



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY 5TH DECEMBER 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. To confirm the accuracy of the minutes of the meeting of the Cabinet held on 7th November 2012 (Pages 1 - 8)
4. Minutes of the meeting of the Overview and Scrutiny Board held on 19th November 2012 (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 Worcestershire Shared Services Joint Committee held on 22nd November 2012 (To follow)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes
6. Medium Term Financial Plan 2013/2014 - 2015/2016 (Presentation) (Pages 15 - 16)
7. Finance Monitoring - Quarter 2 2012/2013 (Pages 17 - 36)

8. Quarterly Monitoring of Write off of Debts - Quarter 2 2012/2013 (Pages 37 - 44)
9. Crown Close Open Space - Repairs to Surrounding Roads and Footpaths (Pages 45 - 52)
10. 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

27th November 2012

Agenda Item 3

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 7TH NOVEMBER 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 (Minute no. 75/12 to 82/12)

Officers: Ms. S. Hanley, Mrs. S. Sellers, Ms. S. Morgan, Mrs. S. Jones, Mr. D. Allen and Ms. R. Cole.

67/12 APOLOGIES

An apology for late arrival was received from Councillor M. J. A. Webb.

68/12 DECLARATIONS OF INTEREST

No declarations of interest were received.

69/12 MINUTES

The minutes of the meeting of the Cabinet held on 3rd October 2012 were submitted.

RESOLVED that the minutes be approved as a correct record.

70/12 AUDIT BOARD

The minutes of the meeting of the Audit Board held on 20th September 2012 were submitted.

Members noted the recommendation contained in minute 22/12 in relation to the delivery of the Internal Audit Plan. It was felt in future it would be useful where possible for the Chairman of the Audit Board to attend Cabinet when there was a recommendation from the Board.

The Leader stated that the Chairman of the Audit Board had in fact discussed the reason for the recommendation with him and whilst he had also had some concerns, following a discussion with the Director for Finance and Resources these had been alleviated to some extent. It was recognised that this issue would need to be kept under review.

Arising from the discussion on the Audit Board minutes Members requested that when declarations of interest were recorded in the minutes of any meeting

the minutes should be as clear as possible with regard to the nature of the interest declared.

RESOLVED:

- (a) that subject to the discussion referred to above the recommendation contained in minute 22/12 be noted; and
- (b) that the remainder of the minutes be noted.

71/12 **WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE**

The minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 25th September 2012 were submitted.

RESOLVED that the minutes be noted.

72/12 **SHARED SERVICES BOARD**

The minutes of the meeting of the Shared Services Board held on 11th October 2012 were submitted.

The Leader referred to some of the valuable work being undertaken as part of the "Joined up Working" project. It was envisaged the outcomes of the project would benefit the many organisations involved and more importantly greatly improve the experience of the individual residents concerned.

RESOLVED that the minutes be noted.

73/12 **OVERVIEW AND SCRUTINY BOARD**

The minutes of the meeting of the Overview and Scrutiny Board held on 22nd October 2012 were submitted.

RESOLVED that the minutes be noted.

74/12 **REVISED STATEMENT OF GAMBLING PRINCIPLES**

The Cabinet considered a recommendation from the Licensing Committee held on 29th October 2012 in relation to a consultation which had been undertaken in respect of a revised Statement of Gambling Principles 2013 - 2016. It was noted that the Statement had to be reviewed and revised at least every three years.

RECOMMENDED that the outcome of the consultation exercise be noted and that the revised Statement of Gambling Principles 2013 – 2016 be adopted.

75/12 **VERBAL UPDATES FROM THE LEADER AND/OR OTHER CABINET MEMBERS ON ANY RECENT MEETINGS ATTENDED IN AN EX-OFFICIO CAPACITY**

There were no verbal updates on this occasion.

76/12 **MEMBER INVOLVEMENT IN PRE PLANNING APPLICATION DISCUSSIONS - POLICY**

The Cabinet considered a report on a revised protocol for the involvement of Members in pre application discussions for planning applications.

The proposed re-introduction of a protocol following review was welcomed, together with the requirement for any Members wishing to become involved in the pre application discussions to have undertaken the appropriate training.

There was detailed discussion on the criteria set out in Appendix 1 to the report which would trigger the offer of Member Involvement in pre application discussions.

Overall in relation to the page headed "Criteria for Member Involvement in Pre - Application Planning Discussions" it was noted that the wording describing the process could be clarified. It was also felt that in respect of the section on "Criteria for the Site" it would also be appropriate for the Leader of the Council and the Portfolio Holder for Planning to be invited to participate in pre application discussions in respect of sites which fell into Category 1 – "Major Applications" in addition to those sites which fell into Categories 2 and 3.

In addition, it was felt there needed to be clarification in respect of the definition of adjacent wards, for instance where the red line around an application site just touches the ward boundary at one point rather than say following the line of a road, whether this should be classed as an adjacent ward.

RECOMMENDED:

- (a) that subject to the amendment and clarification referred to above, the Member Protocol for involvement in pre application discussions as set out in Appendix A to the report be approved and implemented from 1st January 2013;
- (b) that any Member wishing to become involved in pre application discussions under the Member Protocol be required to have completed the appropriate training; and
- (c) that delegated authority be granted to the Head of Legal, Equalities and Democratic Services to make the consequential amendments to the Council's constitution.

77/12 **BROMSGROVE MONUMENT**

Members considered a report seeking approval for the contribution of £20,000 from balances towards the cost of provision of a monument in Bromsgrove to the armed services. It was noted that planning permission had recently been granted for the structure in respect of Council owned land in Crown Close, Bromsgrove. The Memorial would include those still serving in the armed forces and those injured in the course of their service.

It was reported that the total cost of the monument was £45,000 and that the majority of this sum had been raised by the Bromsgrove Armed Forces

Memorial Fund. In addition, local businesses and organisations had agreed to provide some of the necessary materials and labour either free of charge or at a reduced cost. The Charity involved intended to continue with their fundraising campaign and it was intended that any funds raised would be utilised to provide for future maintenance of the monument which would be undertaken by this Authority on an on-going basis.

Members raised the issue of the possible inclusion of recognition for other Emergency Services on the monument. The Leader undertook to discuss this further with the Chairman of the Charity involved with a view to seeking the agreement of the Charity. It was noted however that the funds raised thus far had largely been on the basis of a memorial to the armed services.

Following discussion it was

RECOMMENDED that the sum of £20,000 be released from balances as this Council's contribution towards the cost of the Bromsgrove Monument.

(During the course of this discussion Councillor C. B. Taylor declared an other disclosable interest as a member of the Fire Authority)

78/12 **HOUSING STRATEGY OPTIONS AND INITIATIVES**

(Prior to discussion of this item Councillor M. J. A. Webb requested that it be noted that whilst the report referred to housing issues generally it did not deal specifically with Bromsgrove District Housing Trust (BDHT). In relation to his involvement with BDHT he stated that he had been nominated as a Council representative to the Board of BDHT but that he was not yet a Member of the Board.)

The Cabinet considered a report on the key strategic, legal and policy issues driving the Government's plans in respect of the national and local housing market.

The report also highlighted some key strategic actions which the Council could take in the light of the changes implemented or forthcoming, to ensure the Authority is in a position to meet and manage the future housing needs of residents. Of particular importance was the need to support the availability of affordable housing and flexible tenure within the District.

Members welcomed the report and felt it gave options to maximise opportunities locally and to achieve balanced communities. There was a need to take a flexible and site by site approach in relation to affordable housing on new sites and in terms of splits by tenure type. Reference was also made to the possible need in future to reconsider the densities of sites.

RESOLVED:

- (a) that the District Level Housing Strategy Action Plan be refreshed to ensure that the latest changes and developments in national housing policy and practice are fully incorporated at a local level;

- (b) that the Private Sector Housing Strategy be refreshed to ensure it drives the supply of good quality private sector options for local communities;
- (c) that the Home Choice Plus Choice-Based Letting Scheme Allocations Policy be reviewed in conjunction with other key partners across the County with a view to establishing balanced communities and a housing pathway for local people. This would be in line with the framework for a Gold Standard housing advice service set out in the Department of Communities and Local Government report “Making Every Contact Count – a joint approach to preventing homelessness”;
- (d) that this Authority adopts the power available under sections 148 and 149 of the Localism Act 2011 to discharge homelessness duties into the private rented sector as part of its broader approach to housing allocations;
- (e) that the new Tenancy Strategy be utilised to support Registered Housing Providers in implementation of flexible tenure across the Bromsgrove District;
- (f) that this Authority continues to aim to secure up to 40% affordable housing on new developments in the Bromsgrove District and to this end adopts a site by site approach to splits by tenure type, with a strong focus on providing opportunities for local people to access a wide variety of home ownership options and assisting as many households as possible to get onto the housing ladder.

79/12 **THE LOCALISM ACT - CHANGES TO ACCESS TO INFORMATION RULES**

The Cabinet considered a report on proposed changes to the Council’s Access to Information Rules within the Council’s Constitution in view of the need to comply with recent Regulations issued under the Localism Act.

It was reported that the main changes were in relation to arrangements in respect of the Cabinet. Whilst it was no longer a requirement to produce a Forward Plan of Key Decisions published 4 months in advance it was intended to continue to maintain a Work Programme looking ahead to the next 4 months in order to maintain a transparent approach and to assist with agenda planning.

It was noted that the Regulations had introduced a new requirement that executive decisions delegated to officers be recorded and published and that it was proposed that the cut off point for this be set at £50,000 bearing in mind that all expenditure over £500 is already published. Attention was drawn to paragraph 19.2 of the procedure rules attached as an appendix to the report where the cut off figure needed to be amended.

The Cabinet also considered the proposal in the report that the tape recording of meetings be discontinued. It was noted that there was no requirement in the Regulations to record meetings and the cessation of the practice would result in a saving of officer time and resources.

It was also drawn to Members’ attention that there was a drafting error in the report which made reference to the members of Overview and Scrutiny having

the right of access to documents in draft form. In fact the exemption of documents in draft form had been maintained in the new Regulations.

For the purposes of clarity Officers undertook to provide a revised version of the Rules to be submitted to Council.

Following discussion it was

RECOMMENDED:

- (a) that the revised Access to Information Rules be approved for inclusion in the Council's constitution; and
- (b) that the proposal to discontinue recording meetings of the Council, Cabinet and Committees be noted.

80/12 **COMMUNITY RIGHT TO BID - ASSETS OF COMMUNITY VALUE**

Members considered a report on the provisions of the Localism Act 2011 relating to the Community Right to Bid together with the Assets of Community Value Regulations 2012.

The report contained details of the provisions of the Act which were intended to enable communities to have a right to identify a building or land which they believe to be of importance to their community's social well being and to afford them the opportunity of purchase should the building or land be put up for sale.

It was noted that the Council was required to hold a List of Assets of Community Value and that the report put forward a proposed decision making process for the listing of community assets. The assets to be listed could include both publically and privately owned assets and there was a provision for compensation to be paid to owners of properties who successfully claimed for costs or loss incurred as a result of complying with the listing procedures.

It was reported that there would be a need to include an appropriate provision within the Medium Term Financial Plan to cover compensation payments. It was noted that any individual or total payments totalling over £20,000 within a financial year would be funded by the Government. There would also be some funding to Authorities to cover the costs of administering the scheme.

RESOLVED:

- (a) that the process for listing and sale of community assets and the provisions relating to compensation as set out in the report and appendices; and
- (b) that the delegations set out within the report to the Head of Planning and Regeneration and to the Executive Director for Planning and Regeneration, Regulatory and Housing Services be approved and that delegated authority be granted to the Head of Legal, Equalities and Democratic Services to update the Scheme of Delegations accordingly.

RECOMMENDED that the new responsibility placed on Local Authorities to pay compensation to affected land owners under the Assets of Community

Value Regulations be noted; and that the Section 151 Officer be requested to make appropriate provision within the Medium Term Financial Plan to accommodate future requests for compensation.

81/12 **NEIGHBOURHOOD PLANNING**

The Cabinet considered a report on the introduction through the Localism Act 2011 of Neighbourhood Development Plans and Neighbourhood Development Orders. In addition the report referred to the first two applications received for designation as a Neighbourhood Area and considered how these applications together with any subsequent applications should be administered.

There was consideration of the implications of Neighbourhood Planning including the staged process which Parish Councils or Neighbourhood Forums (where there was no Parish Council) would need to go through in order to develop a Neighbourhood Plan. This was likely to be a fairly costly process and whilst there was some Government funding available, this appeared to be focussed on covering some of the District Council's costs in terms of officer support for the process. The process for developing a Neighbourhood Development Order was similar.

It was noted that if a Neighbourhood Plan was successfully prepared and agreed by the community in a referendum it would become part of the Development Plan for that area and would be used in the determination of planning applications. A Neighbourhood Development Order could grant planning permission for certain types of development without the need to submit a planning application to the Council.

Members were concerned that it was difficult to estimate the District Council's costs in respect of the process particularly in terms of officer time. It was suggested that Cabinet consider an update report about this aspect in 6 months time.

It was reported that the first stage in the Neighbourhood Planning process was an application for designation as a Neighbourhood Area and that applications had been received in respect of this from Alvechurch Parish Council and Barnt Green Parish Council. It was intended in the future that the power to determine applications such as this would be delegated to officers in accordance with an agreed procedure rather than coming before Members for decision each time.

Following discussion it was

RECOMMENDED:

(a) that the following applications for designation as a Neighbourhood Area be publicised by the Council for a consultation period of 6 weeks in accordance with Regulation 6 of the Neighbourhood Planning (General) Regulations 2012:

- Alvechurch Parish Council
- Barnt Green Parish Council

- (b) that the following decisions (including determination and publication of applications) be delegated to the Head of Planning and Regeneration, in consultation with the Ward Member(s) for the area affected and the Portfolio Holder for Planning:-
- decisions on whether to accept and designate a Neighbourhood Area;
 - decisions on whether to designate a community organisation as a Neighbourhood Forum;
 - decisions on the validity and acceptance of submissions for a Neighbourhood Development Plan or a Neighbourhood Development Order, including assessing the compliance of the Plan/Order with other relevant policies and legislation;
 - decisions on whether to decline to accept repeat proposals for Neighbourhood Development Plans or Neighbourhood Development Orders; and
 - the appointment of an Examiner for a Neighbourhood Development Plan or Order;
- (c) that the Scheme of Delegations be amended to reflect the new delegations in respect of Neighbourhood Planning; and

RESOLVED that the cost of implementing the process in respect of the first two applications be closely monitored and a report detailing the resource implications be submitted to Cabinet in six months time.

82/12 **CONTRIBUTION TO NEWSTARTS VEHICLE**

The Cabinet considered a report on a proposed contribution of up to £20,000 of funds from balances to the Local Strategic Partnership to support the purchase of a new vehicle for NewStarts Charity to enable them to continue their work supporting vulnerable people by way of the provision of free furniture and other household goods.

The Leader detailed the valuable work undertaken by NewStarts and reported that it was likely that other partnership organisations would be making a contribution towards the cost of the vehicle.

Following discussion it was

RECOMMENDED that the Council approve the release of up to £20,000 from balances to assist NewStarts Charity with the purchase of a new vehicle to be used for the collection and delivery of furniture.

The meeting closed at 8.10 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

MONDAY, 19TH NOVEMBER 2012 AT 6.00 P.M.

PRESENT: Councillors S. R. Colella (Chairman), C. J. Bloore, J. S. Brogan, Dr. B. T. Cooper, Mrs. R. L. Dent, K. A. Grant-Pearce, Mrs. J. M. L. A. Griffiths, R. J. Laight, P. M. McDonald, S. P. Shannon, Mrs. C. J. Spencer, L. J. Turner and C. R. Scurrall (Substitute)

Officers: Mr. J. Staniland, Ms. A. De Warr, Mrs. T. Kristunas, Ms. J. Bayley and Ms. A. Scarce

58/12 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor P. Lammas.

59/12 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest or whipping arrangements.

60/12 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 22ND OCTOBER 2012**

The Minutes of the Overview and Scrutiny Board held on 22nd October 2012 were submitted.

RESOLVED that the minutes be approved as a correct record.

61/12 **MAKING EXPERIENCES COUNT - QUARTERLY COMPLAINTS REPORT**

The Board considered the Making Experiences Count - Quarterly Complaints Report for the quarter ending 30th September 2012. The Head of Customer Services provided Members with information about the complaints and compliments that Council services had received during the quarter. This included a breakdown of the complaints and compliments that had been received by department, further details about the action that had been taken in response to complaints, the time taken to resolve complaints and feedback from a customer satisfaction survey.

The following areas were discussed in detail:

- Recent problems with the Council's telephone system and actions that were being taken to reduce the potential for similar problems to occur in future. Members were advised that further information on this subject would be provided in the monitoring report for the following quarter.

- Changes to refuse collection arrangements, including greater flexibility in the working hours for operational staff. Clarification was requested on the legal requirements concerning operational start times for waste and recycling collection teams.
- The impact of the recommendations made by the Refuse and Recycling Task Group in 2008/09 on refuse collection arrangements. In particular Members were keen to establish whether operational staff had received NVQ training as suggested by the Task Group.
- The possibility of a representative of the Environmental Services team attending future meetings of the Board to answer specific questions about waste collection and recycling services when Members considered the quarterly update reports.
- The provision of customer services training to fourth and fifth tier managers at the Council and dissemination at staff briefings of information about good practice in customer services.
- The timescales involved in responding to complaints were found to vary. More complex and unusual cases tended to take more time to resolve.
- The impact of staff leave arrangements on the Council's ability to respond to customer complaints within the target time of 15 days.
- The potential for more automated services to be introduced at the Council, which Officers confirmed would not occur unless evidence was provided that there was customer demand for this approach to service delivery.
- The customer service procedures followed when working with customers who had recently experienced bereavement.
- The involvement of the customer services team in the Council's transformation process and the impact of transformation on service delivery. The potential for further information about transformation to be provided for the consideration of the Board was also debated.
- The inclusion of details about complaints that had not been resolved was also debated. Members suggested that, due to the sensitivity of the subject matter, the report should instead focus only on resolved items.

RESOLVED that the Making Experiences Count – Quarterly Complaints Report be noted.

62/12 **POSITIVE ACTIVITIES FOR YOUNG PEOPLE TASK GROUP**

The Chairman of the review, Councillor Mrs J. M. L. A. Griffiths, presented the terms of reference that had been proposed for the Task Group.

Members discussed the following areas in detail:

- The review would not focus exclusively on positive activities but rather on all youth services available within the district.
- There were appropriate resources available to support the review.
- 8 Councillors had volunteered to serve on the review, though it was recommended that there should be no more than 7 members of a Task Group, including the Chairman.
- Councillors S. R. Colella and Dr. B. T. Cooper agreed to stand down from the Task Group.

RESOLVED:

- (a) that the review be renamed the Youth Provision Task Group;
- (b) that the terms of reference proposed by the Chairman of the review, Councillor Mrs J. M. L. A. Griffiths, be approved;
- (c) that the following Members also be appointed to the review: Councillors Mrs S. Baxter, C. J. Bloore, J. S. Brogan, R. J Laight, P. Lammas and Mrs C. J. Spencer;
- (d) that the deadline for completion of the Task Group's draft report be 22nd April 2013; and
- (e) that Officers liaise with the Chairman to arrange the first meeting of the group.

63/12 **AIR QUALITY & CO2 EMISSIONS TASK GROUP**

The Chairman of the review, Councillor S. P. Shannon, presented the terms of reference that had been proposed for the Task Group.

The following areas were discussed in detail.

- The focus of the review would be specifically on air quality across the district.
- Air quality had been the subject of a previous scrutiny review completed in 2007 which would need to be considered as part of the exercise.
- The recommendations that had been made by the previous Task Group in 2007 had been monitored in 2009, though no further tracking had occurred.
- There was the potential to review the subject at both Board level and as the subject of a Task Group exercise. However, the Board had already agreed to launch a Task Group focusing on the subject.
- Traffic congestion and vehicle emissions were subjects that could be considered as part of the review.
- Worcestershire County Council had recently undertaken a review of traffic management flows in the county and the outcomes of this exercise would help to clarify current air quality issues affecting Worcestershire.
- A maximum number of 7 Members was considered desirable for a Task Group. However, the Board agreed that 12 Members should be appointed to the Air Quality Task Group due to the importance of the subject.

RESOLVED

- (a) that the review be renamed the Air Quality Task Group;
- (b) that, subject to the impact of the Air Quality Scrutiny report (2007) and the implications for the review being considered at an early stage in the exercise, the terms of reference proposed by the Chairman of the Task Group, Councillor S. P. Shannon, be approved;
- (c) that the following Members also be appointed to the Task Group: Councillors C. J. Bloore, J. S. Brogan, Margaret Buxton, S. R. Colella, Dr. B. T. Cooper, K. A. Grant-Pearce, P. Lammas, L. Mallett, P. M. McDonald, C. Scurrall and L. J. Turner;

- (d) that the draft report for the review be completed by 26th March 2013; and
- (e) that Officers liaise with the Chairman to organise the first meeting of the Task Group.

64/12 **QUARTER 1 SICKNESS ABSENCE HEALTH PERFORMANCE REPORT - RESPONSE TO QUESTIONS RAISED**

The Board considered written responses that had been provided to a series of questions proposed at the previous meeting on the subject of the Sickness Absence Health Performance Report for the quarter ending 30th June 2012.

The following areas were discussed in detail:

- The impact of staff absences due to sickness for short-term periods on service delivery.
- The number of staff absent for short periods of time due to illness.
- The process for managing staff persistently absent for short periods of time due to sickness.
- Staff perceptions of Return to Work Interviews and the potential to clarify how Officers viewed this process through incorporating specific questions on the subject in the staff survey.
- The frequency of one to one meetings involving staff and managers.
- The reduction in long-term sickness absences for operational staff working in Environmental Services, following changes to working practices.

Officers advised that further information had been provided in response to Members' questions since the previous meeting of the Board and would be circulated for Members' consideration the following day.

RESOLVED that the report be noted.

65/12 **ACTION LIST**

The Board considered the Action List and noted that several actions remained outstanding. Officers confirmed that these would be followed up and responses provided as soon as possible. In particular, responses had been requested to the questions raised by the Board on the subject of the Joint Services Review (JSR) in July 2012. Actions arising from this meeting would also be included in the list.

66/12 **WCC HEALTH OVERVIEW & SCRUTINY COMMITTEE**

Councillor Dr. B. T. Cooper, the Council's representative on the Worcestershire County Council Health Overview and Scrutiny Committee (HOSC), provided an update on the latest meeting of the Committee.

Members were advised that the options for the JSR continued to be reviewed and it was anticipated that a further announcement would be made on the

subject on 18th December 2012. A further period of public consultation would then follow in the first 3 months of 2013.

67/12 **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME**

Members agreed that the deadlines for completion of the 2 Task Groups should be added to the Board's Work Programme.

It was noted that an informal training session, focusing on the Council's budgetary position, would take place on 4th December 2012. The meeting was due to start at 5.00 pm and would be open to all Members to attend.

RESOLVED that the Work Programme be noted.

68/12 **CABINET WORK PROGRAMME OF KEY DECISIONS 1ST NOVEMBER 2012 TO 28TH FEBRUARY 2013**

The Board considered the Cabinet Work Programme of Key Decisions for the period 1st November 2012 – 28th February 2013,

The following areas were discussed in further detail:

- The renaming of the Cabinet's Work Programme, previously known as the Forward Plan, since the previous meeting of the Board.
- The inclusion in the Work Programme of a list of items that had already been considered by the Cabinet at a meeting on 7th November 2012 due to the fact that this had been the latest version of the document available for Members' consideration.
- The introduction of the Bromsgrove War Memorial and the wording that would be included on the memorial.
- Existing records of fallen soldiers across the district.
- Current arrangements for remembrance services in Bromsgrove.

RESOLVED that the Work Programme (formally the Forward Plan) be noted.

The meeting closed at 7.35 p.m.

Chairman

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Agenda Item 6

THERE ARE NO ENCLOSURES FOR THIS AGENDA ITEM

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CABINET

5th December 2012

APRIL - SEPTEMBER (QUARTER 2) FINANCE MONITORING REPORT 2012/13

Relevant Portfolio Holder	Roger Hollingworth, Portfolio Holder for Finance, Partnerships and Economic Development
Portfolio Holder Consulted	Yes
Relevant Head of Service	Teresa Kristunas, Head of Resources
Wards Affected	All Wards
Ward Councillor Consulted	None specific

1. SUMMARY OF PROPOSALS

To report to Cabinet on the Council's financial position for the period April - September 2012 (Quarter 2 - 2012/13).

2. RECOMMENDATIONS

2.1 That Cabinet note the current financial position on Revenue and Capital as detailed in the report.

2.2 That Cabinet approve the release from reserves relating to :

- £52k re Town Centre development
- £65k relating to Clinical Commission Group funded projects

That Cabinet recommend to Full Council approval of:

2.3 the 2012/13 Capital Programme be increased by £108k to reflect additional funding received from the Football Foundation and Parish Council in relation to the sports and play schemes at :

- Braces Lane (Football Foundation) - £50k
- Barnsley Hall (Football Foundation) . - £48k
- Stoke Heath (Parish Council) - £10k

2.2 the carry forward to 2013/14 for expenditure on capital schemes that will not be undertaken in 2012/13. These include:

- Parkside development and Public Realm £1.4m
- Regulatory Services £58k

KEY ISSUES

Financial Implications

3.1 A separate finance report for each department plus a Council summary is shown on the following pages.

BROMSGROVE DISTRICT COUNCIL

CABINET

5th December 2012

Revenue Budget summary Quarter 2 (April - Sept) 2012/13 - Overall Council

Service Head	Revised Budget 2012/13 £'000	Budget April - Sep £'000	Actual spend April - Sep £'000	Variance to date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Environmental Services	4,051	954	1,059	104	4,257	207
Community Services	2,500	742	698	-45	2,421	-79
Pre-Regulatory Services	817	105	83	-22	779	-38
Leisure & Cultural Services	1,994	1,076	1,058	-18	1,975	-19
Planning & Regeneration	1,051	178	266	88	1,120	69
Customer Services	-47	199	199	-	-77	-30
Finance & Resources	2,000	936	978	42	2,111	111
Legal, Equalities & Democratic Services	1,235	410	385	25	1,184	-51
Business Transformation	10	804	821	17	5	-5
Corporate Services	921	460	395	-65	809	-112
SERVICE TOTAL	14,532	5,864	5,942	126	14,584	53
Interest on Investments	-75	-40	-32	8	-60	15
Interest payable	9	4	0	-4	0	-9
COUNCIL SUMMARY	14,466	5,828	5,910	130	14,524	59

BROMSGROVE DISTRICT COUNCIL

CABINET

5th December 2012

Capital Budget summary Quarter 2 (April - September) 2012/13 - Overall Council

Department	Revised Budget 2012/13 £'000	Budget April - Sep £'000	Actual Spend April - Sep £'000	Variance to date April - Sep £'000	Projected Outturn £'000	Projected Variance £'000
Business Transformation	60	55	41	-14	60	0
Environmental Services	761	58	58	0	736	-25
Planning & Regeneration	1,538	758	0	-758	138	-1,400
Regulatory Services	116	0	0	0	58	0
Community Services	1,102	551	550	-1	1,102	0
Leisure & Cultural Services	743	149	148	-1	665	-78
Budget for Support Services Recharges	100	50	50	0	100	0
Total	4,420	1,621	847	-774	2,859	-1,503

Financial Commentary:

The main projected variance is on Planning and Regeneration which relates to the funding for the Public Realm works in the Town Centre together with the Parkside development. It is proposed that this funding be carried forward to be spent in 2013/14.

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3.1.1 Environmental Services - Quarter 2 (April - September) 2012/13

Revenue Budget summary Quarter 2 (April - September) 2012/13 - Environmental Services

Service Head	Revised Budget 2012/13 £'000	Profiled Budget April - Sep £'000	Actual Spend April - Sep £'000	Variance to date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Waste Management Policy	-4	-2	1	3	-6	-2
Depot	-14	381	397	16	14	29
Car Parks / Civil Enforcement Parking	-576	-367	-269	98	-372	205
Cemeteries / Crematorium	96	22	23	0	96	-1
Highways	249	73	34	-39	184	-65
Streets Cleansing	1,299	399	384	-14	1,276	-23
Grounds Maintenance	612	191	178	-12	569	-42
Waste	2,294	256	308	52	2,407	113
Garage	25	-33	-33	0	17	-8
Land Drainage	44	22	25	3	50	7
Climate Change	28	14	11	-3	22	-6
TOTAL	4,051	954	1,059	104	4,257	207

Financial Commentary

- Car parking income as reported in the first quarter is projecting a significant shortfall for the year; the reduction in income is due to the inclement weather conditions, the opening of the medical centre which has it's own car park, a reduction in excess charge notices issued. Savings have been made within the service to reduce impact where possible and officers are meeting with Wychavon District Council, who now manage the car parks, to discuss how the situation might be improved.
- Vacant posts in Grounds and Street Cleansing are providing short term savings, however these posts will be filled this year.
- The overspend on waste includes a shortfall on cesspool and trade waste income which is under review by officers to promote the service. In addition

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there have been additional costs in relation to pumping stations and fuel.

**Capital Budget summary Quarter 2 (April - September) 2012/13
Environmental Services**

Service	Revised Budget 2012/13 £'000	Budget April - Sep 2012/13 £'000	Actual spend April - Sep £'000	Variance To date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Depot Services	65	0	0	0	65	0
Vehicle & Equipment replacement programme	592	58	58	0	592	0
North Cemetery - Phase 2	79	0	0	0	79	0
Cemetery Toilets	25	0	0	0	0	-25
TOTAL	761	58	58	0	736	-25

Financial Commentary:

- Small plant has been ordered or delivered; the tendering for the remaining vehicles is underway.

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3.1.2 Community Services Quarter 2 (April - September) 2012/13

**Revenue Budget summary Quarter 2 (April - September) 2012/13 -
Community Services**

Service Head	Revised Budget 2012/13 £'000	Profiled Budget April - Sep £'000	Actual spend April - Sep £'000	Variance to date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Housing Strategy & Mgt	1,767	503	495	-8	1,756	-10
Community Safety & Transport	676	213	176	-37	607	-68
Community Cohesion	57	26	26	0	57	0
TOTAL	2,500	742	698	-45	2,421	-79

Financial Commentary

- Housing Strategy is showing an underspend which is due to a manager vacancy within the department this has now been filled which will result in a reduction of underspend by year end.
- There is an under-spend on Community Safety and Transport due to efficiency savings achieved by the shared provision of the CCTV and lifeline service.

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**Capital Budget summary Quarter 2 (April - September) 2012/13
Community Services**

Service	Revised Budget 2012/13 £'000	Budget April - Sep £'000	Actual spend April - Sep £'000	Variance To date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Strategic Housing	1,102	551	550	-1	1,102	0
TOTAL	1,102	551	550	-1	1,102	0

Financial Commentary:

- Applications for Disabled facilities grants continue to be approved although as in previous years take up is slower at the beginning of the financial year.
- Expenditure has been incurred on the Perryfields Housing scheme in 12/13 which is progressing as planned to the 4 year development programme with BDHT.

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3.1.3 Leisure and Cultural Services Quarter 2 (April-September) 2012/13

**Revenue Budget summary Quarter 2 (April - September) 2012/13 -
Leisure and Cultural Services**

Service Head	Revised Budget 2012/13 £'000	Profiled Budget April - Sep £'000	Actual spend April - Sep £'000	Variance to date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Parks & Open Spaces	440	84	85	1	448	8
Allotments	50	10	10	0	50	0
Promotions	203	79	93	14	229	26
Sports & Recreation Development	282	94	90	-4	277	-5
Property, Assets & Facilities Management	143	468	450	-18	114	-29
Leisure Services / Sports Centres & Mgt	876	341	330	-11	857	-19
TOTAL	1,994	1,076	1,058	-18	1,975	-19

Financial Commentary

- The levels of sponsorship (promotions) income is less than anticipated and officers are working to generate further opportunities with external organisations.
- Within Property, Assets & Facilities Management utility bills at the Council House are lower than anticipated and income from investment properties is greater than expected.
- The underspend on Leisure Services / Sports Centres / Mgt is due to the a number of reasons including: a reduction in the estimated payment to the Artrix, together with savings on the Leisure Services options appraisal and Dolphin Centre maintenance.

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Capital Budget summary Quarter 2 (April - September) 2012/13 Leisure and Cultural Services

Service	Revised Budget 2012/13 £'000	Budget April - Sep £'000	Actual spend April - Sep £'000	Variance To date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Sports Facilities	473	50	50	0	442	-31
Sanders Park	95	60	60	0	95	0
Play Areas	121	0	0	0	74	-47
Other Schemes	54	39	38	-1	54	0
TOTAL	743	149	148	-1	665	-78

Financial Commentary:

- Additional funding has been secured from the Football Foundation for the schemes at Barnsley Hall & Braces Lane. Officers recommend that the total scheme values are increased to take into account the additional funding.
- Additional funding of £10,000 has been secured from the Parish Council for the scheme at Stoke Heath. Officers recommend that the capital budget is increased to reflect this.

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3.1.4 Planning and Regeneration Quarter 2 (April - September) 2012/13

**Revenue Budget summary Quarter 2 (April - September) 2012/13 -
Planning and Regeneration**

Service Head	Revised Budget 2012/13 £'000	Profiled Budget April - Sep £'000	Actual spend April - Sep £'000	Variance to date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Building Control	-40	-73	-76	-3	2	42
Development Control	376	10	57	47	385	9
Economic & Tourism Development	244	89	71	-18	245	1
Emergency Planning	11	5	5	0	11	0
Land Charges	-75	-55	-12	43	-57	18
Strategic Planning	439	156	162	6	439	0
Town Centre Development	96	46	59	13	95	-1
TOTAL	1,051	178	266	88	1,120	69

Financial Commentary:

- Building Control is estimating a reduction in income due to the economic climate. Officers are continuing to work to reduce the impact of this on the end of year financial position.

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Capital Budget summary Quarter 2(April - September) 2012/13 Planning and Regeneration

Service	Revised Budget 2012/13 £'000	Budget April - Sep £'000	Actual spend April - Sep £'000	Variance To date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Town Centre Development - Project Management	38	38	0	-38	38	0
Town Centre Development - Public Realm	1,000	500	0	-500	100	-900
Parkside School	500	250	0	-250	0	-500
TOTAL	1,538	758	0	-758	138	-1,400

Financial Commentary:

- It is anticipated that the majority of the public realm (High Street improvement) project will be undertaken during 2013/14 and therefore it is proposed that this be carried forward to the following year.
- Due to the consultation required for relocation of the Library there will be limited spend on the Parkside School joint development and therefore it is proposed that the budget will need to be carried forward into next financial year.

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3.1.5 Regulatory - Client Quarter 2 (April - Sept) 2012/13

Revenue Budget summary Quarter 2 (April - Sept) 2012/13 - Regulatory Client

Service Head	Revised Budget 2012/13 £'000	Profiled Budget April - Sep £'000	Actual spend April - Sep £'000	Variance to date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Environmental Health	994	206	187	-19	959	-35
Licensing	-177	-101	-104	-3	-180	-3
TOTAL	817	105	83	-22	779	-38

Financial Commentary:

- Environmental Health transferred to Regulatory Services 1st June 2010 however there remain additional savings to the Council from this service.

3.1.6 Worcestershire Regulatory Services Quarter 2 (April – Sept) 2012/13

**Capital Budget summary Quarter 2 (April - September) 2012/13
Regulatory Services**

Service	Revised Budget 2012/13 £'000	Budget April - Sep £'000	Actual Spend April - Sep £'000	Variance To date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Worcestershire Enhanced Two Tier Programme (WETT)	116	0	0	0	58	0
TOTAL	116	0	0	0	58	0

Financial Commentary:

- The expenditure is jointly funded by all partners to the Joint Committee in accordance with the business case. The budget for 12/13 is £1,049k, BDC share at 11.05% £116k.
- Following the appointment of IDOX for the new system, it is that 50% of the funding required will be spent in 12/13 and 50% in 2013/14.

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3.1.7 Customer Services Quarter 2 (April - September) 2012/13

**Revenue Budget summary Quarter 2 (April - September) 2012/13 -
Customer Services**

Service Head	Revised Budget 2012/13 £'000	Profiled Budget April - Sep £'000	Actual spend April - Sep £'000	Variance to date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Customer Services	-47	199	199	-	-77	-30
TOTAL	-47	199	199	-	-77	-30

Financial Commentary:

- The underspend within the Customer Services department is due to a number of vacancies that exist within the department and spending has been reduced to a minimum.

3.1.8 Finance and Resources Quarter 2 (April - September) 2012/13

**Revenue Budget summary Quarter 2 (April - September) 2012/13 -
Finance and Resources**

Service Head	Revised Budget 2012/13 £'000	Profiled Budget April - Sep £'000	Actual spend April - Sep £'000	Variance to date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Central Overheads	865	445	462	17	882	17
Accounts & Financial Mgmt	30	280	279	-1	21	-9
Human Resources & Welfare	-50	146	114	-32	-45	5
Grants & Donations	96	83	78	-5	84	-12
Revenues & Benefits	1,059	-18	45	63	1,169	110
TOTAL	2,000	936	978	42	2,111	111

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Financial Commentary

- The overspend within central overheads is due to increased insurance costs incurred.
- There are savings within accounts and financial management area due to the new contract for the cash collection service
- Overspends within revenues and benefits is due to payments for discretionary rate relief and housing benefit payments due to the economic climate.

3.1.9 Legal, Equalities and Democratic Services Quarter 2 (April – Sept) 2012/13

Revenue Budget summary Quarter 2 (April - September) 2012/13 - Legal, Equalities and Democratic Services

Service Head	Revised Budget 2012/13 £'000	Profiled Budget April - Sep £'000	Actual spend April - Sep £'000	Variance to date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Democratic Services & Member Support	1,104	236	224	-12	1,077	-27
Elections & Electoral Services	160	53	50	-3	153	-7
Legal Advice & Services & Mgt	-29	121	111	-10	-46	-17
TOTAL	1,235	410	385	-25	1,184	-51

Financial Commentary:

- The legal underspend is largely due to maternity leave and the fact that posts were not filled until part way through the financial year as a result of the shared service restructure. In addition half a post remains vacant in the legal team to support the transformational work that has been done in housing, revenues and benefits which has revealed compelling evidence to support the need for additional debt management and income maximisation support to be made available to our customers. The Head of Service has undertaken some work to identify costs historically allocated to debt recovery and realigned the same in a trial exercise to support the provision of income maximisation and debt advice to customers. Whilst there is an under spend currently identified in the area it is likely that this will reduce before the end of the financial year as the support for this trial continues.

There are some small under-spends also within other areas of the department.

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3.1.10 Business Transformation Quarter 2 (April - September) 2012/13

Revenue Budget summary Quarter 2 (April - September) 2012/13 - Business Transformation

Service Head	Revised Budget 2012/13 £'000	Profiled Budget April - Sep £'000	Actual Spend April - Sep £'000	Variance to date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Policy and Equalities	0	55	43	-12	-7	-7
IT Services	-17	705	736	31	-19	-2
Business Transformation	27	44	42	-2	31	4
TOTAL	10	804	821	17	5	-5

Financial Commentary

- The underspend within Policy and Equalities is due to vacancies within the department.

Capital Budget summary Quarter 2 (April - September) 2012/13 Business Transformation

Service	Revised Budget 2012/13 £'000	Budget April - Sep £'000	Actual spend April - Sep £'000	Variance To date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Member ICT Facilities	10	5	0	-5	10	0
XP Sunray Servers	38	38	29	-9	38	0
Additional Electronic Storage	12	12	12	0	12	0
TOTAL	60	55	0	-14	60	0

Financial Commentary:

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- | |
|--|
| <ul style="list-style-type: none">• There are no major variances to report |
|--|

3.1.11 Corporate Resources Quarter 2 (April - September) 2012/13

Revenue Budget summary Quarter 2 (April - September) 2012/13 - Corporate Resources

Service Head	Revised Budget 2012/13 £'000	Profiled Budget April - Sep £'000	Actual Spend April - Sep £'000	Variance to date April - Sep £'000	Projected outturn 2012/13 £'000	Projected variance 2012/13 £'000
Corporate Resources	921	329	277	-52	832	-89
Corporate Admin / Central Post / Printing	0	131	118	-13	-23	-23
TOTAL	921	460	395	-65	809	-112

Financial Commentary

- There is small underspend on printing unit due to external contracts running more efficiently.
- The underspends relate to the reduction in costs associated with Audit together with additional savings relating to vacancies and transformation.

3.2 Reserves

There are a number of reserves held by the Authority that are drawn from to support specific projects. For this quarter approval is sought for the release of £52k in relation to the Town Centre development costs funded by a specific reserve and £65k relating to specific projects to be funded by the reserve set aside from funds received by the Clinical Commissioning Group.

4. TREASURY MANAGEMENT

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

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- 4.2 The Council receives credit rating details from its Treasury Management advisers on a daily basis and any counterparty falling below the criteria is removed from the list of approved institutions.
- 4.3 Due to market conditions the Council has reduced its credit risk for all new investments by only investing in the highest rated instruments and has shortened the allowable length of investments in order to reduce risk.
- 4.4 At 30th September short term investments comprised:

	31st March 2012 £000	30th Sept 2012 £000
Deposits with DMADF*	2,750	0
Deposits with Banks/Building Societies	6,000	17,000
Total	8,750	17,000

- *Investments with the DMADF are guaranteed by HM Treasury. Following advice from the Council's treasury advisors, from a credit perspective no upper limit was imposed on investments with the DMADF.

Income from investments and other interest

- 4.5 An investment income target of £75k has been set for 2012/13 using a projected return rate of 0.75% - 1.50 %. During the past financial year bank base rates have remained 0.5% and current indications are projecting minimal upward movement for the short term.
- 4.6 In the 6 months to 30th September the Council received income from investments of £32k.

5. REVENUE BALANCES

Revenue Balances

- 5.1 The revenue balances brought forward at 1 April 2012 were £2.580m. Excluding the impact of any projected over or under spends it is anticipated that £113k will be transferred from balances during 2012/13 to fund revenue expenditure; giving a current projected balance at 31 March 2013 of £2.467m.

6. CAPITAL RECEIPTS

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- 6.1 The Capital Programme was approved by Members in January 2011, the effect of the level of Capital Spend to 2013/14 on capital receipts is estimated below:-

Capital Programme	2012/13 £'000	2012/13 £'000	2013/14 £'000
Balance b/fwd	3,358	1,139	-3,961
Actual funding to date (April – Sept)	219	0	0
Estimated use for the remainder of the year	2,100	5200	5,253
Received in year - General Sales - Sale of freehold at Sherwood Road	100	100	100
Balance c/fwd	1,139	-3,961	-9,114

- 6.2 The figures in the above table include general capital receipts for the funding of projects throughout the District. In addition, an estimate of capital receipts has been made of £100k per annum in relation to any sales of assets.
- 6.3 Finance Officers are working with the Town Centre project team to ensure all potential capital receipts are included in future reports.

Legal Implications

None.

Service/Operational Implications

All included in financial implications.

Customer / Equalities and Diversity Implications

None as a direct result of this report

7. RISK MANAGEMENT

- 7.1 Failure to manage the budgets effectively can lead to an overspend that has to be funded or services not being provided to the customer. Departmental registers include controls in place to support effective financial management.

8. APPENDICES

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N/A

9. BACKGROUND PAPERS

None

AUTHOR OF REPORT

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QUARTERLY MONITORING OF WRITE OFFS – 1ST APRIL – 30TH SEPT 2012

Relevant Portfolio Holder	Councillor Hollingworth
Portfolio Holder Consulted	
Relevant Head of Service	Teresa Kristunas, Head of Finance & Resources
Wards Affected	All

1. SUMMARY OF PROPOSALS

- 1.1 Members are requested to consider the action taken by officers with respect to the write off of debts during the first half of 2012/13 and to note the profile and/or level of outstanding debt.

2. RECOMMENDATIONS

The Cabinet is requested to RESOLVE that:

Subject to any comments, the contents of the report be noted.

3. KEY ISSUES

- 3.1. Members approved a revised Write Off Policy which changed the process for the reporting and approval process for the writing off of debts due to the Council. The revised Policy requires officers to report to members of the actual level of write offs and the profile of outstanding debt.

- 3.2. The current bad debts provisions are as follows:

	£
Housing Benefit	521,480
Council Tax	227,470
NDR	12,400
Sundry Debtors	<u>46,740</u>
Total	<u>808,090</u>

Financial Implications

- 3.3 The current bad debt provisions are adequate in relation to level of write offs and the level of outstanding debt.

Legal Implications

- 3.4. There are no legal implications.

Service / Operational Implications

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3.5 No direct implications.

Customer / Equalities and Diversity Implications

3.6. No direct implications.

4. RISK MANAGEMENT

There are no risks identified.

5. APPENDICES

Appendix 1 – Write offs 1st April 2012 – 30th Sept 2012

Appendix 2 - Aged Debt Profile for Sundry Debts Arrears

Council Tax Arrears and Business Rates Arrears as at 30th
Sept 2012.

Appendix 3 – Write off of Overpaid Housing Benefit 1st April 2012 – 30th
Sept 2012

6. BACKGROUND PAPERS

There are no background papers with this report.

AUTHORS OF REPORT

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Appendix 1

Write Offs of Council Tax and Non-Domestic Rates
1st April 2012 – 30th Sept 2012

Council Tax	Reason	01.04.12 to 30.09.12
		£
WOTH	Write Off Other	90,402.28
WCOS	Write Off Costs	5,392.06
SBWO	Small Balance Write Off	<u>40.54</u>
	Total	<u>95,834.88</u>

NDR	Reason	01.04.12 to 30.09.12
		£
WOBF	Write Off Bailiff Fees	57.00
WOFF	Write Off	147,116.18
WOLC	Write Off Liab Costs	15.00
WOSC	Write Off Summons Costs	<u>3,577.21</u>
	Total	<u>150,765.39</u>

Note: Future reports will contain more detail on the reasons for write off.
No debts were written off during the second quarter.

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**Write Offs of Sundry Debtors -
1st April 2012 to 30th Sept 2012**

Sundry Debts	Reason	01/04/2012- 30/09/2012 £
GA	Gone Away	826.77
LB	Liquidation/Bankrupt	51.00
NFAV	No further Action due to value	8,984.57
D	Deceased	187.34
AWO	Auto write off under £1.00	4.61
LA	Legal Advised Write Off	2,255.72
PPAW	Part paid advised Write Off	4,580.11
OP	Overpaid no forwarding address	-680.93
	Total	16,209.19

Appendix 2

Aged Debt profile for Sundry Debts - 1st April 2012 to 30th Sept 2012

Age	Sundry Debts
	£
1 – 30 days	284,151.45
31 - 60 days	19,102.21
61 – 90 days	13,622.20
90 days +	92,443.18
Total	409,319.04

Council Tax Arrears

**Council Tax Arrears Analysis as at
30/09/2012**

Year	Total £	Annual debit £
1997/98	4,216	
1998/99	5,959	
1999/00	13,512	25,836,407
2000/01	25,207	26,419,700
2001/02	34,423	29,487,929
2002/03	50,983	35,962,692
2003/04	48,671	40,922,548
2004/05	54,600	41,770,011
2005/06	98,169	44,059,868
2006/07	139,574	46,683,333
2007/08	141,924	49,061,780
2008/09	129,202	51,592,006
2009/10	144,238	53,577,097
2010/11	258,852	55,298,276
2011/12	<u>412,372</u>	55,399,069
	<u>1,561,900</u>	

Note: the above arrears figures will reduce over time.

Non Domestic Rates Arrears

**Non Domestic Rates Arrears Analysis
As at 30/09/2012**

Year	Total £	Annual Debit £
1997/98	3,586	
1998/99	2,572	
1999/00	1,688	
2000/01	195	17,415,978
2001/02	2,163	17,232,868
2002/03	1,018	17,175,162
2003/04	1,035	17,345,890
2004/05	1,141	17,854,642
2005/06	20,845	18,803,202
2006/07	38,854	19,823,744
2007/08	109,195	20,822,010
2008/09	56,831	23,586,234
2009/10	198,523	23,829,603
2010/11	205,808	23,233,864
2011/12	<u>377,776</u>	25,205,206
	<u>1,021,230</u>	

Note: the above arrears figures will reduce over time.

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Appendix 3

Write off of Overpaid Housing Benefit – 1st April 2012 to 30th Sept 2012

Housing Benefit Write-Offs		
Reason	Amount £	No. of cases
Possible Write back	Nil	Nil
Deceased	195.53	2
Debt Relief Order	166.00	1
Bankruptcy	1,802.48	1
Person Abroad	Nil	Nil
Hardship/Compassion	Nil	Nil
Not reasonable to recover	1,976.50	1
Uneconomic to recover	1,758.89	13
Debt matching	Nil	Nil
Cannot trace	68.08	2
No prospect of recovery	Nil	Nil
Old debt – recovery options expired	3,313.53	5
In prison	1,056.10	1
Totals	£10,337.11	26

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Crown Close Open Space

Relevant Portfolio Holder	Mike Webb
Portfolio Holder Consulted	Yes
Relevant Head of Service	John Godwin
Ward(s) Affected	St Johns
Ward Councillor(s) Consulted	No
Key Decision / Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 The report advises Members of the deteriorating condition of the road and footpaths at Crown Close Public Open Space, Bromsgrove. The road and footpaths provide pedestrian and vehicle access to St John’s Church, Amphlett Hall and surrounding properties as well as access to informal recreation.
- 1.2 The current poor condition of these roads and footpaths present potential liability to the Council both in terms of the escalating costs of temporary repairs and the risk of civil claims resulting from accidents.
- 1.3 The report provides an option for a full repair and reinstatement of the road and footpaths and highlights a potential source of funding through section 106 funds.

2. RECOMMENDATIONS

- 2.1 That Cabinet recommend an increase of £40k to the 2012/13 capital programme to be funded from identified S106 receipts to be utilised for resurfacing the road and footpaths at Crown Close.

3. KEY ISSUES

Financial Implications

- 3.1 Due to the deteriorating condition of the road and footpath in Crown Close officers have had to fund an increasing cost of temporary repairs. The recent poor weather conditions have caused further damage and therefore officers have reviewed the position with the aim to undertake a more permanent solution for repair.
- 3.2 The cost of resurfacing the road and paths has been estimated at £44k but it is anticipated that a more competitive quotation could be obtained of approximately £40k.
- 3.3 Officers have identified a section 106 agreement which can be utilised to fund open space enhancements. It is proposed that these funds be used to support the financial cost of the full repair of the road and footpaths.

Legal Implications

- 3.4 The road and footpaths are in the ownership of the Council. They are not public highway.
- 3.5 Public liability for the road and footpaths rests with the Council. Given that the Council Engineer has identified that condition of the road and footpaths creates a health and safety risk, if no action is taken and accidents occur, the Council may face claims in negligence.
- 3.6 If no action is taken in respect of the condition of the road and footpaths the Council may need to consider closing the road and footpaths to the public.

Service / Operational Implications

- 3.7 The surfacing has developed a large number of potholes, particularly around drain covers and edges and although attempts have been made to fill these and patch up over a number of years this is not addressing the long term issue.
- 3.8 The road has been inspected regularly and was repaired following storms in July 2012 however, subsequently a report was received of a minor accident caused that resulted in a small insurance claim relating to damage to property.
- 3.9 A further inspection has been carried out by a Council Engineer and the road and paths have been condemned as a Health and Safety risk. Additional temporary patching has been undertaken, however it is expected that further storms and frosts will result in the surface opening up again. The Engineer advises that a complete resurfacing is required.
- 3.10 Full repair will enhance the amenity value and access to the site, currently local volunteers contribute to the appearance of Crown Close and the area has a high value within the townscape, a significant heritage contribution and designated as a Conservation Area.

Customer / Equalities and Diversity Implications

- 3.11 Crown Close as previously mentioned is a Conservation Area and the state of the roads currently detracts from the visual amenity of the site as well as being a health and safety concern. Resurfacing will complement the environmental improvements planned for the Town Centre and Spadesbourne Brook.

- 3.12 The improvements will benefit everyone but in particular, Amphlett Hall is a facility for older people for whom providing safe access is particularly important.

4. RISK MANAGEMENT

- 4.1 If action is not taken the Council may be held liable for any injury or harm resulting from the condition of the road and paths. This is of particular concern following the recent engineer's report that identifies the health and safety risk and potential liability
- 4.2 The surface will continue to deteriorate further and the cost of temporary patching will continue to increase

5. APPENDICES

Appendix 1 - Site Location
Appendix 2 - Photographs of the road surface

6. BACKGROUND PAPERS

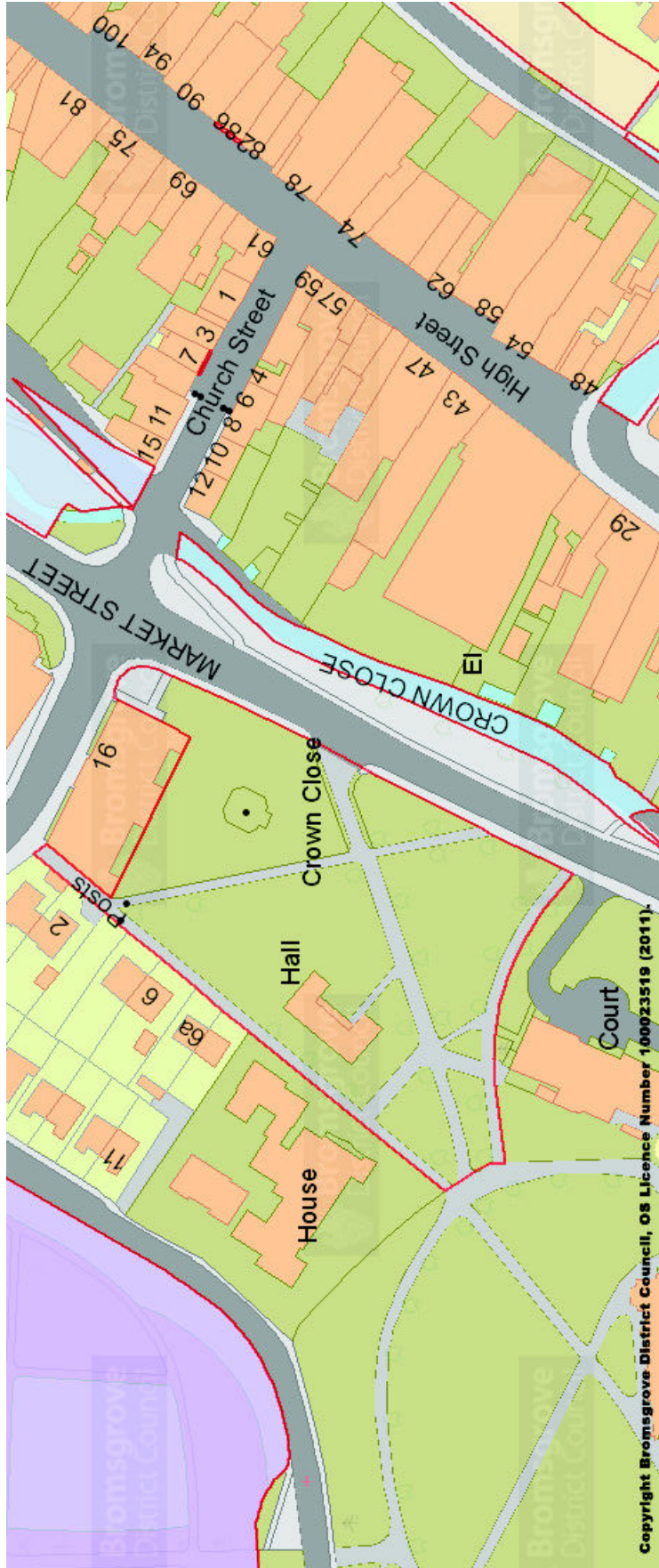
7. KEY

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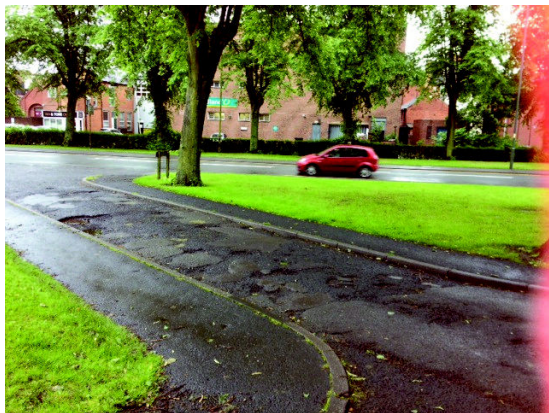
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Appendix 1: Map showing the location of Crown Close Open Space



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Appendix 2: Photographs of Crown Close, Bromsgrove taken Summer 2012



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