Lane  
44 Church Road  
Bromsgrove Cemetery, Lodge (2 Church Lane) and lychgate  
RMC House, Church Lane  
1, 3, 5, 7, 9 and 11 Church Lane  
St. John's House, 16 Church Street  
18 Church Street  
Amphlet Hall, Crown Close  
2, 4, 6, 6a and 6b Crown Close  
St. Johns Surgery, 5 Kidderminster Road  
7, 9 and 11 Kidderminster Road  
Perry Hall, Kidderminster Road  
8, 10 and 12 Kidderminster Road  
St Johns Church Hall, 14 Kidderminster Road  
Rydal Mount, 16 Kidderminster Road  
Unionist Club, 18 Kidderminster Road  
9, 11, 13 and 15 Perry Lane  
Church of St John the Baptist (Grade I) and lychgate (Grade II)  
10 and 12 St. John Street (Grade II)  
12a St John Street  
14 St. John Street (Grade II)  
16 St. John Street  
18 St. John Street  
20 St. John Street  
22 St John Street (Grade II)  
St. Johns Court, 28 St. John Street (Grade II)

## APPENDIX 2

### Management and Enhancement Proposals

Priority	Task	Timescale
Redevelopment of Market Hall site	Ensure that the scale and design of any new buildings respect the setting of the Conservation Area and adjacent listed buildings	2012 onwards
Improvements to advertisements	Investigate any unauthorised shopfronts and signage, and take enforcement action where appropriate	Ongoing
Improve condition of historic buildings and structure	Identify any Buildings at Risk and develop a strategy for their repair	End of 2011
	Support the repair and maintenance of historic gravestones through providing guidance and highlighting options for external grant assistance	Ongoing
	Provide guidance and advice on the appropriate maintenance of historic buildings to owners and residents	Ongoing
Maintenance of trees and open spaces	Ensure that regular maintenance preserves key features, enhances amenity value and respects the green character of the Conservation Area	Ongoing
Environmental Improvements to Spadesbourne Brook	Improvements to the Brook will enhance the setting of the Conservation Area, although outside the designated boundary. The Council will ensure that the proposed improvements enhance the Brook as a community asset whilst protecting its biodiversity importance.	2012 onwards

# APPENDIX 3

## **Bromsgrove District Local Plan - adopted January 2004**

S25	New Shopfronts
S26	Shopfront Fascias
S27	Standards of Fascia Design
S27A	Projecting Signs
S27B	Design and Materials within Conservation Areas
S35A	Development in Conservation Areas
S36	Design of development within Conservation Areas
S37	Demolition in Conservation Areas
S39	Alterations to Listed Buildings
S39a	Demolition of Listed Buildings
S41	Listed Buildings in Shopping Areas
S42	Shopfronts in Conservation Areas
S43	Traffic Calming Schemes
S44	Reinstatement of Features in Conservation Areas
S45	Improvements to Conservation Areas
C17	Retention of existing trees
C19	Tree Preservation Orders
C36	Preservation of Archaeological Resources
C37	Excavation around Archaeological Remains
C38	Development Criteria for Archaeological Sites
C39	Site access for Archaeologists
RAT4	Retention of Open Space
ES11	Energy Efficiency in Buildings

## **Bromsgrove Draft Core Strategy 2 - published January 2011**

CP16	Managing the Historic Environment
CP17	Natural Environment

## **Worcestershire County Structure Plan**

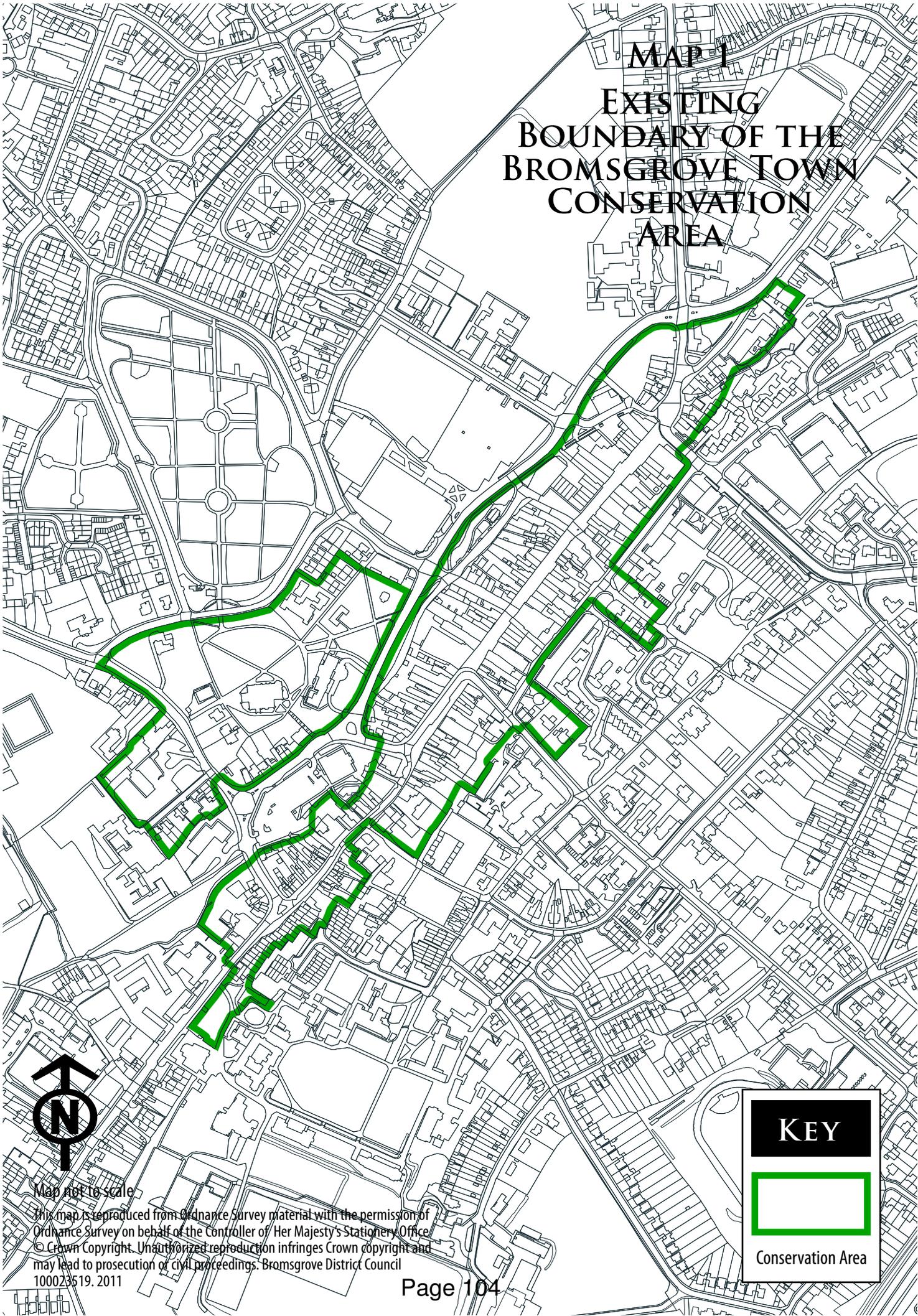
CTC.5	Trees and Woodlands
CTC.6	Green Open Spaces and Corridors
CTC.8	Flood Risk and Surface Water Drainage
CTC.17	Archaeological Sites of Regional or Local Importance
CTC.18	Enhancement and Management of Archaeological Sites
CTC.19	Areas and Features of Historic and Architectural Significance
CTC.20	Conservation Areas
CTC.21	Reuse and Conversion of Buildings

# APPENDIX 4

## Glossary

Battlemented	A notched parapet on top of a wall, also known as crenellated
Conservation Area	An area of special architectural or historic interest, the character or appearance of which, it is desirable to preserve or enhance. Local authorities are responsible for designating new Conservation Areas.
Cornice	Projecting moulding often found at eaves level, or as part of a pediment
Crocketed	Gothic ornament with floral details found on spires, turrets etc
Cruciform	Cross shaped building footprint
Culvert	A man made channel beneath a road or building
Curtilage listed	All ancillary buildings and structures constructed before 1st July 1948 are covered by the listed status of the principal building, and known as curtilage listed.
Ecclesiastical	A building designed for use as a place of worship
Fanlight	Semi circular or rectangular window above a door
Georgian	Dates from 1714-1830
Glebe land	Land owned by the Diocese and used to support the income of the clergy
Gothic	An architectural style from 12th to 16th centuries but revived in the late Victorian period. Typical details include elaborate tracery, heavily mullioned windows and pointed arches.
Jacobean	An architectural style popular from the early 17th century and revived in the late 19th century sometimes. Typical details include heraldic emblems, grotesques and curved Dutch gables. The mixing of Jacobean and Elizabethan forms and details during the Victorian period is known as Jacobethan.
Listed Building	A building of special architectural or historic interest included on a national register. English Heritage is responsible for adding new entries to the statutory list.
Medieval	Dates from 950-1547
Pediment	Low pitched moulded triangle often found over doorways or windows and at roof level.
Tracery	Window details of moulded stone bars or ribs
Victorian	Dates from 1837-1901
Weatherboarding	Timber cladding in overlapping boards

**MAP 1**  
**EXISTING**  
**BOUNDARY OF THE**  
**BROMSGROVE TOWN**  
**CONSERVATION**  
**AREA**



**KEY**

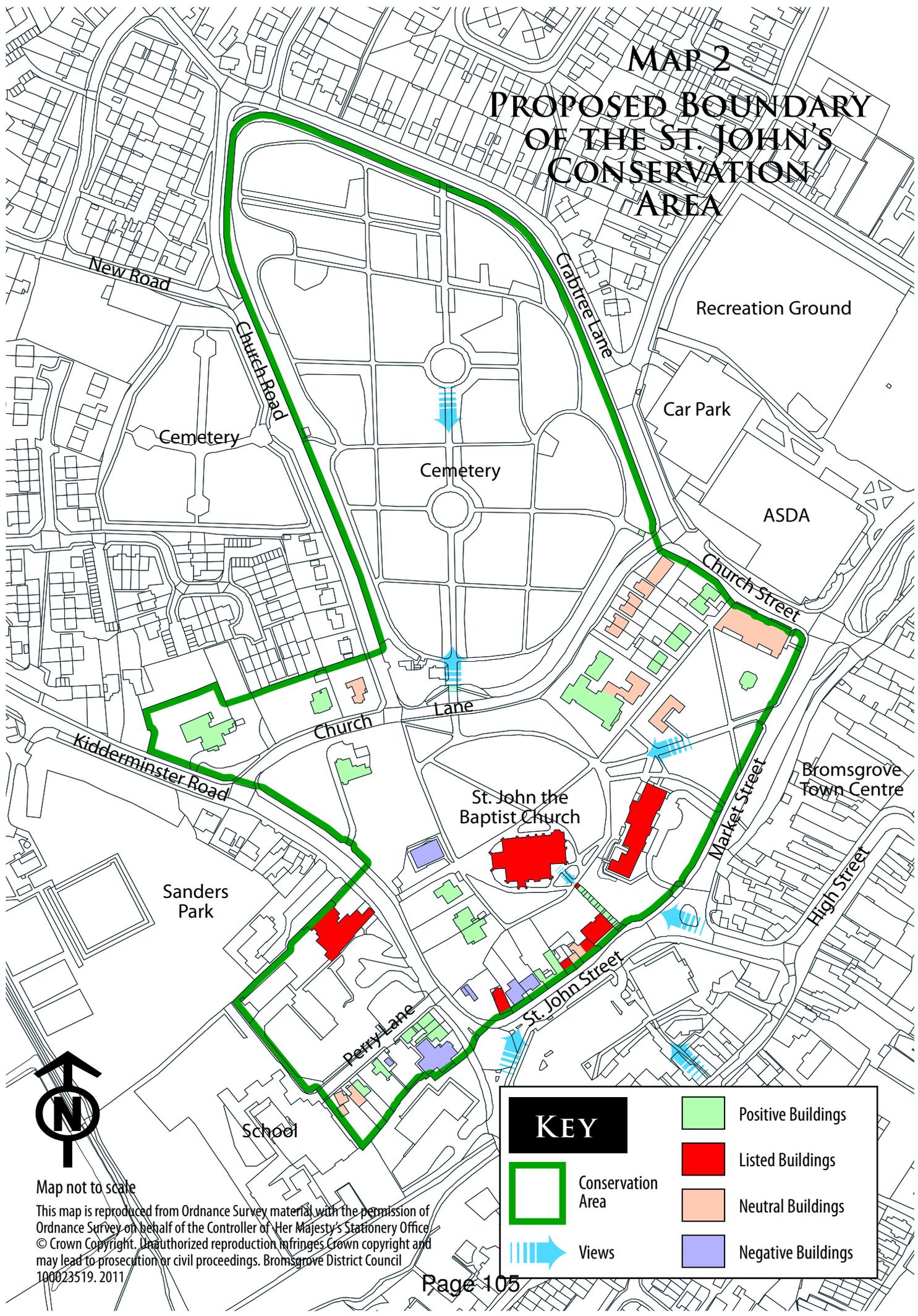


Conservation Area

Map not to scale

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# MAP 2 PROPOSED BOUNDARY OF THE ST. JOHN'S CONSERVATION AREA



KEY	
	Conservation Area
	Positive Buildings
	Listed Buildings
	Neutral Buildings
	Negative Buildings
	Views

Map not to scale

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پر رابطہ کریں



**BROMSGROVE DISTRICT  
COUNCIL**

HEAD OF  
PLANNING AND REGENERATION  
THE COUNCIL HOUSE,  
BROMSGROVE,  
BROMSGROVE B60 1AA

**APPENDIX E**

**PROPOSED AMENDMENTS TO THE BROMSGROVE TOWN CONSERVATION AREA AND DESIGNATION OF ST JOHNS CONSERVATION AREA: SUMMARY OF CONSULTATION RESPONSES**

<b><u>CONSULTEE</u></b>	<b><u>COMMENTS MADE</u></b>	<b><u>COUNCIL RESPONSE</u></b>
English Heritage	<p>The road between St. Johns Church and the High Street / Worcester Street axis has quite a marked severance effect and the Churchyard and buildings relating to it read as a separate enclave. I would accept your logic in seeking to designate a separate conservation area to include St John's and the west side of St John's Street.</p> <p>The character appraisal is well-observed and presented and well up to the standard being produced in the region overall.</p>	Support for designation of separate St. Johns Conservation Area noted.
Victorian Society	Supports the designation of a separate St. Johns Conservation Area but would like to retain the western end of Worcester Road within the Bromsgrove Town Conservation Area.	Support for change in designation noted. The removal of the western end of Worcester Road was proposed because of the gradual erosion and deterioration which has taken place since the original designation. The quality of this part of the town is not sufficient to merit Conservation Area status and the few historic buildings which survive are either statutorily listed or much altered. The 2006 English Heritage guidance on Management of Conservation Areas states that, " <i>Areas designated many years ago should be re-appraised to see if they are still of special interest. If the original</i>

	<p>Requested that Davenal House, the former Museum, the Bromsgrove Guild building on Station Street be included in the Conservation Area boundary.</p> <p>Requested references to features of 15 Chapel Street and 10 High Street be added.</p> <p>Additional comments made on the proposed improvements to the High Street, tree planting and the Market Hall site.</p>	<p><i>interest has been so eroded by subsequent changes (either cumulative or dramatic) or by inappropriate development that the area is no longer special, boundary revisions or even cancellation of designation may need to be considered”</i></p> <p>Davenal House and the adjacent former Museum are currently within the boundary and shall remain so, these buildings are also statutorily listed. The building on Station Street has been altered and is not immediately adjacent to the Conservation Area boundary. It has however been included in the Council’s draft list of local interest buildings, which may become a formal local list in the future.</p> <p>Text changes have been added to page 13 and page 16 of the character appraisal as requested</p> <p>These issues shall be included in the consultation report for the draft Town Centre Area Action Plan.</p>
Elizabeth Lally	Supports the proposed boundary changes to the Bromsgrove Town Conservation Area. Detailed comments made on the public realm, shopfronts and marketing of the town’s heritage.	Support noted. The other issues raised shall be included in the consultation report for the draft Town Centre Area Action Plan.
Miss M. Gwilliam, Worcester Road	Raised concerns about changes to traffic routes and the crossing at Hanover Street	No physical changes to the road layout are proposed, only a legal change to the Conservation Area boundary. The customer was advised however to read the draft town centre Area Action Plan for further

		information on traffic movements.
Mr. L. Walker, 15 Lynden Close	Supports the proposed changes to the Conservation Area boundary. Queried whether the negative buildings identified in the appraisal map could be earmarked for redevelopment and suggested further frontage improvements to reinstate historic shopfronts	Support noted. Those buildings identified as negative are much more likely to be granted consent for demolition, dependant on the quality of any replacement buildings. The Council has a statutory duty to ensure that development either preserves or enhances the character or appearance of the Conservation Area. The frontage improvement scheme has been extended for a further 12 months and we hope to complete two more projects in the next 3 months.
Mr. Nightingale, 58 Stratford Road	Objects to the removal of the western end of Worcester Road from the Bromsgrove Town Conservation Area, as an area of special traders.  Supports the designation of a separate St. Johns Conservation Area	Letter sent explaining that the shopping area on Worcester Road would remain within the boundary, only the small group of units adjacent to the Black Cross PH would be removed. No further comments received. See response to Victorian Society comment above on justification for boundary change  Support noted
Sheila Shayes, 29 Hill Lane	Objects to the removal of the western end of Worcester Road from the Bromsgrove Town Conservation Area, as the southern approach to the town is important and shouldn't become a 'downtown' area	Letter sent explaining that the shopping area on Worcester Road would remain within the boundary, only the small group of units adjacent to the Black Cross PH would be removed. No further comments received. See response to Victorian Society comment above on justification for boundary change

Ms. Y. Horseywell, 10a Central Road	Lack of information given about the proposed boundary changes. In favour of repairs to the upper floors of buildings in the High Street, the naturalisation of the brook, and the introduction of a town trail and interpretation panels.	Letter sent explaining the boundary changes in more detail, no further comments received. Support for management proposals noted.
High Street Consultation events Feb 2011	A number of comments were made verbally during the consultation events, and in writing regarding the Drill Hall during the AAP consultation	The Drill Hall was submitted for statutory listing by the Council in 2009, but was too much altered to meet the national guidelines from English Heritage. It does have local interest and is currently outside the Bromsgrove Town Conservation Area. It has been suggested that the boundary be extended to include the Drill Hall however it is not immediately adjacent to the boundary, and best practice guidance advocates against extending Conservation Area boundaries to encompass nearby buildings on an adhoc basis. The social significance of the building is recognised by the Council and will be considered when and if proposals to redevelop the site are submitted.

**APPENDIX F**

**PROPOSED DESIGNATION OF ST JOHNS CONSERVATION AREA: SUMMARY OF CONSULTATION RESPONSES**

<b><u>CONSULTEE</u></b>	<b><u>COMMENTS MADE</u></b>	<b><u>COUNCIL RESPONSE</u></b>
English Heritage	The road between St. Johns Church and the High Street / Worcester Street axis has quite a marked severance effect and the Churchyard and buildings relating to it read as a separate enclave. I would accept your logic in seeking to designate a separate conservation area to include St John's and the west side of St John's Street.	Support for designation of separate St. Johns Conservation Area noted.
Victorian Society	<p>Supports the designation of a separate St. Johns Conservation Area and would like to see views of the Church enhanced.</p> <p>Also queried whether an article 4 direction would be imposed to protect historic windows and gave additional background information on the history of buildings in the area.</p>	<p>Support noted. The setting of listed buildings is a material consideration in the determination of planning applications, the issue of trees impacting negatively on views of the church has been raised by other consultees (see below)</p> <p>PPS5 and English Heritage advises that it is only appropriate to remove permitted development rights where there is a real and specific threat which undermines the aims of the Conservation Area. At this moment there is no threat to traditional details within the area, but this shall be reviewed on a periodic basis.</p> <p>The additional information provided on Perry Hall and the other historic buildings in the area has been added to the character appraisal.</p>

Bereavement Services Manager	Queried the impact of including the cemetery in the Conservation Area upon service delivery	If the cemetery is included this would have no impact on the maintenance liability or the programming of burials. The only additional procedure applies to the complete removal of any pre-1925 gravestones or any of the boundary walls surrounding the cemetery which would need a special type of Planning Permission called Conservation Area Consent. Normally a notification of works to trees is required within Conservation Areas, but as the trees within the cemetery are managed by the Council this would be dealt with internally between officers.
Cemeteries Officer	In favour of enhancing protection of the cemetery but queried additional consents for maintenance	See response above
Revd Chris Wingfield, St Johns Church	Supports the designation. Queried the amenity value of the trees surrounding the churchyard and the management proposals relating to parking	Support noted. Comments on trees passed to the Tree Officer for direct response – the trees have amenity value so the Council would be unlikely to support their removal purely to improve the view.
Somerset Redland Trust (owners of St. Johns Court Care Home)	Supports the designation of a St. Johns Conservation Area. Queried the removal of several trees to the south of the building to improve views of the Church.	Support noted. See response above relating to the trees.
Mr and Mrs Slatford, 3 Church Lane	Supports the designation of a St Johns Conservation Area. Raised the condition of the cemetery lychgate and stone walls, road surface, pavements and street signs as particular problems in the area.	Support noted. Comments on the cemetery lychgate and stone walls have been passed to Cemeteries Officer to see whether funding can be found for repairs. The road and street surfaces are managed by Worcester County Council, and the resident has been

	Comments also made on the appearance and regeneration of the town centre	<p>encouraged to report these issues to the Worcestershire Hub for further investigation.</p> <p>These issues shall be included in the consultation report for the draft Town Centre Area Action Plan.</p>
Mr. K. Blear, 4 Church Lane	Queried the meaning of positive, neutral and negative buildings	<p>A paragraph explaining this classification has been added to the draft character appraisal as follows,</p> <p>Map 2 identifies positive, neutral and negative buildings within the St. John's Conservation Area – this is not an exclusive list and omission of any particular building should not be taken as an indication that it has no value. Positive buildings make a notable contribution to the character and appearance of the Conservation Area and are usually good examples of historic buildings with only minor alterations or additions. Neutral buildings make a limited contribution and are generally the much altered historic buildings, but may provide opportunities for enhancement. Neutral buildings are those properties which detract from the character and appearance of the Conservation Area, where replacement with a new building would be encouraged, subject to compliance with other planning policies.</p>
Owner, 7 Church Lane	Supports the designation of a St Johns Conservation Area, and would like to establish a residents group to support the management proposals	Support noted.

Mr. L. Walker, 15 Lynden Close	Supports the designation of a St Johns Conservation Area but would like to see the Drill Hall and Parkside School included. Also commented generally on vandalism to historic buildings.	Support noted. The Drill Hall was submitted for statutory listing by the Council in 2009, but was too much altered to meet the national guidelines from English Heritage. It does have local interest and is currently outside the Bromsgrove Town Conservation Area. It has been suggested that the boundary be extended to include the Drill Hall however it is not immediately adjacent to the boundary, and best practice guidance advocates against extending Conservation Area boundaries to encompass nearby buildings on an adhoc basis. The social significance of the building is recognised by the Council and will be considered when and if proposals to redevelop the site are submitted. Parkside School is a Grade II listed building which is a higher level of protection than Conservation Area status would bring. The school is also some distance from the proposed boundary of the St. Johns Conservation Area.
Mr. P Windows, 6 Crown Close on behalf of the Friends of Crown Close group	Supports the designation of a St. Johns Conservation Area. Queried management proposals relating to maintenance of Crown Close and parking in the area.	Support noted. Comments regarding irregular maintenance of Crown Close have been passed to Street Cleansing. Problems with parking in the area were mentioned in the appraisal document but not in the management proposals as parking on private land is outwith the Council's control. The reference to a parking strategy on pg.16 has now been deleted to avoid future misunderstanding.

SUMMARY - Period 8 (November) 20010/11					
Monthly (November) performance			Estimated Outcome		
No.	%age <sup>3</sup>		No.	%age <sup>3</sup>	
16	42%	On target	27	66%	On target
22	58%	Missing target by less than 10%	5	12%	Missing target by less than 10%
6		Missing target by more than 10%	9	22%	Missing target by more than 10%
		No data <sup>2</sup>	3		No data <sup>2</sup>
44		Total Number of Indicators reported this period <sup>1</sup>	44		Total Number of Indicators reported this period <sup>1</sup>
			29	78%	
			6	16%	
			2	5%	
			7		
			44		

SUMMARY - Period 9/Quarter 3 (December) 20010/11					
Monthly (December) performance			Estimated Outcome		
No.	%age <sup>3</sup>		No.	%age <sup>3</sup>	
22	52%	On target	24	57%	On target
20	48%	Missing target by less than 10%	7	17%	Missing target by less than 10%
11		Missing target by more than 10%	11	26%	Missing target by more than 10%
		No data <sup>2</sup>	11		No data <sup>2</sup>
53		Total Number of Indicators reported this period <sup>1</sup>	53		Total Number of Indicators reported this period <sup>1</sup>
			32	76%	
			6	14%	
			4	10%	
			11		
			53		

SUMMARY - Period 11 (February) 20010/11					
Monthly/Quarterly (February) performance			Estimated Outcome		
No.	%age <sup>3</sup>		No.	%age <sup>3</sup>	
25	76%	On target	23	74%	On target
8	24%	Missing target by less than 10%	5	16%	Missing target by less than 10%
8		Missing target by more than 10%	3	10%	Missing target by more than 10%
		No data <sup>2</sup>	10		No data <sup>2</sup>
41		Total Number of Indicators reported this period <sup>1</sup>	41		Total Number of Indicators reported this period <sup>1</sup>
			24	75%	
			6	19%	
			2	6%	
			9		
			41		

SUMMARY - Period 12 (March) 20010/11					
Monthly (March) performance			Estimated Outcome		
No.	%age <sup>3</sup>		No.	%age <sup>3</sup>	
24	55%	On target	28	59%	On target
20	45%	Missing target by less than 10%	6	14%	Missing target by less than 10%
2		Missing target by more than 10%	12	27%	Missing target by more than 10%
		No data <sup>2</sup>	2		No data <sup>2</sup>
46		Total Number of Indicators reported this period <sup>1</sup>	46		Total Number of Indicators reported this period <sup>1</sup>
			26	59%	
			6	14%	
			12	27%	
			2		
			46		

Notes

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

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Ref	Description	Freq. of reporting	Cum or Snap?	2009/10 outcome	2010/11												Comments		
					Dec Target	Dec Actual	Target & trend	Jan Target	Jan Actual	Target & trend	Feb Target	Feb Actual	Target & trend	Mar Target	Mar Actual	Target & trend		Outturn	
<b>Environment Department</b>																			
NI 191	Residual Household waste per household (KG)	M	C	581.13	434.87	409.48	W	481.85	454.50	I	526.08	497.92	I	574.29	540.86	W	578.00	540.86	improved on target
NI 192	Percentage of household waste re-used, recycled and composted	M	C	37.4	41.04	43.55	W	40.47	43.18	I	37.93	42.17	I	38.69	42.70	I	40.00	42.70	improved on target
NI 195	Improved street & environmental cleanliness - graffiti	M*	S												1.00	I	5.00	1.00	Surveys were completed to give a full years complement of data, however were not required by Government due to the cessation of this NI. Monitoring was also undertaken by different assessors which could account for any deviance from target.
NI 195	Improved street & environmental cleanliness -litter	M*	S												23.00	W	13.00	23.00	Surveys were completed to give a full years complement of data, however were not required by Government due to the cessation of this NI. Monitoring was also undertaken by different assessors which could account for any deviance from target.
NI 195	Improved street & environmental cleanliness -debris	M*	S												43.00	W	20.00	43.00	Surveys were completed to give a full years complement of data, however were not required by Government due to the cessation of this NI. Monitoring was also undertaken by different assessors which could account for any deviance from target.
NI 195	Improved street & environmental cleanliness -fly posting	M*	S												2.00	W	1.00	2.00	Surveys were completed to give a full years complement of data, however were not required by Government due to the cessation of this NI. Monitoring was also undertaken by different assessors which could account for any deviance from target.
	Number of missed waste collections	M	C	1107	1,125	911	I	1,250	976	W	1,375	1,024	I	1,500	1,064	I	1,500	1,064	40 missed collections
	Town Centre Car Park Usage (weekly average per month)	M	S	126.928 (ave)	29,280	23,531	W	29,280	27,248	I	29,280	28,505	I	29,280	29,215	I	>29,280	28,915	Weekly average usage over the year was 28,915, slightly below the target of 29,280

Community Services

Ref	Description	Freq. of reporting	Cum or Snap?	2009/10 outturn	2010/11												Comments	
					Dec Target	Dec Actual	Target & trend	Jan Target	Jan Actual	Target & trend	Feb Target	Feb Actual	Target & trend	Mar Target	Mar Actual	Target & trend		Outturn
	Total Crime	M	C	5187	3,968	4,134	I	4,415	4,537	W	4,819	4,930	I	5,266	5,301	I	5,301	There were 383 recorded crimes in Bromsgrove District during March, 64 fewer offences than the same period last year. Although the target has not quite been met by a small number of offences the Bromsgrove Community Safety Partnership are happy with performance as it was a challenging target following three consecutive years of crime reductions. Burglary, thefts, violent crime, fraud and biking are just some of the types of offences that make up a large proportion of the total crime figures. Burglary and Violent Crime continue to be priorities for the Bromsgrove Community Safety Partnership during 2011/12 with related action plans currently in development.
	The number of domestic burglaries	M	C	321	279	247	I	310	291	W	339	317	I	370	333	I	333	There were only 16 dwelling burglaries reported in March 2011: The Police's Pro Active Team are targeting specific individuals & also running Operation Terminator - a reassurance operation, with high-visibility patrols. Domestic burglary is still a priority for communities & therefore, it remains a priority for the CSP, which is running a number of initiatives to tackle the issue.
	The number of violent crimes	M	C	1046	797	872	I	887	951	W	951	1,033	W	1,038	1,120	I	1,120	Our target was not achieved & there has been no significant change in crime levels for this type of crime. The focus needs to be on the town centre at night. The CCTV camera on the Worcester Road needs replacing & this is being looked into by the CSP, in conjunction with CCTV. Signage will also be improved. Violent crime connected to the night-time economy & domestic abuse were both priorities for the CSP in 2011/2012.
	The number of robberies	M	C	44	41	35	W	45	40	W	49	45	W	54	45	I	45	There were no recorded robberies in March 2011 & our target has been reached within 9 crimes. Robbery continues to be a very low crime type in Bromsgrove.
	The number of vehicle crimes	M	C	672	500	520	I	557	565	W	608	626	W	664	684	W	684	There was one specific offence during the year that included 26 crimes being committed in 1 street - without this, we would have hit our target. Even with this, we are very close to achieving our target for this year.

Ref	Description	Freq. of reporting	Cur or Snap?	2009/10 outturn	Dec Target	Dec Actual	Target & trend	Jan Target	Jan Actual	Target & trend	Feb Target	Feb Actual	Target & trend	Mar Target	Mar Actual	Target & trend	2009/11 Target	Outturn	Comments
	The number of Criminal Damage Incidents	M	C	908	667	600	W	730	645	I	800	689	I	890	730	I	2009/11	730	This type of crime is strongly linked with ASB, but figures have not been over target for a single month. March saw 41 single crimes committed, which was the lowest recorded in a single month. There were 160 fewer crimes committed than the target.
	Monthly Shopmobility Centre Usage	M	S	144 (ave)	140	145	W	140	165	I	140	186	I	160	195	I		182	Monthly usage over the year averaged 182, well above target
	Average time (weeks) from referral to completion for category 1 DFGs	Q	C	44	34	45	I							34	56	W		56	Timescales have continued to increase, particularly for category 1 cases. There were two cases with delays due to clients having to go into hospital thus placing their grants on hold. All timescales have increased during the year, partly due to the rationing of the finances, but the main reason is that cases being completed now are ones that we were unable to be fund last financial year. These cases have been on hold until we had the financial resources to fund the works. The delay in being able to approve the grants and being able to complete is mainly due to lack of funding as we are now having to ration the work out throughout the year to ensure any urgent cases are still able to be complete as there is funding still available.
	Average time (weeks) from referral to completion for category 2 DFGs	Q	C	63	35	65	I							35	64	I		64	see above
	Average time (weeks) from referral to completion for category 3 DFGs	Q	C	63	52	84	I							52	96	I		96	see above
	Percentage of DFG budget allocated to approved schemes (activity measure)	Q	C	100.00	n/a	49	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	100	n/a		n/a	activity measure
	Percentage of DFG budget spent (activity measure)	Q	C	100.00	n/a	35	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	91	n/a		n/a	activity measure
	Private dispersed Lifeline customer numbers - new customers	M	S		18	9	W	18	12	I	18	19	I	18	22	I		209	The number of installations have increased in March
	Private dispersed Lifeline customer numbers - Leavers	M	S		12	6	W	12	10	W	12	12	W	12	27	W		144	There was an increase in the number of cancellations following the annual price increase letter going out.
	Private dispersed Lifeline customer numbers - net gain	M	S		6	3	W	6	2	W	6	7	I	6	-5	W		88	This was the first month where the number of new service users was negative. However the final out turn was above the annual target
	Private dispersed Lifeline customer numbers - total private dispersals	M	S		655	685	W	661	687	I	667	694	I	673	681	W		681	The annual business growth was above the set target
	Number of Lifeline calls received (activity measure)	M	S		n/a	15,876		n/a	14,111		n/a	11,094		n/a	8,695			n/a	The number of calls has reduced now that we have fixed the reoccurring fault on a scheme

Ref	Description	Freq. of reporting	Cum or Snap?	2009/10 outcome	2010/11												Comments	
					Dec Target	Dec Actual	Target & trend	Jan Target	Jan Actual	Target & trend	Feb Target	Feb Actual	Target & trend	Mar Target	Mar Actual	Target & trend		Outturn
	% of lifeline calls answered within 1 minute	M	S		98.50%	99.10%	I	98.50%	99.50%	I	99.50%	99.67%	I	98.50%	99.56%	W	98.50	Response times were very prompt, quicker than the specified target. Target exceeded every month in the year.
NI 155	Number of affordable homes delivered	Q	C	88	60	55	W							80	56	W	56	In 2006 we set a target to achieve the delivery of 400 affordable housing units in 5 years. Although this year we have fallen short of our yearly target of 80 units over the five years of our current Housing Strategy we and our partners have delivered 407 units, which is in excess of our target of 400.
NI 156	Number of households occupying temporary accommodation	Q	S	14	34	19	W							34	31	W	31	Whilst we are still within our target of 34 households in temporary accommodation there has been a significant increase in this quarter. This is partly due to: 1) Difficulties beyond the control of BDHT in reletting their voids thus meaning clients have been in T/A longer than normal. This is gradually being resolved 2) An unusual number of cases involving social services who cannot be permanently rehoused as quickly as would normally be the case
	Number of CCTV incidents (activity measure)	M	C			315						359		n/a	374	n/a	n/a	Activity Measure
	Number of CCTV incidents which are proactive monitoring	M	C			38						25		n/a	27	n/a	n/a	Activity Measure
	Number of CCTV evidential seizures	M	C			33						21		n/a	36	n/a	n/a	Activity Measure

#### Leisure & Cultural Services

	Number of locally delivered diversionary sessions	M	C	163	152	166	W	157	166	W	169	172	I	185	172	W	172	185	Fell just short of Annual Target. Weather conditions decreased activity. Seeking to establish regular sessions and activities in conjunction with Community Safety for forthcoming year.
	Numbers of users attending diversionary activities.	M	C	617	610	804	W	630	804	W	672	834	I	720	834	W	834	750	Exceeded Annual Target although limited capacity due to weather conditions. Seeking to establish regular sessions and activities in conjunction with Community Safety for forthcoming year.
	Number of over 60's swimming usages	M	C					12,600	6,750	W	N/A	N/A		15,750	7,445	W	7,445	14,750	Gradually worsened due to funding being removed by Central Government.

Ref	Description	Freq. of reporting	Cum or Snap?	2009/10 outturn	2010/11												Target & trend	Comments
					Dec Target	Dec Actual	Target & trend	Jan Target	Jan Actual	Target & trend	Feb Target	Feb Actual	Target & trend	Mar Target	Mar Actual	Target & trend		
	Number of people attending 'Age Well' scheme	Q	C		N/A	N/A		N/A	N/A		N/A	N/A	28	n/a (baseline in 10/11)	28	28 people attended in March. A total of 154 people have engaged in Age Well Questionnaires,		
	Number of attendances at arts events	M	C	23,728	25,636	W	25,544	25,768	I	25,655	25,768	W	25,750	25,865	I	Target exceeded. Client Parish Hall hosted the New Perspectives Theatre Company 'Lark Rise to Candleford' production, as part of Shindig, the rural and community touring scheme for Bromsgrove district and Worcestershire. The production explored rural life in England in the 19th century.'		
	Arrixx usage (community use)	Q	S	60,250	51,005	I	N/A	N/A		N/A	N/A		64,500	69,561	I	Target exceeded. During this last quarter total attendances at live events and at cinema screenings have increased compared to the last quarter, there has also been an increase in the percentage of capacity sold of directly promoted performances and cinema screenings.'		
	Dolphin Centre Usage	M	C	415,407	274,589	I	340,804	305,010	W	379,375	336,963	W	419,778	369,601	I	Target not met partially due to no parties during one weekend due to swimming lesson assessment. Second highest usage for the period. Usage fairly good for all areas, particularly gym and classes. Excellent uptake for new course of swimming lessons.		
	Sports development usages	M	C	30,095	26,544	I	24,065	30,337	I	26,819	34,664	I	28,969	35,000	W	Annual Target hugely exceeded due to success of Sport Unlimited, Exercise Mobility, Multi Skills, PSP sessions & Festivals. Regular programmes have seen increase in numbers to contribute to overall increase in usages. Impact for 11/12 will be loss of fun		

N1181	Time taken to process HBCT benefit/ new claims or change events (days)	M	C	9.12	12.00	I	12.00	12.27	I	12.00	9.88	I	12.00	8.00	I	above target - seeing further improvement on previous months.
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Ref	Description	Freq of reporting	Cum or Snap?	2009/10 outcome	2009/10														
					Dec Target	Dec Actual	Target & trend	Jan Target	Jan Actual	Target & trend	Feb Target	Feb Actual	Target & trend	Mar Target	Mar Actual	Target & trend	Outturn	Comments	
	Percentage of invoices paid within 10 days of receipt	M	C	83.00	90.00	89.46	I	90.00	88.64	W	90.00	88.74	I	90.00	88.39	W	90.00	85.00	The payment of invoices due within 10 days is under target because of the delayed approval of invoices due to the transitional period within Regulatory Services.
FP001	Percentage of invoices paid within 30 days of receipt	M	C	98.00	98.00	98.26	W	98.00	98.25	W	98.00	98.27	I	98.00	98.37	I	98.00	98.00	On Target
LPI (formerly BV12)	The average number of working days lost due to sickness.	M	C	9.12	6.39	7.83	W	7.18	8.57	I	7.97	9.11	I	8.75	9.80	I	8.75	9.80	Although sickness reduced significantly in March, the outturn for year end was RED. However March saw the lowest number of days lost due to sickness for the financial year.

Customer Services

	Monthly Call Volumes Customer Contact Centre (activity measure)	M	S		6,667			6,785				5,747			8,315			n/a	Calls to the contact centre increased by 43% compared to last month. This is expected at this point in the Council year and is driven by Council Tax main billing
	Monthly Call Volumes Council Switchboard (activity measure)	M	S		3,949			3,671				3,462			3,978			n/a	Calls to the switchboard increased by 15% compared to last month. This is expected at this point in year and is driven by Council Tax main billing. Increase is a smaller % as customers are shifted over to the contact centre for these enquiries rather than telephoning the Council
	Resolution at First Point of Contact all services (percentage)	M	S	95.00	85.00	98	I	85.00	97	W	85.00	96	W	85.00	97	I	95.00	95.00	Performance during March remains above target and is consistent with the year to date trend
	% of Calls Answered	M	S	85.00	85.00	93.00	I	85.00	92.00	W	85.00	95.00	I	85.00	86.00	W	85.00	85.00	Still above target the % of calls answered this month has fallen by 10% this month driven by the increase in call volumes
	Average Speed of Answer (seconds)	M	C	20	20.00	16.70	I	20.00	16.30	I	20.00	15.60	I	20.00	17.3	W	20.00	20.00	Cumulative performance remains below target and demonstrates the continual improvement exhibited during the year
	Number of complaints received (Council wide)	M	C	200	n/a	146	I	n/a	158	W	n/a	170	S	n/a	186	W	decreasing	decreasing	Commencement of the Garden waste and IT problems with issues of stickers after the winter break has caused a few extra complaints this month but still below average compared to last two years. Complaints for March included : Staff Attitude- CSC 1, Council Tax refund 1, Planning Objection/Application 1, Staff Attitude – waste collection 1, Missed Garden Waste collection/ no sticker 5, Assisted Bin Collection failure 2, Bins not replaced properly 2, Delay with replacement bin 1, Parking Fines 2

Ref	Description	Freq. of reporting	Cum or Snap?	2009/10 outcome	2010/11												Comments	
					Dec Target	Dec Actual	Target & trend	Jan Target	Jan Actual	Target & trend	Feb Target	Feb Actual	Target & trend	Mar Target	Mar Actual	Target & trend		Outturn
	Number of compliments received	M	C	60	n/a	73	I	n/a	94	I	n/a	105	W	n/a	127	I	increasing	Compliments for March included: Excellent Service and advice from Customer Service Centre 4, Sports Event 8, Funding for trikes in Sanders park 1, Proposal for Wheelchair basketball 1, Excellent Sports Development team and service 4, Service from Street Cleansing Team 1, Service from Recycling Team 1, Service from Development Control 1, Service from Democratic Services 1

#### Legal, Equalities and Democratic Services

There are no Corporately reported PIs for this department

#### Planning & Regeneration

NI 157	The percentage of major planning applications determined within 13 weeks	M	C	83.00	85.00	70.37	I	85.00	67.86	W	85.00	67.74	S	85.00	75.00	I	85.00	Performance has improved by 8% in March and is the highest level during the year 2010/11. Application 10/0920 (Selsdon Close) was called to Committee in February 2011 and deferred for drainage and highway issues and 10/0931 (Norton Lane) was called to March Committee and refused. The estimated outturn for the year (within 10% of target) has been missed by 1.5%
NI 157	The percentage of minor planning applications determined within 8 weeks	M	C	87.80	85.00	88.24	I	85.00	88.83	I	85.00	88.63	S	85.00	92.86	I	85.00	Performance is above target and improving. The number of applications received during March has decreased compared with previous months.
NI 157	The percentage of other planning applications determined within 8 weeks	M	C	91.00	90.00	94.03	W	90.00	93.77	W	90.00	93.37	S	90.00	94.34	I	90.00	Performance is above target and improved. The number of applications in this category has risen by 25% compared to the previous month.

#### Regulatory Services

There are no Corporately reported PIs for this department

#### Policy, Performance and Partnerships

There are no Corporately reported PIs for this department

#### Business Transformation

Ref	Description	Freq. of reporting	Cum or Snap?	2009/10 outturn	Dec Target	Dec Actual	Target & trend	Jan Target	Jan Actual	Target & trend	Feb Target	Feb Actual	Target & trend	Mar Target	Mar Actual	Target & trend	2009/11	Target	Outturn	Comments

There are no Corporately reported PIs for this department

Ref	Description	Freq	Cum or Snap	2010/11 Monthly Performance figures												
				Apr.	May.	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	
NI 191	Residual Household waste per household (kg)	M	C	47.55	47.84	47.60	48.38	47.12	47.68	47.09	48.57	53.04	46.98	44.23	48.21	
			Actual	50.30	42.13	46.11	47.30	41.73	46.40	43.14	46.31	46.06	50.59	43.42	45.57	
			numerator	1,964.54	1,645.47	1,801.04	1,847.40	1,629.90	1,812.29	1,685.13	1,808.98	1,799.22	1,808.98	1,975.86	1,695.85	1,780.05
			denominator	39,059	39,059	39,059	39,059	39,059	39,059	39,059	39,059	39,059	39,059	39,059	39,059	39,059
NI 192	Percentage of household waste re-used, recycled and composted	M	C	42.36	46.38	44.98	44.30	43.72	40.96	36.56	23.39	29.30	26.17	34.28	38.69	
			Actual	39.97	44.48	46.70	42.51	44.11	52.94	52.43	40.18	24.62	27.38	29.61	45.39	
			numerator	1,308,048	1,318,193	1,578,827	1,366,005	1,286,334	2,038,770	1,859,882	1,214,851	745,745	744,931	713,211	1,479,492	
			denominator	3,272,728	2,963,633	3,381,089	3,213,475	2,916,234	3,651,060	3,547,390	3,023,831	3,028,648	2,720,787	2,409,059	3,259,542	
NI 195	Improved street & environmental cleanliness - graffiti	M*	S				5				5				5	
			Actual				2				6				1	
NI 195	Improved street & environmental cleanliness - litter	M*	S				13				13				13	
			Actual				13				14				23	
NI 195	Improved street & environmental cleanliness - detritus	M*	S				20				20				20	
			Actual				37				40				43	
NI 195	Improved street & environmental cleanliness - fly posting	M*	S				1				1				1	
			Actual				1				2				2	
	Number of missed waste collections	M	C	125	125	125	125	125	125	125	125	125	125	125	125	
			Actual	167	120	151	119	59	84	62	87	62	65	48	40	
	Town Centre Car Park Usage (weekly ave in month)	M	S	126,875	126,875	126,875	126,875	126,875	126,875	126,875	29,280	29,280	29,280	29,280	29,280	
			Actual	125,929		127,936	136,570	130,147	29,869	30,686	30,651	27,248	28,505	29,215		

**Environment Department**

**Community Services**

	Total crimes	M	C	433	447	433	447	447	433	447	433	447	447	404	447
			Actual	485	505	472	535	506	460	463	423	348	413	398	383
	The number of domestic burglaries	M	C	30	31	30	31	31	30	30	31	31	31	28	31
			Actual	25	17	35	48	33	17	25	26	24	44	26	16
	The number of violent crimes	M	C	88	91	92	96	97	90	87	78	78	80	74	87
			Actual	107	97	99	120	99	91	100	85	75	82	83	86



NI 156	Delivered	Actual	n/a	n/a	n/a	1	n/a	n/a	39	n/a	n/a	15	n/a	n/a	1
	Number of households occupying temporary accommodation	Target	n/a	n/a	n/a	34	n/a	n/a	34	n/a	n/a	34	n/a	n/a	34
		Actual	n/a	n/a	n/a	13	n/a	n/a	10	n/a	n/a	19	n/a	n/a	31
	Number of CCTV incidents	Target	n/a	n/a	n/a	n/a									
		Actual	315	336	173	80	320	342	379	350	315	99.50%	359	374	
	%age of CCTV incidents which are proactive monitoring	Target	n/a	n/a	n/a	n/a									
		Actual	60	71	19	34	36	26	45	23	38	99%	25	27	
	Number of CCTV evidential seizures	Target	n/a	n/a	n/a	n/a									
		Actual	33	24	19	12	45	38	48	39	33	378	11	36	

**Leisure & Cultural Services**

	Number of locally delivered diversionary sessions	Target	16	19	21	18	25	16	18	14	5	5	12	16
		Actual	30	3	23	15	80	0	15	0	0	0	6	0
	Numbers of users attending diversionary activities.	Target	56	69	96	82	124	52	69	32	30	20	42	48
		Actual	64	8	133	149	355	0	95	0	0	0	30	0
	Number of over 60's swimming usages	Target	1,275	1,325	1,450	1,450	1,450	1,375	1,250	1,200	950	875	1,000	1,150
		Actual	1,272	1,195	1,403	1,378	NA	NA	NA	NA	NA	250	324	336
	Number of people attending 'Age Well' scheme	Target	N/A											
		Actual	N/A	N/A	N/A	N/A	N/A	14	N/A	N/A	N/A	N/A	N/A	28
	Number of attendances at arts events	Target	91	568	4,222	660	15,080	847	859	3,025	129	63	111	95
		Actual	100	485	4,618	665	14,773	872	881	3,055	187	132	0	97
	Artrix usage	Target	N/A	N/A	N/A	16,125	N/A	14,800	N/A	N/A	18,042	N/A	N/A	14058
		Actual	N/A	N/A	2,700	17,696	N/A	14,900	N/A	N/A	18,409	N/A	N/A	18556
	Dolphin Centre Usage	Target	34,056	37,709	34,563	34,321	31,105	34,813	35,922	35,630	26,064	36,000	38,571	40,403
		Actual	34,301	33,016	32,519	31,061	32,533	30,983	32,690	29,491	17,995	30,421	31,953	32,638
	Sports development usages	Target	1,966	2,514	2,686	2,849	2,351	1,941	3,064	3,540	1,171	1,983	2,754	3,781
		Actual	2,060	2,856	3,221	2,738	2,243	3,027	4,447	10,448	1,992	3,793	4,327	336

**Finance & Resources Department**

NI 181	Time taken to process HB/CT benefit new claims or change events	Target	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00	12.00
		Actual	19.61	16.68	13.65	15.60	12.79	11.12	9.87	13.88	12.85	10.19	2.69	
		numerator	21,202	35,180	64,182	55,762	71,695	10,571	7,906	17,479	10,013	11,701	9431.00	
		denominator	1,081	2,109	4,701	3,574	5605	951	801	1,259	779	1,148	3508	
	Percentage of invoices paid within 10 days of receipt	Target	90.00	90.00	90.00	90.00	99.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00
		Actual	86.69	79.55	95.64	88.29	96.20	92.09	92.72	83.95	90.08	86.87	89.86	84.43

	Percentage of invoices paid within 30 days of receipt	M	C	Target	98.00	98.00	98.00	98.00	98.00	98.00	98.00	98.00	98.00	98.00	98.00	98.00	98.00	98.00	98.00	
				Actual	99.61	98.64	99.53	98.86	98.89	98.68	97.69	99.03	98.49	99.53						
	The average number of working days lost due to sickness.	M	C	Target	0.71	0.71	0.71	0.71	0.71	0.71	0.71	0.79	0.79	0.78						
				Actual	0.78	77.00	0.49	0.73	1.02	0.92	1.21	0.75	0.54							

**Customer Services**

	Monthly Call Volumes Customer Contact Centre (activity measure)	M	S	Target	n/a	n/a	n/a	n/a	n/a	n/a										
				Actual	9,914	6,992	7,465	6,284	6,628	6,315	7,816	6,785	5,747	8,315						
	Monthly Call Volume Council Switchboard (activity measure)	M	S	Target	n/a	n/a	n/a	n/a	n/a	n/a										
				Actual	4,799	4,127	4,565	3,638	4,085	3,646	3,806	3,671	3,462	3,978						
	Resolution at First Point of Contact all services (percentage)	M	S	Target	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00						
				Actual	97.00	97.70	96.00	97.00	96.31	97.70	97.00	97.00	96.00	97.00						
	% of Calls Answered	M	S	Target	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00						
				Actual	86.00	89.00	92.00	93.00	93.20	95.00	92.00	92.00	95.00	86.00						
	Average Speed of Answer (seconds)	M	C	Target	20	20	20	20	20	20	20	20	20	20						
				Actual	34	22	16	12	13	9	14	12.00	8.00	34						
	Number of complaints received (Council wide)	M	C	Target	n/a															
				Actual	34	25	17	18	7	12	11	5	12	16						
	Number of compliments received (Council wide)	M	C	Target	n/a															
				Actual	9	5	5	8	7	9	7	9	11	22						

**Planning & Regeneration**

N1157	The percentage of major planning applications determined within 13 weeks	M	C	Target	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	
				Actual	66.60	75.00	100.00	80.00	75.00	66.60	50.00	100.00	0.00	66.67	75.00					
N1157	The percentage of minor planning applications determined within 8 weeks			numerator	4	3	1	4	3	2	1	0	2	3						
				denominator	6	4	1	5	4	3	2	1	1	3	4					
N1157	The percentage of other planning applications determined within 8 weeks	M	C	Target	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00	85.00
				Actual	88.23	88.00	88.00	95.00	100.00	76.00	86.40	90.90	100.00	85.71	92.86					
N1157	The percentage of other planning applications determined within 8 weeks			numerator	15	15	22	18	19	19	19	20	10	12	13	14	14	14	14	14
				denominator	17	17	25	19	19	25	22	22	10	14	14	14	14	14	14	14
N1157	The percentage of other planning applications determined within 8 weeks	M	C	Target	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00	90.00
				Actual	94.30	95.80	94.00	95.34	94.00	91.00	94.60	93.30	88.37	94.34	94.34					
N1157	The percentage of other planning applications determined within 8 weeks			numerator	49	46	50	41	49	50	53	40	38	50						
				denominator	52	48	53	43	52	55	56	44	43	53	50					

Indicator Description	Indicator Reference	Current			Direction of Travel	Historic			Comments
		1 Apr 2010 - 31 Dec 2010	1 Apr 2011 - 31 Dec 2011			2008/09	2009/10	2010/11	
Time taken to process HB/CTB new claims or change events (days)	NI 181	12.06	12.42		I	15.79	13.08	12.17	Throughout December, staffing issues continued with the phased return of one long term sickness absentee. The other is expected to return early in the new year. However, the monthly performance improved when compared to December and we remain on target to meet the target of 12 days.
% of HB overpayments recovered during the quarter of the outstanding debt.	Former BV 79b (i)	17.62%	19.00%		I	13.97%	15.65%	14.91%	A designated overpayment officer has contributed to an improvement but it is still short of the target. Further recovery methods and more pro-active recovery work in the coming months should lead to further improvement and reductions in the outstanding debt
% of the outstanding HB overpayments debt written off during the quarter	Former BV 79b (iii)	2.89	3.90		W	2.69	3.67	3.23	A lot of pro active overpayment work, following the recruitment of a designated overpayment officer has lead to an increase in write offs. This is because on close inspection, a lot of the older debts had not been chased properly and are now irrecoverable. In addition to this, debtors have absconded and cannot be traced. Once the older debts are resolved this figure should improve. The invoices paid within 10 days is under target. In December there were 73 late invoices this is mainly to the authorisation of invoices during the Christmas period. However, there is an improvement in performance when compared to the same period last year.
Percentage of invoices paid within 10 days of receipt		86.79%	89.46%		I	86.74%	87.14%	88.91%	There has been a very small drop in the percentage of invoices paid within 30 days of receipt, however we are still expected to meet our target.
Percentage of invoices paid within 30 days of receipt	Former BV 8	98.01%	98.26%		W	98.34%	97.79%	98.47%	Although there was a slight decrease in the number of reported absences during quarter 3, it is expected that this indicator will not meet target.
The average number of working days lost due to sickness.	Former BV 12	6.99	7.83		W	9.12	8.91	9.58	

Key to Terms and Symbols			
Improving performance compared to same period last year	I	Positive Trend	+ve
Worsening performance compared to same period last year	S	Negative Trend	-ve
No change in performance compared to same period last year	W	Data is provisional	*
No data available for the period	#	To be confirmed	TBC
Not applicable for this indicator/period	NA	Place Survey	(PS)
		Worcestershire Viewpoint Survey	WVP
		Lower Super Output Area	LSOA
		West Midlands	WM
		Dept of Energy and Climate Change	DECC
		Redditch School Sports P'tnership	RSSP

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