



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY 7TH MARCH 2012 AT 6.00 P.M.

THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

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

AGENDA

1. To receive apologies for absence
2. Declarations of Interest
3. Referral from the Council - CCTV Motion (Pages 1 - 4)

At its meeting on 18th January 2012, the Council agreed:

That the following motion submitted by Councillor P. M. McDonald be referred to the Cabinet for consideration as part of the budget process so that relevant facts and figures could be reported and taken into account.

“That this Council no longer monitors CCTV coverage outside of Bromsgrove and Redditch and gives due notice of this to those it may concern.”

4. To confirm the accuracy of the minutes of the meetings of the Cabinet held on 1st and 22nd February 2012 (Pages 5 - 12)
5. Minutes of the meeting of the Audit Board held on 2nd February 2012 (Pages 13 - 16)
 - (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
7. 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

28th February 2012

CABINET

7th March 2012

CCTV MONITORING – MOTION TO COUNCIL

Relevant Portfolio Holder	Councillor Margaret Sherrey
Portfolio Holder Consulted	yes
Relevant Head of Service	Head of Community Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Key Decision N/A	

1. SUMMARY OF PROPOSALS

- 1.1 At the meeting of Full Council on 18th January 2012 the following motion was put forward by Councillor McDonald:

“That this Council no longer monitors CCTV coverage outside of Bromsgrove and Redditch and gives due notice of this to those it may concern.”

- 1.2 The outcome of the debate at Full Council was that Members voted in favour of referring the issue to Cabinet for consideration as part of the budget process so that relevant facts and figures could be reported and taken into account.
- 1.3 The purpose of this report is to inform Members of the facts relating to the current arrangements whereby the Council operates CCTV cameras on behalf of Wyre Forest District Council (WFDC) under a Service Level Agreement, and to highlight the implications that would be associated with terminating that arrangement.

2. RECOMMENDATIONS

2.1 That the Cabinet consider the motion to council and determine whether to continue to provide CCTV services outside of Bromsgrove and Redditch, subject to suitable agreements being in place:

2.2 That Cabinet determines whether to re-negotiate the CCTV services SLA with Wyre Forest District Council.

3. KEY ISSUES

Financial Implications

- 3.1 In 2004 Bromsgrove District Council agreed to start providing CCTV services for Wyre Forest District Council. That arrangement is currently subject to a Service Level Agreement between the Council and Wyre Forest District Council under which Bromsgrove is funded and has responsibility for monitoring the Wyre Forest CCTV cameras.

The purpose of the 3 year Service Level Agreement is to provide control, monitoring, and recording of CCTV.

- 3.2 If the Council was to withdraw from the current arrangement this would result in a loss of income starting from April 2012. As the contract was initially set up by Bromsgrove Council, this income is and will continue to be paid solely in to this Council's budget, without any apportionment to Redditch.
- 3.3 The income from the contract brings about economies of scale and subsidises the fixed cost for the service, including salaries. If the contract is terminated and income is withdrawn the fixed costs would still have to be found by Bromsgrove District Council.
- 3.4 Financial Services have been consulted on this report.

4. Legal Implications

- 4.1 The current arrangements for Bromsgrove District Council to monitor the CCTV cameras of Wyre Forrest District Council date back to October 2004 when Cabinet gave approval for the service to be provided following a request made by Wyre Forest. The background at the time was that Wyre Forest had been recommended to enter into a sharing arrangement by Government Office West Midlands in line with the Government's Shared Policy facility.
- 4.2 The original proposal was to monitor 7 cameras for Wyre Forest. The scheme was renegotiated and expanded by a further 10 cameras in 2007. The current SLA for 17 cameras runs for three years from April 2009 and will expire in April 2012. Officer's are currently in contact with colleagues at WFDC to actively re-negotiate the contract with WFDC, with a view to the service continuing to be provided on the same terms as at present.
- 4.3 There is no provision in the current SLA for early termination of the agreement by BDC and therefore the Council would be in breach of contract if it ended the arrangement before the expiry of the SLA in April 2012. To terminate early would lead to a claim for damages/ compensation. The current SLA is drafted on the basis that the term of agreement cannot be extended. Therefore the legal team would be looking to enter into a new SLA with Wyre Forest on the same terms as the current agreement starting in April 2012.
- 4.4 The Senior Solicitor has been consulted with regard to the legal implications.

5. Service/Operational Implications

- 5.1 The contract requires the Council to monitor 17 public space CCTV cameras in Kidderminster, Bewdley and Stourport. This compares to 97 cameras in Bromsgrove and 50 in Redditch.
- 5.2 It should be noted that not all cameras are on display on the monitor wall at all times. The wall can be configured to various plans and operators have defined the optimum viewing for both day time and night time, showing up to 72 images at one time (more than that means the images become too small for effective monitoring). The monitors run through a sequence of cameras which changes every 2 minutes. However all cameras are recorded at all times and play back is instant when a review is required. All cameras are set to look at predefined locations and automatically move when not being controlled by an operator. Operators work to a 'proactive monitoring timetable' to ensure that all locations are monitored and not just high traffic areas.
- 5.3 Staffing of the monitoring centre is profiled to meet the peaks and troughs of the work demand. Officers regularly monitor call response times to ensure the staffing levels are appropriate and can easily map out the activity of a shift to establish that sufficient staff are in place. All operators are trained and competent in all aspects of the operation, and no individual is assigned to WFDC only. The cessation of the WFDC contract would not result in a change in the staffing levels required for CCTV, Lifeline and Out of Hours services.
- 5.4 As set out above, from an operational point of view the provision of the service to Wyre Forest is managed as part of the overall CCTV service. There are no reasons operationally, legally or financially why officers would consider changing the arrangements. As referred to at para 4.2 discussions are taking place with Wyre Forest with a view to the current arrangements continuing under an updated Service Level Agreement.

6 Customer / Equalities and Diversity Implications

CCTV reduces the fear of crime for those living in, working in, and visiting the areas covered. It helps deter crime, detect crime and prevent crime. CCTV is used to assist in the apprehension of offenders, to produce evidence for prosecution, maintain public order and enhance community safety.

7. RISK MANAGEMENT

- 7.1 The risk to BDC is financial loss of income from April 2012.
- 7.2 Members should also consider the risk to partnership relations with WFDC in the future. WFDC would have a large capital out lay to

redirect their camera fibres to another organisation. As a minimum it would be advisable for withdrawal of services to be carried out as a planned and staged process to allow WFDC sufficient time to make alternative arrangements.

8. APPENDICES

Appendix – None.

9. BACKGROUND PAPERS

- a) Executive Cabinet Report 13 October 2004.
- c) Minutes of Executive Cabinet 13 October 2004.

10. AUTHOR OF REPORT

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 1ST FEBRUARY 2012 AT 6.00 P.M.

PRESENT: Councillors R. Hollingworth (Leader), Mrs. M. A. Sherrey JP (Deputy Leader), Dr. D. W. P. Booth JP, M. A. Bullivant, C. B. Taylor and M. J. A. Webb (during part of Minute No. 106/11 to Minute No. 110/11)

Officers: Ms. S. Hanley, Mrs. S. Sellers, Ms. D. Randall, Mr. A. Coel, Mr. M. Dunphy, Ms. A. Glennie, Ms. K Hooper and Ms. R. Cole.

100/11 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

101/11 **DECLARATIONS OF INTEREST**

No Declarations of interest were received.

102/11 **REFERRAL FROM THE COUNCIL - CCTV MOTION**

It was noted that this item had been deferred and would now be considered at the Cabinet meeting on 22nd February 2012.

103/11 **MINUTES**

The minutes of the meeting of the Cabinet held on 4th January 2012 were submitted.

RESOLVED that the minutes be confirmed as a correct record.

104/11 **OVERVIEW AND SCRUTINY BOARD**

The minutes of the meetings of the Overview and Scrutiny Board held on 3rd January and 23rd January 2012 were submitted.

Members were reminded that the recommendations set out in minute 77/11 of the Overview and Scrutiny Board meeting held on 3rd January 2012, relating to the Medium Term Financial Plan 2012/13 – 2014/15, had already been considered as part of the Cabinet discussion on 4th January 2012. It was

RESOLVED that the remainder of the minutes be noted.

105/11 **VERBAL UPDATES FROM THE LEADER AND/OR OTHER CABINET MEMBERS ON ANY RECENT MEETINGS ATTENDED IN AN EX-OFFICIO CAPACITY**

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

106/11 **MEDIUM TERM FINANCIAL PLAN 2012/13 - 2014/15**

The Accountancy Services Manager gave a brief presentation on the latest position regarding the Medium Term Financial Plan 2012/13 – 2014/15. It was reported that in relation to the Revenue Budget 2012/13 the current gap was £113,000.

It was noted that a further Report would be considered by the Cabinet at its next meeting on 22nd February 2012

RESOLVED that the current position be noted.

107/11 **BROMSGROVE TOWN CENTRE TOWNSCAPE HERITAGE INITIATIVE - DRAFT SECOND ROUND SUBMISSION**

The Cabinet considered a report on the Draft Second Round Submission in relation to the Bromsgrove Town Centre Heritage Initiative.

Members were reminded that the Council had been provisionally awarded £1.2 million from the Heritage Lottery Fund to operate a Townscape Heritage Initiative in Bromsgrove Town Centre Conservation Area. The submission and accompanying documents were now required in order to release the funding. These provided much greater detail on issues relating to the Conservation Area, how these issues would be addressed and how the funding would be utilised in order to achieve lasting improvements and add historic value to the area.

It was reported that an essential element of the Townscape Heritage Initiative was to ensure that there was support and “buy in” from the Local Community. It was therefore proposed that the draft bid document together with accompanying Conservation Area Appraisal and Management Plan be published as part of a process of public consultation with the results thereof to be included within the final bid due to be submitted in April 2012.

It was reported that the consultation process would include displays in Bromsgrove Library and the Customer Service Centre together with the inclusion of notices in the local press and the publication of full details on the Council’s website. In addition specific consultation would be undertaken with key stakeholders.

Members expressed thanks to officers for the work they had undertaken to produce the Draft Submission.

RESOLVED that the Bromsgrove Town Centre Townscape Heritage Initiative Draft Second Round Submission, together with the Bromsgrove Town Centre Conservation Area Appraisal and Management Plan, be published for the purposes of public consultation for a period of six weeks commencing on 2nd February 2012.

108/11 **HOMELESSNESS GRANT - PERFORMANCE OF 2011/12 SCHEMES AND PROPOSED FUNDING OF SCHEMES FOR 2012/13**

Members considered a report on existing homelessness prevention schemes which had been funded during 2011/12, together with proposals for the award of grant expenditure to specific schemes in 2012/13. It was reported that the proposals had been considered and recommended by the Homelessness Strategy Steering Group.

Following discussion on the proposals and the possible impact of proposed Welfare reforms it was

RESOLVED:

- (a) that the update on the Homelessness Prevention and Support Schemes funded through Department of Communities and Local Government (DCLG) during 2011/12 be noted;
- (b) that, subject to the Council on 22nd February 2012 agreeing to the allocation of Homelessness Grant for 2012/13 being fully utilised for homelessness projects, the submissions for the funding of schemes during 2012/13 recommended by the Homelessness Strategy Steering Group totalling £92,100 as set out in section 3.9 of the report be approved;
- (c) that, in accordance with the additional recommendation of the Homelessness Strategy Steering Group, £21,000 of the DCLG Homelessness Grant be utilised to fund an additional resource to deliver the Step Up Private Tenancy Scheme as set out in section 3.11 of the report; and
- (d) that the Head of Community Services, in consultation with the Portfolio Holder for Strategic Housing, be granted delegated authority to (i) allocate any under spend, or make further adjustments necessary, to ensure full utilisation of the grant allocation for 2012/13 in support of existing or new schemes; and (ii) to approve expenditure of the Non Tenure Specific Economic Recovery Fund.

109/11 **PRIVATE SECTOR HOUSING ENFORCEMENT POLICY**

The Cabinet considered a report on the introduction of a Private Sector Housing Enforcement Policy. It was noted that Authorities were now required to produce and publish such an Enforcement Policy to demonstrate how national regulation in relation to Private Sector Housing would be enforced at a local level.

It was noted that set out within the Enforcement Policy were the legal responsibilities, policies, principles and priorities which the Private Sector Housing Service would follow when enforcing legislation.

It was also noted that the proposed charges referred to in Section 11 of the Policy would be imposed only when it was not possible for issues to be successfully resolved by way of informal discussions, or to recover costs when works had been carried out by the Authority to protect public health or the environment.

RESOLVED that the Private Sector Housing Enforcement Policy as set out in appendix 1 to the report be approved, subject to the proposed charges included in Section 11 of the Policy being considered as part of a separate Cabinet Report on Fees and Charges for 2012/13.

110/11 **REVISION OF LICENCE STANDARDS AND CONDITIONS FOR MOBILE HOMES AND CARAVAN SITES**

Members considered a report which gave an update on the introduction of the Model Standard Licence Conditions for Caravan and Mobile Home Sites which were previously approved for phased implementation by the Cabinet.

The report referred to discussions which had subsequently taken place with site owners and residents together with the Fire Officer and suggested a way forward to address the issues raised. Following discussion it was

RESOLVED:

- (a) that the 2008 Mobile Home Site Licence Conditions be revised to include Transitional Arrangements (subject to a risk assessment) for existing residents as set out at appendix 1 to the report;
- (b) that the phased approach to the implementation of the 2008 Model Standards be limited to the licensing of new sites and sites which have been substantially redeveloped; and
- (c) that cases of non compliance with either the 1989 or 2008 Site Condition Standards be considered on a case by case, risk assessed basis and that enforcement action be undertaken where the level of risk is considered sufficient to necessitate the taking of such action.

The meeting closed at 7.40 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 22ND FEBRUARY 2012 AT 3.00 P.M.

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

Observers: Councillor L. C. R. Mallett

Officers: Mr. K. Dicks, Ms. S. Hanley, Ms. J. Pickering, Mr. J. Godwin, Mr. G Revans, Ms. J. Willis, Ms. D. Randall and Ms. R. Cole.

111/11 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

112/11 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

113/11 **REFERRAL FROM COUNCIL - MOTION ON FREE PARKING FOR BLUE BADGE HOLDERS**

It was noted that this item had been deferred and the Leader invited the Portfolio Holder Councillor M. J. A. Webb to comment further.

Councillor Webb reported that together with officers he had been working for some time on a report reviewing the whole issue of car parking, in particular in relation to vulnerable and disabled groups. It had been agreed with Councillor L. C. R. Mallett, the proposer of the Council motion, that the proposal contained therein should be included within the remit of the review. Councillor Mallett had accepted an invitation to participate on a cross party basis in the review.

Whilst initial meetings had already taken place with the community and with groups representing vulnerable people and those with mobility issues, it had become apparent that in order to properly consult with all concerned it would be necessary to extend the consultation process. This would enable a fuller and more meaningful examination of the issues to take place.

In view of the above it was anticipated the report would be submitted to Cabinet in September 2012 at the latest. It was possible that this could be brought forward to July 2012.

This was noted.

114/11 **REFERRAL FROM THE COUNCIL - MOTION ON CCTV**

The Leader reported that this item was deferred until the next meeting of the Cabinet to allow officers further time to report on the issue. This was noted.

115/11 **FEES AND CHARGES 2012/13**

The Cabinet considered a report on fees and charges for 2012/13 in respect of services provided by the Authority. It was reported that in general the overall increase was 2.5% although this varied slightly between services.

It was noted that it was proposed that some fees and charges would remain the same including car parking charges.

RESOLVED that the fees and charges for 2012/13 as contained in Appendix A to the report be approved.

116/11 **MEDIUM TERM FINANCIAL PLAN 2012/13 - 2014/15**

Consideration was given to the report on the Medium Term Financial Plan 2012/13 to 2014/15 relating to revenue and capital expenditure. The Executive Director for Finance and Corporate Resources and the Leader referred to the background to the Medium Term Financial Plan and the detailed work undertaken by officers and members during the budget process.

It was reported that the work undertaken had allowed services to be maintained whilst savings were maximised. In addition attention was drawn to the work undertaken by the budget jury and the requirement under the Localism Act for the Authority to adopt a Pay Policy Statement.

Following discussion it was

RECOMMENDED:

- (a) that the revenue bids identified as high in Appendix A of the report be included within the Medium Term Financial Plan as follows:

2012/13	£78,000
2013/14	£43,000
2014/15	£43,000

- (b) that the savings and additional income identified in Appendix B of the report be included within the Medium Term Financial Plan as follows:

2012/13	£814,000
2013/14	£1,549,000
2014/15	£2,282,000

- (c) that the capital bids identified as high in Appendix C of the report be included within the Medium Term Financial Plan as follows:

2012/13	£631,000
2013/14	£3,526,000
2014/15	£5,253,000

- (d) that the use of balances totalling £113,000 for 2012/13 be approved;
- (e) that the Pay Policy as set out in Appendix E be approved.

117/11 **TREASURY MANAGEMENT STATEMENT**

The Cabinet considered a report on the Treasury Management Strategy Statement and Investment Strategy 2012/13 to 2014/15. It was noted these were required to ensure that the Authority could demonstrate accountability and effectiveness in the management of its funds.

RECOMMENDED:

- (a) that the Treasury Management Strategy Statement and Investment Strategy 2012/13 to 2014/15 and Prudential Indicators set out in Appendix 1 be approved;
- (b) that the Authorised Limit for borrowing at £7,500,000 if required be approved;
- (c) that the maximum level of investment to be held within each organisation (i.e. Bank or Building Society) be set as detailed at £3,000,000 subject to market conditions;
- (d) that the unlimited level for investment in Debt Management Account Deposit facility be approved; and
- (e) that the Treasury Management Policy as set out in Appendix 2 be approved.

RESOLVED:

- (a) that it be noted that training for Treasury Management has been identified and will be incorporated within the Modern Councillor Programme on the basis it is to be prioritised together with other training needs; and
- (b) that it be noted that the Audit Board will be undertaking additional scrutiny of the Strategy during 2012/13 to ensure that the Council's investments are being managed in a risk controlled environment

118/11 **FINANCIAL MONITORING REPORT - QUARTER 3 2011/12**

Members considered a report on the Council's financial position for the period April to December 2011 (Quarter 3 2011/12).

It was reported that there was a projected year end underspend in the revenue budget following actions taken by officers to restrict expenditure to items deemed critical for the provision of services.

Reference was also made to the proposed amendment to the 2012/13 Capital Programme to reflect the carry forward of £659,000 in respect of schemes within the 2011/12 Capital Programme.

Following discussion it was

RECOMMENDED:

- (a) that the increase to the 2012/13 Capital Programme of £659,000 in respect of the schemes carried forward from the 2011/12 Capital Programme, as set out in Appendix 3 to the report, be approved; and
- (b) that the increase to the 2012/13 Capital Programme of £12,000 (to be funded from revenue underspend) in respect of GIS software be approved.

RESOLVED:

- (a) that the current financial position on Revenue and Capital as detailed in the report be noted;
- (b) that the budget virements between £15,000 and £100,000 as set out in Appendix 2 to the report be approved; and
- (c) that the financial position and movements in relation to the earmarked reserves as set out in Appendix 1 be noted.

The meeting closed at 3.55 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE AUDIT BOARD

THURSDAY, 2ND FEBRUARY 2012
AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), S. J. Dudley, Miss P. A. Harrison and Mrs. H. J. Jones

Observers: Councillors E. J. Murray, R. J. Shannon and S. P. Shannon

Officers: Mrs. S. Hanley, Ms. J. Pickering, Mrs. T. Kristunas, Mr. A. Bromage and Mrs. P. Ross

22/11 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J. S. Brogan, Ms. M. T. Buxton and Dr. B. T. Cooper.

23/11 DECLARATIONS OF INTEREST

No declarations of interest were received.

24/11 MINUTES

The minutes of the meeting of the Audit Board held on 15th December were submitted.

RESOLVED that the minutes be approved as a correct record.

(Note: Under this item the Board agreed to alter the running order of the agenda and that any agenda items not considered during the meeting be deferred to the next meeting of the Board).

25/11 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 items of business on the grounds that they involve 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 being as set out below, and that it is in the public interest to do so:

<u>Minute No.</u>	<u>Paragraphs</u>
26/11	7
27/11	2 and 7

26/11 **INTERNAL AUDIT MONITORING REPORT**

As requested at the previous meeting of the Board, the Deputy Chief Executive (Leisure, Culture, Environment and Community Services), the Executive Director, Finance and Corporate Resources and the Head of Finances and Resources attended the meeting to provide Members with an update on the outstanding audits yet to be completed.

The Executive Director, Finance and Corporate Resources informed the Board that the Internal Audit Monitoring Report would be monitored by the Worcestershire Internal Audit Shared Service Team. Officers then provided Members with updates for each of the outstanding audits. Following each update the Executive Director, Finance and Corporate Resources highlighted to Members the audits identified as now being a lower priority and the audits that should be removed from the Internal Audit Monitoring Report.

Members were further informed that the Corporate Management Team (CMT) had been made aware of the concerns raised by the Board and that CMT were committed to giving priority to overdue actions.

The Chairman thanked officers for attending and for the detailed updates provided and in doing so he also stated that it was important that there was no further slippage.

27/11 **FRAUD INVESTIGATION UPDATE REPORT**

The Executive Director, Finance and Corporate Resources apologised to Members for information detailed in the Corporate Anti-Fraud Performance Report 2010-2011 presented to the Board on 15th December 2011. The report was misleading and had shown incorrect information in relation to the two cases referred to within the report.

Members were asked to consider the Fraud Investigation Update report which presented further detailed information and clarification in relation to the two cases referred to in the preamble above. The Executive Director, Finance and Corporate Resources and officers present responded to Members' questions. Members were asked to note the 'Lesson Learned' overview as detailed in the report.

Further discussion followed on the processes and decisions taken and officers responded to Members' questions in relation to these.

RESOLVED that the Corporate Anti-Fraud process and decision taken in relation to the specific investigation highlighted, be noted.

(Note: At this stage, due to the meeting becoming inquorate, it was agreed that the following agenda items be deferred until the next meeting of the Audit Board

- National Fraud Initiative Update
- Overpayments Update
- Protecting the Public Purse)

The meeting closed at 6.42 p.m.

Chairman

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