



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY 6TH NOVEMBER 2013 AT 6.00 P.M.

THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Councillors R. Hollingworth (Leader), M. A. Sherrey (Deputy Leader), D. W. P. Booth, 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 meetings of the Cabinet held on 25th September 2013 and 2nd October 2013 (Pages 1 - 12)
4. Minutes of the meeting of the Audit Board held on 19th September 2013 (Pages 13 - 20)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes
5. Minutes of the meeting of the Overview and Scrutiny Board held on 14th October 2013 (Pages 21 - 24)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes
6. Minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 26th September 2013 (Pages 25 - 34)
 - (a) to receive and note the minutes
 - (b) to consider any recommendations contained within the minutes
7. List of Local Heritage Assets (Pages 35 - 48)

8. Bromsgrove Town Centre -Public Realm Improvements (Pages 49 - 52)
9. The Cross Inn, Finstall - Application for Inclusion on Register of Assets of Community Value (Pages 53 - 60)
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

29th October 2013

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 25TH SEPTEMBER 2013 AT 4.00 P.M.

PRESENT: Councillors R. Hollingworth (Leader), M. A. Bullivant, C. B. Taylor and M. J. A. Webb

Officers: Mr K. Dicks, Ms J. Pickering, Mrs S. Sellers, Ms S. Morgan and Ms R. Cole

38/13 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D. W. P. Booth and M. A. Sherrey

39/13 DECLARATIONS OF INTEREST

No declarations of interest were received.

40/13 AUDIT FINDINGS REPORT 2012/2013

The Cabinet considered the Audit Findings Report 2012/2013 together with the draft letter of representation. The Leader welcomed Mr P. Jones and Ms Z. Thomas from Grant Thornton to the meeting.

Mr Jones recognised that the accounts were well prepared and working papers appropriate. The Council's strategic priorities had been developed and were shaping budgetary decisions. The financial challenges faced by all District Councils were recognised. There was one significant change to the accounts relating to the Council's share of receipts from the sale of former council houses.

It was noted that the two recommendations proposed by Grant Thornton had been accepted by officers and the recommendation relating to IT security had already been addressed. Officers would be submitting a report shortly addressing any matters raised by Grant Thornton in the forthcoming financial resilience report.

RECOMMENDED:

- (a) that the Audit Findings report 2012/2013 be noted; and
- (b) that the draft letter of representation, as included in the Audit Findings report be approved.

41/13 **STATEMENT OF ACCOUNTS 2012/2013**

Consideration was given to the report on the statement of Accounts for 2012/2013.

The Leader thanked the officers involved for their work in producing the accounts.

Following discussion it was

RECOMMENDED that the Statement of Accounts 2012/2013 be approved.

The meeting closed at 5.05 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 2ND OCTOBER 2013 AT 6.00 P.M.

PRESENT: Councillors R. Hollingworth (Leader), M. A. Sherrey (Deputy Leader), D. W. P. Booth, M. A. Bullivant, C. B. Taylor and M. J. A. Webb (Minute 48/13 to 53/13)

Invitees: Superintendent K. Purcell and Councillor P. Lammas,

Officers: Ms S. Hanley, Mr G. Revans, Mrs S. Sellers, Ms S. Morgan, Mr M. Cox, Ms A. Scarce, Ms R. Cole

42/13 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

43/13 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

44/13 **SUPERINTENDENT KEVIN PURCELL OF WEST MERCIA POLICE**

The Leader welcomed West Mercia Police Superintendent Kevin Purcell to the Cabinet meeting.

Superintendent Purcell thanked Members for the opportunity to attend the meeting as he was intending to meet with all District Councils within the North Worcestershire policing area to discuss the recent changes in the delivery of policing within West Mercia.

Superintendent Purcell referred to the following issues and responded to Member's queries thereon:

The alliance with Warwickshire Police was intended to help to meet the funding shortfall arising from the Government's spending review through sharing assets and back office services and ensuring processes are efficient and effective;

Across North Worcestershire there would be 19 Safer Neighbourhood Teams which will generally consist of a Police Sergeant a Police Constable and two Police Community Support Officers. The Teams would be supported by response officers operating from patrol bases;

There would be identification of “hot spot” areas of higher need where additional resources could be focussed and there would also be prioritisation of incidents to be attended;

There had been investment in mobile technology to enable officers to be more visible on the streets but to reduce travelling time to and from their operational bases. In addition the hours of Police Community Support Officers had been extended;

Information had been sent out to District Council Members so they were aware of the new arrangements and of officers within their own wards. It was hoped that Members would take the opportunity of contacting the Police Sergeant within their area to discuss what information reporting /feedback arrangements were required. It was anticipated this would take place at least every two months.

It was anticipated that most interviews of suspects would take place at local police stations but for more serious categories of offence this would take place at Kidderminster.

Members raised the issue of Travellers as there had been a number of instances recently of Travellers parking on Bromsgrove town centre car parks. From the Police’s perspective the key was for there to be sufficient provision for the relocation of Travellers. It was noted there was to be a county - wide review of the policy relating to Travellers in 2014 and that would be a good opportunity to look at strengthening the liaison and understanding between the Police and the Authority on this issue.

Superintendent Purcell re-iterated that he was happy to attend meetings with Parish Councils or other local Groups in order to discuss the new Policing arrangements.

The Leader thanked Superintendent Purcell for his attendance.

45/13 MINUTES

The minutes of the meeting of the Cabinet held on 4th September 2013 were submitted.

RESOLVED that the minutes be approved as a correct record.

46/13 OVERVIEW AND SCRUTINY BOARD

The minutes of the meeting of the Overview and Scrutiny Board held on 16th September 2013 were submitted.

RESOLVED that the minutes be noted.

47/13 **COUNTY AIR QUALITY ACTION PLAN**

The Cabinet considered a report on the proposed adoption of the Worcestershire Air Quality Action Plan. The Leader welcomed Mark Cox from Worcestershire Regulatory Services to the meeting.

Members were reminded that Local Authorities had a duty under the Environment Act 1995 to prepare an Air Quality Action Plan where an Air Quality Management Area had been declared. In the Bromsgrove District there were currently four Air Quality Management Areas. Consultation with Stakeholders on the Plan had taken place over a three month period and the Plan had been adapted to reflect these.

It was noted that the adoption of the Air Quality Action Plan would enable Worcestershire Regulatory Services to act on behalf of this Council in the identification and implementation of the most effective measures to reduce nitrogen dioxide levels. Some of the measures within the Action Plan were specific whilst others were more generic and were applicable on a County-wide basis which meant a Worcestershire Plan was the most effective way of delivering improved air quality.

Members supported the Plan but it was recognised that its implementation would require the co-operation of a number of partner organisations.

RESOLVED: that the Worcestershire Air Quality Action Plan be adopted and the measures in the Plan be supported in order to provide an effective resolution to poor air quality and to enable the eventual revocation of the Air Quality Management Areas within the Bromsgrove District.

48/13 **AIR QUALITY TASK GROUP REPORT**

The Leader invited the Chairman of the Overview and Scrutiny Board to Councillor P. Lammas to introduce the report of the Task Group on Air Quality in the absence of the Chairman of the Task Group who was unable to attend the Cabinet meeting.

Councillor Lamas referred to the recommendations of the Task Group which were contained within 5 chapters:

- The review of the Air Quality Scrutiny report completed in December 2007;
- The role of Worcestershire Regulatory Services;
- The role of Worcestershire County Council;
- Health implications; and
- Conclusion

The Cabinet then considered the recommendations of the Task Group in detail.

Recommendation 1

Recommendation 1 – Low Emission Zones

Further consideration be given for LEZs to be included within the Air Quality Action Plan.

Recommendation 7 – Town Centre Redevelopment

A representative from Worcestershire Regulatory Services to be included within the membership of the Town Centre Redevelopment Group.

Recommendation 8 – High Street and The Strand

Although not declared as an Air Quality Management Area the continued monitoring of the air quality at Davenal House should take place and consideration be given to alterations to the traffic lights.

Recommendation 17 – Taxi Ranks

Regular reminders to taxi drivers in respect of leaving their engines running whilst waiting for the next fare at a taxi rank.

Cabinet Response

Recommendation 1 – Low Emission Zones

This was not supported in view of the likely finance implications.

Recommendation 7 – Town Centre Redevelopment

It was reported that the Town Centre Redevelopment Group was no longer in existence.

Recommendation 8 – High Street and The Strand

It was noted that monitoring was on going but it was felt that changes to the traffic lights would be costly at this stage.

Recommendation 17 – Taxi Rank

This was approved.

Recommendation 2

- (a) that separate Air Quality Action Plans be produced for the four AQMAs in Bromsgrove district in order to address the particular circumstances in each location
- (b) that the Action plans contain specific targets and detail projected timeframes and all actions should be implemented within those timescales

Cabinet Response

This was not agreed as it was felt that the overall County Air Quality Action Plan would be sufficient.

Recommendation 3

That a separate Air Quality Steering Group should be established in respect of the four AQMAs in Bromsgrove district.

Cabinet Response

It was not agreed that a separate Group was required as it was felt that the single Steering Group would be sufficient.

Recommendation 4

That the Overview and Scrutiny Board be provided with regular progress reports from the Air Quality Steering Group.

Cabinet Response

This is not applicable if the separate Steering Group is not set up. It was suggested as an alternative that the Annual report to DEFRA also be submitted to the Overview and Scrutiny Board at no additional cost.

Recommendation 5

Worcestershire Regulatory Services (WRS) applies for funding from the DEFRA Air Quality Grant Programme. If the first application is not successful the WRS should persist in submitting further applications in subsequent years.

Cabinet Response

It was agreed that WRS should apply for DEFRA funding as appropriate and in accordance with the Air Quality Action Plan.

Recommendation 6

That Worcestershire County Council applies for funding from the Worcestershire Local Transport Body in order to fund traffic management measures that will tackle air pollution in the Bromsgrove AQMAs.

Cabinet Response

Whilst this is a matter for the County Council there is no objection to requesting the County Council to make the application.

Recommendation 7

That Worcestershire County Council liaises with local bus operators to establish a local bus quality partnership in order to investigate the potential to update the bus fleets operating within the Bromsgrove district.

Cabinet Response

Whilst this is a matter for the County Council there is no objection to requesting the County Council to liaise with the relevant bus operators.

Recommendation 8

That the health implications of air pollution be the focus of a detailed review by the Worcestershire Health Overview and Scrutiny Committee.

Cabinet Response

It was noted that discussions were on going and that there was no objection to the issue being raised by the District Councillors who were Members of the Worcestershire Health Overview and Scrutiny Committee.

Recommendation 9

That the regular monitoring of particulate air pollutants within the Bromsgrove District's four AQMAs is carried out by Worcestershire Regulatory Services.

Cabinet Response

This was not agreed in view of the significant cost implications.

Recommendation 10

That Bromsgrove District Council sends a letter to the relevant Government Minister urging him/her to accelerate efforts to address problems with the higher emission levels from HGVs with a copy of the letter also being sent to the local M.P.

Cabinet Response

This recommendation was agreed.

Recommendation 11

That Bromsgrove District Council sends a letter to the relevant Government Minister responsible for DEFRA urging him/her to review the role of those responsible for Air Quality with a copy of the letter also being sent to the local M.P.

Cabinet Response

This recommendation was agreed.

Recommendation 12

The Overview and Scrutiny Board consider launching a separate review of CO2 emissions in the District.

Cabinet Response

It was felt this was a matter for the Overview and Scrutiny Board to determine as part of their future Work Programme.

The Leader thanked Members and officers for their work on this Task Group.

49/13 TOILETS IN BROMSGROVE CEMETERY AND SANDERS PARK

The Cabinet considered a report on the latest position regarding the previous decision to refurbish the existing toilets in Bromsgrove Cemetery.

Members noted the history to this matter which was fully set out in the report, including the budget of £25,000 which had been allocated for refurbishment of the toilets. Of this funding £2,000 had been spent on architect's fees, building regulation approval construction drawings tendering processes and administering contract with builders.

Following consultations with Community Safety, the local Disability Action Group and the Conservation Officer it had become apparent that refurbishment of the existing building could not satisfy the legal and safety concerns identified and therefore a replacement building would be required.

It was reported that the cost of a new toilet building within the Conservation Area, which was compliant with the Disabilities Discrimination Act and other relevant legislation would significantly exceed the existing budget.

The Cabinet considered the issue in detail and in particular considered the following points:

- the additional capital cost for replacement facilities of £12,000;
- the evidence from cemetery staff that demand for the facility is low;
- the incidents of anti-social behaviour including recent evidence of use for drug taking;
- the availability of alternative public toilets with disabled access at Sanders Park and within the Town Centre;
- the cessation of new earth burials within the cemetery in 2006 will mean that the cemetery will be visited less in the future;
- the toilets are not sustainable in their current condition and if they are not replaced will need to be closed and the building demolished to ensure the safety of the area.
- The cost of demolition would be approximately £5,000

There was also discussion on the possible alternative use of the remaining £18,000 within the budget to improve the toilet facilities in Sanders Park. These toilets were also in need of improvement and were in much greater use than the Cemetery toilets.

RECOMMENDED:

- (a) that the toilets within Bromsgrove Cemetery be closed and demolished at a cost of approximately £5,000; and

- (b) that the uncommitted balance of the capital budget previously allocated to the refurbishment of the Cemetery toilets (approximately £18,000) be transferred to fund the improvement of the toilets in Sanders Park.

50/13 **MEMBERSHIP OF IMPROVEMENT AND EFFICIENCY SOCIAL ENTERPRISE**

The Cabinet considered a report relating to a proposal that the Council become a member of the Improvement and Efficiency Social Enterprise (iESE).

It was noted that the iESE had originally operated under the name of Improvement and Efficiency South East as one of the Regional Improvement and Efficiency Partnerships (RIEPS). These partnerships were funded by central government with the aim of delivering improvements and efficiencies across the public sector. This Council continues to be supported by the Improvement and Efficiency West Midlands.

It was reported that following the withdrawal of funding for the RIEPS, Improvement and Efficiency South East had decided to continue their work with the same objectives but as an independent company. The company would be a non-profit distributing company limited by guarantee and there was an opportunity to become a member of the company which it was felt would be of benefit to the Council.

Clarification was given that the Council's representative would not have Director status within iESE; the correct position was that the Council through its representative would be a Member with voting rights at the Annual General Meeting.

RESOLVED:

- (a) that Bromsgrove District Council become a member of iESE Limited; and
(b) that authority be delegated to the Chief Executive in consultation with the Leader of the Council to approve and execute any documentation necessary to give effect to (a) above.

RECOMMENDED that a Bromsgrove District Councillor be nominated as Member and/or Voting Delegate of iESE Limited.

51/13 **THE DODFORD INN - APPLICATION FOR INCLUSION ON ASSET OF COMMUNITY VALUE REGISTER**

Following discussion on this matter at a previous meeting, the Cabinet considered an updated report on a request to list the Dodford Inn as an Asset of Community Value.

It was noted that advice received from the DCLG had confirmed that if the sale of a business as a going concern was involved then the moratorium on sale

would not come into effect. The Parish Council had also provided additional information as requested.

Whilst Members felt that they had sufficient information to determine this application, they were still concerned that the legislation relating to the "Community Right to Bid" under the Localism Act was unclear and unwieldy. It was commented that the situation may become clearer in future through case law.

Following discussion it was

RESOLVED that the listing of the Dodford Inn, Whinfield Road, Dodford as an Asset of Community Value be supported.

52/13 **LOCAL GOVERNMENT ACT 1972**

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

<u>Minute No.</u>	<u>Paragraph</u>
53/13	3

53/13 **DELEGATED AUTHORITY FOR DISPOSAL OF COUNCIL OWNED LAND AT RECREATION ROAD**

The Cabinet considered a report seeking delegated authority from the Cabinet for the Head of Legal, Equalities and Democratic Services to sign the legal agreements in relation to the disposal of the Recreation Road North Car Park. The disposal of the land had been previously agreed by the Cabinet.

RESOLVED that delegated authority be granted to the Head of Legal, Equalities and Democratic Services to approve and sign the necessary legal documents relating to the disposal of the Recreation Road North Car Park to Aspen Retirement Limited.

The meeting closed at 8.00 p.m.

Chairman

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE AUDIT BOARD

THURSDAY, 19TH SEPTEMBER 2013 AT 6.00 P.M.

PRESENT: Councillors J. R. Boulter, M. T. Buxton, H. J. Jones, R. J. Laight (substituting for S. J. Dudley), P. Lammas (substituting for B. T. Cooper), P. M. McDonald and C. J. Spencer (substituting for P. A. Harrison)

Observers: Councillor C. J. Bloore and Ms. A. Scarce

Invitees: L. Jones, Customer Services Manager

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

1/13 ELECTION OF CHAIRMAN

Members agreed that the meeting be adjourned to allow officers time to seek legal advice on a Constitutional issue that had been raised with regard to the nomination of Chairman.

Accordingly the meeting stood adjourned from 6.10pm to 6:16pm and 6:21pm to 6.30pm.

Having reconvened, the Board then considered nominations for Chairman.

RESOLVED that Councillor J. R. Boulter be elected as Chairman of the Board for the ensuing municipal year.

2/13 ELECTION OF VICE-CHAIRMAN

RESOLVED that Councillor H. J. Jones be elected as Vice-Chairman of the Board for the ensuing municipal year.

3/13 APOLOGIES

Apologies for absence were received from Councillors B. T. Cooper, S. J. Dudley and P. A. Harrison.

4/13 DECLARATIONS OF INTEREST

No declarations of interest were received.

5/13 **MINUTES**

The minutes of the meeting of the Audit Board held on 14th March 2013 to be considered at the next meeting of the Board.

6/13 **PRESENTATION FROM THE CUSTOMER SERVICES MANAGER**

The Chairman welcomed Lynn Jones, Customer Services Manager to the meeting.

The Customer Services Manager provided the Board with a presentation detailing risk management for her service area. The presentation slides covered key operational risks and current projects with associated risks. The presentation highlighted that Risk Management was a continuous and developing process within Customer Services.

The Executive Director, Finance and Corporate Resources responded to Councillor P. M. McDonald in respect of the risk management undertaken and the decision made to close the Bromsgrove Customer Service Centre on a Saturday morning. The Executive Director, Finance and Corporate Resources explained that the recent review of the Bromsgrove Customer Service Centre had highlighted that the vast majority of customer demand was received Monday to Friday. A report had been presented to Cabinet on 4th September 2013 which had proposed that the opening hours of the Bromsgrove Customer Service Centre were changed to reflect the reduced demand and changes to service delivery, and that staffing resources were realigned to when they were most needed. The data collected throughout 2012/2013 detailed the average customer numbers and total enquiries received. The report highlighted that the overall number of enquiries received on Saturday mornings was too low to warrant having expert staff available. Therefore a high percentage of customer demand could not be dealt with due to the unavailability of a variety of service experts on a Saturday morning.

The Chairman thanked the Customer Services Manager for her presentation.

7/13 **AUDIT COMMISSION ANNUAL GOVERNANCE REPORT 2011/2012 –
PROGRESS MADE ON ACTIONS**

Further to the meeting of the Audit Board held on 20th September 2012, Members considered a report which provided an update on actions relating to the five recommendations made by the Audit Commission in their Annual Governance Report 2011/2012.

The Executive Director, Finance and Corporate Resources presented the report and in doing so informed Members that as part of the process for auditing the final accounts for 2011/2012 the Audit Commission had reviewed the Council's processes and procedures and had made recommendations that they felt might improve the Council's future service and accounting.

There were five recommendations proposed by the Audit Commission that had been agreed by officers and reported to Audit Board Members in

September 2012. Pages 11 and 12 of the report detailed the five recommendations and provided an update on the actions.

The Executive Director, Finance and Corporate Resources drew Members' attention to the recommendation and update - 'Review the format of the monitoring savings as presented to officers and Members'. The financial monitoring reports for 2013/2014 would show detailed information in relation to the savings to be delivered. The format of these reports would show the savings generated as a separate table to ensure Members could see the savings that have been realised. The Executive Director, Finance and Corporate Resources informed the Board that a detailed report would be presented to the next meeting of the Audit Board.

RESOLVED:

- (a) that, as set out in the preamble above, a detailed report be presented to the next meeting of the Audit Board, and
- (b) that the updates to the actions relating to the Audit Commission, Annual Governance Report 2011/2012 be noted.

8/13 **GRANT THORNTON UPDATE - RESPONSES TO THE CHALLENGE QUESTIONS**

The Board was asked to consider the responses to the challenge questions raised by the Council's external auditors Grant Thornton during the last Audit Board meeting.

The Executive Director, Finance and Corporate Resources introduced the report and in doing so informed Members that Grant Thornton had presented an update report to the Board on the 14th March 2013 which had included a number of questions that they had asked the Council in relation to a number of financial issues. Members had requested that officers considered the questions in order to present the responses to a future meeting of the Board.

RESOLVED that the responses, as detailed in the report, to the challenge questions raised by Grant Thornton and presented to Members on the 14th March 2013 be agreed.

9/13 **VERBAL UPDATE FROM THE EXECUTIVE DIRECTOR, FINANCE AND CORPORATE RESOURCES:-**

Following on from the Audit Board meeting held on 14th March 2013 Members had requested that further information be provided to a future meeting of the Board on:-

- Closed Landfill Sites
- Reserves

The Executive Director, Finance and Corporate Resources informed Members that the Council did not have any closed landfill sites. With regards to reserves, quarterly reports were presented to both Overview and Scrutiny Board and Cabinet meetings, with an annual report presented to Full Council.

The Executive Director, Finance and Corporate Resources responded to questions from Councillor P. M. McDonald with regard to Marlbrook Tip and agreed to provide a further update in respect of Marlbrook Tip to the next meeting of the Board.

RESOLVED that an update on Marlbrook Tip be included on the Audit Board Work Programme for December 2013.

10/13 **BENEFITS INVESTIGATIONS**

The Board considered a report detailing the performance of the Benefits Services Fraud Investigation service.

The Head of Finance and Resources presented the report and in doing so informed Members that the report gave performance information from 1st October 2012 to 31st March 2013, during this period 76 fraud referrals had been received. 27 of the referrals had come from data-matching through the Housing Benefit Matching Service (HBMS), 30 of the referrals were from official sources; the remaining 19 referrals had come from other sources, as detailed in section 3.9 in the report.

The Head of Finance and Resources responded to Councillor P. M. McDonald who had expressed his concerns with regard to the cases where fraud had been proven but a sanction was not considered appropriate. The Head of Finance and Resources informed Members that where fraud referrals related to benefits paid by both Bromsgrove District Council and the Department for Works and Pensions a joint approach was taken to ensure that the full extent of offending was uncovered and that appropriate action was taken by both bodies and that individual personal circumstances had to be taken into account prior to a decision being made on the most appropriate sanction. The Head of Finance and Resources highlighted that offenders would be prosecuted for any further offences.

RESOLVED that the Benefits Investigations report for the period 1st October 2012 to 31st March 2013 be noted.

11/13 **INTERNAL AUDIT MONITORING REPORT**

The Board considered a report which detailed the monitoring report of internal audit work and performance as at 31st August 2013.

Mr. A. Bromage, Service Manager, Worcestershire Internal Audit Shared Service introduced the report and in doing so informed Members that the report provided commentary on Internal Audit's performance against the performance indicators agreed for the service. The report also detailed the completion and reporting of 2012/2013 audits for information.

The Service Manager responded to Councillor P. M. McDonald with regard to the audit report for ICT, as detailed on pages 55 and 56 of the report, items 1 and 2. The Service Manager informed Members that the management of the

inventory, the stock replacement and disposals programme was considered satisfactory for the needs of the organisation, although the ICT equipment records should be checked on an annual basis and that, as detailed in the report, a procedure document for the disposing of equipment would be written.

The Executive Director, Finance and Corporate Resources further responded that the audit team had identified both items as a medium priority. The audit had identified that there was no formal process or procedure in place but the system of control that was in place was generally sound.

The Executive Director, Finance and Corporate Resources responded to Councillor P. M. McDonald with regard to the full system audit for Cemeteries – Bereavement Services, fees and charges. The audit had identified that the incorrect fees and charges (as at April 2011) had been displayed on the Council's web site. The Executive Director, Finance and Corporate Resources informed the Board that all fees and charges were agreed at Cabinet and placed on the Council's web site. She would therefore need to seek clarification from the Head of Environment as to why the incorrect fees and charges had been displayed on the Council's website and would provide Members with an update on this issue.

The Executive Director, Finance and Corporate Resources responded to Members questions with regard to the audit report for Parks and Open Spaces (Sanders Park). Councillor P. M. McDonald raised concerns with officers with regard to Internal Check – Banking and Contractor Check. The Executive Director, Finance and Corporate Resources informed Members that with regard to Internal Check – Banking, as detailed in the report, some weeks the takings were nominal and therefore staff may not bank the income until the following week. With regard to Contractor Check the Executive Director, Finance and Corporate Resources informed Members that she would raise Councillor P. M. McDonald's concerns with the Head of Service and request that he attended the next meeting of the Audit Board to address the concerns highlighted.

The Executive Director, Finance and Corporate Resources responded to Councillor P. M. McDonald with regard to the audit of the Markets and in particular cash collection. The Executive Director, Finance and Corporate Resources informed Members that the market was managed as part of the shared service and hosted by Wyre Forest District Council. A Service Level Agreement (SLA) was in place between Bromsgrove District Council and Wyre Forest District Council for the services provided and the inconsistencies, as detailed in the report, had been raised with officers at Wyre Forest District Council.

Councillor P. M. McDonald emphasised that a further review should be carried out on all three areas, as detailed in the preamble above. Having been put to the vote it was agreed that a further review would not be carried out.

RESOLVED:

- (a) that the Head of Leisure and Cultural Services be requested to attend the next meeting of the Audit Board with regard to the issues raised, as detailed in the preamble above; and
- (b) that the monitoring report of internal audit work and performance as at 31st August 2013 be noted.

12/13 INTERNAL AUDIT ANNUAL REPORT 2012 / 2013

The Board considered the 2012/2013 Internal Audit Annual Report for the period 1st April 2012 to 31st March 2013.

Mr. A. Bromage, Service Manager, Worcestershire Internal Audit Shared Service introduced the report and in doing so informed Members that Appendix 2 to the report provided a breakdown of the audits completed and the overall assurance. 76% of the audits undertaken for 2012/2013 which had received an assurance allocated returned an assurance of 'moderate' or above.

RESOLVED that the 2012/2013 Internal Audit Annual Report for the period 1st April 2012 to 31st March 2013 be noted.

13/13 DRAFT INTERNAL AUDIT MANAGERS AUDIT OPINION 2012 / 2013

The Board considered the draft 2012/2013 Worcestershire Internal Audit Shared Services Manager's Opinion.

Mr. A. Bromage, Service Manager, Worcestershire Internal Audit Shared Service introduced the report and in doing drew Members' attention to section 3.4 in the report.

RESOLVED that the draft 2012/2013 Worcestershire Internal Audit Shared Services Manager's Opinion for inclusion in the Annual Governance Statement be noted.

14/13 RISK MANAGEMENT MONITORING GROUP

Following on from the Audit Board meeting held on 14th March 2013 and at the request of the Chairman, Members were asked to nominate a Member of the Board to attend future meetings of the Risk Management Monitoring Group, who would attend meetings as a representative of the Board.

RESOLVED that Councillor H. J. Jones be nominated as a representative of the Board to attend future meetings of the Risk Management Board.

15/13 AUDIT BOARD DRAFT END OF YEAR REPORT 2012 / 2013

Members considered the draft Audit Board End of Year Report 2012/2013. The report was a factual report with input from Board Members for the municipal year 2012/2013.

RESOLVED that the draft Audit Board Annual Report 2012/2013 be presented as the final report to the next meeting of Council for information.

16/13 **AUDIT BOARD WORK PROGRAMME 2013 / 2014**

The Board considered the Work Programme for 2013/2014.

RESOLVED that the Work Programme be updated to include the items discussed and agreed by the Board during the course of the meeting.

The meeting closed at 7.40 p.m.

Chairman

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

MONDAY, 14TH OCTOBER 2013 AT 6.00 P.M.

PRESENT: Councillors P. Lammas (Chairman), R. J. Laight (Vice-Chairman), C. J. Bloore, B. T. Cooper, R. L. Dent, K. A. Grant-Pearce, J. M. L. A. Griffiths, H. J. Jones, L. C. R. Mallett, C. J. Spencer, C. J. Tidmarsh and L. J. Turner

Observers: Councillor M. A. Sherrey and Councillor C. B. Taylor

Officers: Ms. J. Pickering and Ms. A. Scarce

34/13 APOLOGIES

An apology for absence was received from Councillor S. P. Shannon.

35/13 DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS

There were no declarations of interest nor whipping arrangements.

36/13 MINUTES

The Minutes of the Overview and Scrutiny Board meeting held on 16th September 2013 were submitted.

RESOLVED that the minutes be approved as a correct record.

37/13 CABINET RESPONSE TO THE YOUTH PROVISION TASK GROUP REPORT

The Portfolio Holder for Health and Well-being thanked Members for the comprehensive Youth Provision Task Group Report and confirmed that the recommendations had been agreed by Cabinet. However, clarification had been requested on a number of recommendations. Officers provided the following response:

Recommendation 3 – it was confirmed that the £15,000 funding was provided by Sandwell Leisure Trust and Worcestershire County Council had informed the Task Group Members that on completion of a written specification, providers would be asked to tender for the work. The Task Group had been concerned at the delay which had occurred in this process and that it would not be completed in time for activities to be provided over the summer break.

Recommendations 7, 8, and 9 – Officers had spoken to the Communications Manager who had confirmed that there would be no cost implications in respect of these recommendations.

It was noted that in respect of recommendation 1 the Leader had indicated that he was in discussions with the Leader of Worcestershire County Council in order to understand the extent of potential cuts to Positive Activities. Unfortunately the Portfolio Holder was not able to provide any information on the outcome of those discussions.

RESOLVED that the recommendations be included within the quarterly recommendation tracker and the Youth Provision Task Group Report be reviewed in 12 months time.

38/13 **WRS JOINT SCRUTINY EXERCISE**

The Vice Chairman informed Members that the second meeting of this joint scrutiny, which was hosted by the Council, had taken place on 10th October 2013. The Task Group had reviewed the content of the original business case for Worcestershire Regulatory Services (WRS) and one of the newsletters which were published on a quarterly basis.

Members had also provided some initial feedback on behalf of colleagues at participating local authorities about Members' experiences of working with WRS. A deadline of 31st October 2013 was agreed for receipt of feedback from elected Members across the county. It was important that, as the host authority, the Council provided feedback and the Vice Chairman encouraged Members to contact him or the supporting officers with any positive and negative comments they might have. The parish councils had also been asked to provide feedback. The Task Group hoped to complete its investigations by April 2014. It was also confirmed that the scope of the investigation would cover value for money.

The next meeting of the Task Group would take place on 22nd October 2013 and would include an interview with the Head of Regulatory Services.

39/13 **WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY BOARD**

The Chairman invited Councillor B. T. Cooper, as the Council's representative on the HOSC, to provide an update on its most recent meeting.

Members were informed that there had been 2 main agenda items at the meeting held on 8th October, the first being the Well Connected Programme, which had integrated the care services within Worcestershire, this included the commissioning groups, district and county councils roles and local health groups. It was noted that as this was at its early stages the benefits and outcomes would be available in due course.

The other item considered was the Joint Service Review which NHS England had now become involved in as an independent group and was it reviewing the two remaining options. It was hoped that a response would be available

by December, however the previous timelines had slipped and HOSC had also highlighted that it was keen to see that the consultation with the public was carried out in a more efficient and timely manner than previously.

Members also discussed the debt within the Worcestershire Acute Health Service group and how this was historical and that it was understood that this had not worsened.

40/13 **PLANNING POLICY TASK GROUP REPORT - 12 MONTH REVIEW OF RECOMMENDATIONS**

In the absence of the Head of Planning and Regeneration it was

RESOLVED that the item be deferred until the meeting to be held on 16th December 2013.

41/13 **ACTION LIST**

The Board was informed that several actions had been completed and would be removed from the list. Items in respect of the Finance Monitoring Report and Sickness Absence Performance and Health Report would be included within the next reports received by the Board.

The Executive Director, Finance and Resources, referred Members to an outstanding item from the March meeting and suggested that it would be helpful for all Members to receive a briefing from the Benefits Manager on the Hardship Fund and the Universal Credit scheme.

RESOLVED that Democratic Services Officers arrange a briefing for all Members in respect of the Hardship Fund and Universal Credit Scheme as soon as possible.

42/13 **CABINET WORK PROGRAMME 1ST NOVEMBER 2013 - 28TH FEBRUARY 2014**

The Board considered the Cabinet Work Programme for 1st November to 28th February 2014. Officers reminded Members that they were due to consider the Car Parking Review item at the November meeting and had requested a summary of the Playing Pitch Strategy which had been scheduled for the December meeting of the Board.

Officers confirmed that the Dodford, Hagley and Beoley Conservation Area Appraisals and Management plans were technical documents produced by a Conservation Officer in line with English Heritage Guidelines. Similar documents had been produced in for Bromsgrove Town and St John's in 2011.

RESOLVED that the Cabinet Work Programme be noted.

43/13 **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME**

The Board considered the Work Programme and discussed the number of reports which were scheduled for the November meeting. There had been a delay with producing the Quarter 1 Write Off Report and Sickness Absence Report and it was agreed that these would be combined with the 2nd Quarter reports to be received at the December meeting.

The Chairman gave Members the opportunity to suggest topics which it was felt may be suitable for consideration by the Board at future meetings. It was suggested that an update on the preventative work carried out in respect of flooding in the District would be pertinent in view of the approach of the winter months.

Members also discussed the recent staff survey and requested that the results of this would be an appropriate subject for the Board to consider. After further discussion it was

RESOLVED:

- (a) that officers arrange a presentation providing an update on preventative flooding work within the District from the relevant officer, to be received at the meeting to be held on 16th December 2013; and
- (b) that the Board receive a presentation on the results and findings of the staff survey as soon as practicable.

The meeting closed at 6.35 p.m.

Chairman

Agenda Item 6

WORCESTERSHIRE DISTRICT COUNCILS AND COUNTY COUNCIL

WORCESTERSHIRE REGULATORY SERVICES

MEETING OF THE WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE

THURSDAY, 26TH SEPTEMBER 2013 AT 4.30 P.M.

PRESENT: Councillors Mrs. B. Behan, R. Berry, A. N. Blagg, M. A. Bullivant (Vice-Chairman), B. Clayton, R. Davis, Mrs. L. Denham, J. Fisher, P. Harrison, M. Hart, Mrs. L. Hodgson (Chairman), D. Hughes (during Minute No's 15/13 to 21/13), K. Jennings and C. B. Taylor

Invitees: Mr. I. Pumfrey, Head of Community Services, Malvern Hills District Council

Officers: Ms. J. Pickering, Mr. S. Jorden, Ms. C. Flanagan, Mr. M. Kay, Mr. S. Wilkes and Ms. A. Scarce

11/13 APOLOGIES

No apologies for absence were received.

12/13 DECLARATIONS OF INTEREST

No declarations of interest were received.

13/13 MINUTES

The minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 27th June 2013 were submitted.

RESOLVED that the minutes be approved as a correct record.

14/13 WORCESTERSHIRE REGULATORY SERVICES ANNUAL RETURN 2012 / 2013

The Executive Director, Finance and Corporate Resources informed Members that the Worcestershire Regulatory Services (WRS) Annual Report, which was discussed at the June meeting, had now been audited by Grant Thornton, but unfortunately had only been received today. It was confirmed that this had been agreed and no issues had been raised by Grant Thornton. However, the Executive Director, Finance and Corporate Resources intended to raise her concerns with Grant Thornton in respect of the delay which had occurred in receiving the WRS Annual Report. The Committee also wished its concerns to be noted to ensure that such a delay did not occur in the future.

15/13 **1ST QUARTER PERFORMANCE AND ACTIVITY REPORT**

The Committee considered a report which detailed the Worcestershire Regulatory Services (WRS) Activity Data for Quarter 1. It was noted that, due to data transfer issues the report only covered April and May 2013 of Quarter 1. Members were informed that June was the month during which all data was transferred to the new database and the team developing the IT system were still working on the reports needed to extract data from the system. June's activity would be included within the Quarter 2 activity report, which was due to be received at the Committee's November meeting.

Mr. S. Wilkes, Business Manager, WRS drew Members attention to consumer complaints relating to the Trading Standards function, which had remained at the same level as the previous year. With the common top areas continuing to be second hand cars, home improvements and furniture. In respect of nuisance complaints the report highlighted that there continued to be a strong seasonality to this type of demand.

Members raised and discussed the following areas in more detail:

- The responsibility for organising public burials.
- Comparative data being provided within future reports.
- Clarity on data in respect of the number of hits. Members were informed that "one hit" referred to one incident, which in theory could have a number of complaints against it.

The Head of WRS informed Members that as the new IT system developed over the coming months further detail would be available in respect of outcome measures which would be cascaded down into future reports.

RESOLVED that the Worcestershire Regulatory Services Activity Data Quarter 1 report be noted.

16/13 **REPORT ON ACTIVITY IN RELATION TO FOOD CONTAMINATION FOLLOWING THE HORSE MEAT SCANDAL**

Members considered a report in respect of the activity in relation to food contamination following the horse meat fraud which also provided information on the sampling of products, including food. It was acknowledged that sampling was generally the only means of determining what was in a product and/or whether that product was safe.

The Head of Worcestershire Regulatory Services (WRS) provided Members with details of the work that had been carried out during the recent "horse meat" scandal and informed Members that WRS had been involved in providing evidence to the Government Select Committee which had subsequently been set up. The Head of WRS advised that the majority of products concerned were frozen beef products, 99% of which were unaffected with 1% containing traces of horse DNA (which was in fact a fraud issue, rather than a food safety concern).

Members were provided with detailed information on the following areas:

- WRS working in partnership with Defra and the Food Standards Agency.
- Intelligence led investigations.
- Food labelling.
- The sampling process and minimum requirements (including the number carried out by WRS).
- The food chain (including cutting, preparation and distribution of meat) and preventative work carried out.
- WRS' strategic aims.
- Regulations in respect of game.

Following further discussions it was

RESOLVED that the role of Worcestershire Regulatory Services in preventing and/or detecting food fraud and that the support for minimum levels of market testing through sampling by the service as detailed in the report be noted.

17/13 **WORCESTERSHIRE REGULATORY SERVICES BUDGET MONITORING REPORT**

Members considered the Worcestershire Regulatory Services Budget Monitoring Report for April to June 2013.

The Executive Director, Finance and Corporate Resources highlighted the projected underspend for the year of £27,000 and provided details of the projected underspend within salaries which was offset by an anticipated overspend on agency staffing. The additional agency costs would impact on 2013/2014 as there had been an increase for the service together with supporting the implementation of the new ICT System. The following areas were discussed by Members in detail:

- The likelihood of any staff redundancies following a restructure of the service.
- The use of agency staff.
- The cost of the ICT Project, together with the length of time taken to put in place.

Members were reminded that WRS had had to deal with more than 20 legacy systems and that data transfer to the new system had been difficult and complex, together with combing this with a more mobile and flexible working system for staff had proven challenging, but the aim had been to build a system which would have long term efficiency benefits.

RESOLVED:

- (a) that the financial position for the period April to June 2013 as detailed in the Worcestershire Regulatory Services Budget Monitoring Report be noted; and

(b) that the drawdown of £21,000 severance costs from partner councils, as detailed in Appendix 3 to the report, be approved.

18/13 **CORE SERVICE MATRIX FOR WORCESTERSHIRE REGULATORY SERVICES**

The Committee considered a report on the Core Service Matrix for Worcestershire Regulatory Services (WRS).

The Head of WRS informed Members that the Matrix was designed to assist decision making in relation to balancing the need for financial restraint against the risk involved and had arisen out of a “zero based budget” style exercise carried out at the request of the Management Board. The Matrix represented the minimum resources and budget required to meet current levels of demand and to provide a legal and compliant service in all current functional areas.

Members discussed the following areas in more detail:

- The net cost per service.
- The calculation of the scores.
- The various licensing functions.
- The relationship between WRS and the Worcestershire Hub.
- The percentage of service in respect of Food Safety Sampling and Health and Safety Inspections.
- The new legislation in respect of scrap metal dealers.

Mr. M. Kay, Business Manager, WRS informed Members that following a recent pilot scheme being carried out at Worcester City, time recording had begun to take place and would be rolled out to all areas in October.

RESOLVED that the Core Service Matrix for Worcestershire Regulatory Services be adopted as the reference point for all future discussions on service delivery and financial planning for 2014/2015 onwards.

19/13 **WORCESTERSHIRE REGULATORY SERVICES FUTURE FINANCIAL PLANNING ASSUMPTIONS**

The Committee considered a report in respect of the Worcestershire Regulatory Services (WRS) Future Financial Planning Assumptions. These assumptions had been made in order to assist with the development of the 3 year financial plan. These needed to be agreed in order for a consistent approach to be taken across all partners. The Head of WRS detailed the assumptions to be used for future discussions:

- a) The cost of licensing was excluded from any calculations towards savings because it was full cost recovery only (as previously agreed by Joint Committee Members).
- b) Other functions which were full cost recovery only also be excluded, other than for the purposes of efficiency saving (e.g. IPPC).

- c) All fees/charges must be on a full economic cost recovery basis as a minimum, to generate maximum legitimate surpluses (unless otherwise stated and where there was good reason for this).
- d) Any income from new sources to be used for the benefit of all partners and any surpluses apportioned in accordance with the prevailing cost sharing arrangement to incentivise income generation across the partnership.
- e) Any required savings requested following the adoption of the risk matrix and the new financial allocations model should be provided by partners on a year by year basis and citing cash amounts per annum NOT percentages.
- f) The model for financial allocations will be reviewed every two years, with a fresh demand assessment being undertaken to establish the veracity of the model going forward.
- g) Where growth in demand/activity appears to be a financial threat to the service, it should be raised with the Management Board so partners can assess the impact and work with WRS Managers to address the situation.
- h) Where costs are fixed by virtue of contract or similar reason, these will only be included in the savings process at a point in time where they can reasonably be realised.
- i) All potential service reductions are risk assessed on an individual basis.
- j) Where a proposed level of service provision is considered 'such a high risk that it is unsafe' in the professional opinion of senior managers, the Head of WRS will be obliged to write to the relevant Management Board representative and the Chair of the Joint Committee to inform them of this.
- k) It must be accepted that there is likely to be a need for up-front investment to realise savings and the lead-in time for the realisation of cost recovery will increase.

The following points were clarified:

- It was confirmed that in respect of (e) and (f) as detailed above cash was to be used as this was more easily calculated.
- In respect of (d) this referred to any income generated in respect of such things as food hygiene training courses which were provided by WRS.
- Severance costs may be included within (k) in order to make savings in the future.
- Financial models considered by the Management Board in order to ensure a reference point was reached for partners to receive different levels of service if required.
- The changes which have taken place since the inception of the service and the differing financial demands on each authority and the service level provided.

The Head of WRS confirmed that it continued to look at every opportunity to reduce fixed costs, but an assumption could not be made that this would happen as in some cases, for example, the contract with the office building had some considerable time to run before it expired.

RESOLVED that the Worcestershire Regulatory Services Financial Planning Assumptions be adopted as a key supporting mechanism for the development of future financial plans.

20/13 **REVIEW OF APPORTIONMENT OF WORCESTERSHIRE REGULATORY SERVICES PARTNER COSTS 2013 / 2014**

The Committee considered a report on the Review of Apportionment of Costs.

The Executive Director, Finance and Resources reminded the Committee that officers had been working on a revised cost allocation methodology for the past 12 months which had included the consideration of a number of different approaches. The aim of the review was to reallocate the costs associated with the delivery of regulatory services functions using a demand led rationale of resources deployed to each partner. The legal agreement as approved by all participating Councils stated the requirement for this revised approach to be in place for April 2013. At the Joint Committee meeting in June 2013, officers had requested a delay in the final presentation of the review to ensure that an appropriate method of allocation was identified.

The budget would be more “activity based” and per capita per establishment using the matrix and in conjunction with the acknowledgement that significant savings needed to be made. To ensure that no authority had an increase in contribution due to the revised resource allocation an adjustment had been made across all Districts to offset any additional cost allocation, which was shown as “dampening costs”. Members discussed the following areas in more detail:

- The methodology used, including the “dampening costs” and any future savings (including a per capita approach).
- The percentage of savings made and the need to reach a fair and equitable solution for all 7 authorities.
- The need by each authority to make savings and the acceptance that it was not possible to have a service where “one size” fitted the needs of all partners.

The Executive Director, Finance and Resources provided detailed information in respect of the £157,000 identified as “Health and Well Being”. Officers had discussed this at Management Board and it had been evident that much of the work undertaken was already covered across the County by both District and County funded officers. It had therefore been proposed that this service was no longer provided by Worcestershire Regulatory Services and that each partner should receive an equal share of the saving this produced. The Committee discussed in detail the work that was covered by Health and Well Being in order to ensure that it was satisfied that the work would continue to be covered by each partner. The Head of WRS confirmed that where separate funding was provided, WRS would continue to support specific projects.

RESOLVED:

- a) that the new basis of cost allocation as presented in Appendix 1 & 2 to the report be approved;

- b) that within the Statement of Partner Requirements the functional activity of “Health and Well Being” no longer be provided by Worcestershire Regulatory Services with effect from 1st April 2014 be approved. This will mean that the functions, as detailed in Appendix 3 to the report, will no longer be undertaken by Worcestershire Regulatory Services. These will have to be presented to the participating partners;
- c) that the net savings of £157, 000 made from the removal of the above activity be refunded back equally to the 7 partner Councils (£22,000 per Council) with effect from 1st April 2014 be approved;
- d) that the base level of 2014/2015 budget, as detailed in Appendix 1 to the report, of £4,979,689 to include the reduction in budget of £646,000 in order for partner Councils to identify any additional savings that are required over the period 2014/2015 – 2016/2017 be approved;
- e) that the outcome of the cost allocation and the revised cash allocation for 2014/2015 to the partner authorities as detailed below, be approved:

Bromsgrove	£492,193
Malvern	£415,639
Redditch	£581,474
Worcester City	£600,755
Wychavon	£754,516
Wyre Forest	£574,347
Worcestershire County	£1,560,766
	£4,979,689

- f) that the revised basis of allocation be effective from 1st April 2014;
- g) that the percentage share to be used for allocation of savings, severance, transformation and any other ad hoc costs to be shared on the following percentage basis be approved and be effective from 1st April 2014. This reflects the demand and data allocation:

Bromsgrove	10.01%
Malvern	8.53%
Redditch	11.76%
Worcester City	12.13%
Wychavon	15.13%
Wyre Forest	11.62%
Worcestershire County	30.82%

- h) that Bromsgrove District Council legal department, as host, make the relevant amendments to the legal agreement on behalf on the participating partners.

21/13 **ANY OTHER BUSINESS**

The Chairman announced that a matter had been brought to her attention which she considered to be of so urgent a nature that it could not wait until the next meeting.

The Committee were informed that a letter had been received, immediately prior to the meeting, from Councillor P. Swinburn, Chairman, Worcestershire Hub Shared Service (WHSS) Management Board in respect of funding for work WHSS undertook on behalf of Worcestershire Regulatory Services and the withdrawal of these services at the end of October 2013, due to the number of customer service advisors that was now required to provide these services.

The Head of WRS provided the Committee with background information and assured Members that WRS was committed to finding a way forward in order to resolve this matter. Discussions had been on-going in recent months and delays had occurred in demand data being received by WRS from Worcestershire Hub in order to clarify the request for financial support to provide further staff. The Head of WRS confirmed to Members that he was disappointed with the letter received from the Worcestershire Hub Shared Service Board as he understood that negotiations were still on-going in order to resolve this matter.

Mr. I. Pumfrey, Head of Community Services, Malvern Hills District Council, informed Members that as a Member of both Management Boards he had been aware of the situation and understood that the letter was a reflection on the Board's frustrations as the matter was now causing some disruptions to the Hub partners and putting staff under significant pressure. By highlighting this to the Committee it hoped that a swift conclusion could be reached.

Councillor L. Denham informed Members that she was a Member of the Worcestershire Hub Shared Service Board and had been present at the meeting when the letter had been discussed. The Principal Solicitor, Bromsgrove District and Redditch Boroughs Councils advised Councillor L. Denham that she may have a conflict of interest and that it was not appropriate for her to comment further on the matter.

Members were disappointed that this matter had not been brought to their attention at an earlier stage of the negotiations and that the timescale given did not give them sufficient time to investigate the situation and provide a suitable response. The Committee also discussed the options for alternative delivery and the Head of WRS confirmed that a number of options were being considered in light of the on-going negotiations.

After further discussion it was

RESOLVED that the Head of Worcestershire Regulatory Services would respond to the letter on behalf of the Chairman and the Committee would receive an update report at the next meeting of the Joint Committee to be held on 21st November 2013.

The meeting closed at 6.28 p.m.

Chairman

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Preparation of Local Heritage List For Bromsgrove

Cabinet

6th November 2013

Preparation of a Local Heritage List for Bromsgrove

Relevant Portfolio Holder	Cllr Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Ward(s) Affected	All
Ward Councillor(s) Consulted	No
Non-Key Decision	Non Key

1. SUMMARY OF PROPOSALS

- 1.1 To obtain agreement to prepare a Local Heritage List for Bromsgrove. Local lists identify heritage assets which are valued by local communities and contribute to the character and local distinctiveness of an area. The use of local lists is promoted by the National Planning Policy Framework (NPPF), the Proposed Submission Bromsgrove District Plan and English Heritage.

- 1.2 To obtain agreement to carry out a public consultation in respect of the proposed criteria for the local list. More weight can be given to preserving the significance of assets on the local list, if the list has been objectively prepared. Criteria therefore need to be subject to public consultation and there has to be a clearly defined process for compiling the list as well as adding to it in the future. The first stage of the process is therefore to consult on the criteria. Subject to there being no concerns, the criteria will be approved by the Head of Planning and Regeneration in consultation with the portfolio holder for Planning, Core Strategy and Regulatory Services.

2. RECOMMENDATIONS

- 2.1 That the Members approve the preparation of a Local Heritage List for Bromsgrove in accordance with the process outlined in this report and the document 'Local Heritage List' attached at Appendix 1.

- 2.2 That Members grant delegated authority to the head of Planning and Regeneration to carry out all steps in relation to the process set out at Appendix 1, and agree that in relation to approval of the draft selection criteria and approval of final lists the Head of Planning and Regeneration will in exercising the delegation consult with the portfolio holder for Planning.

Preparation of Local Heritage List For Bromsgrove

Cabinet

6th November 2013

3. KEY ISSUES

Financial Implications

- 3.1 The cost of producing and consulting on the Local Heritage List and future costs involved in updating the list will be met by the existing Strategic Planning Team budget.

Legal Implications

- 3.2 The use of local lists is promoted by the NPPF, which advises local planning authorities in Paragraph 126 to 'set out in their local plan a positive strategy for the conservation and enjoyment of the historic environment'. It is emphasised that 'they (LPAs) should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In light of the NPPF, the Draft Bromsgrove District Plan acknowledges the importance of adopting a local list to formerly identify the locally important heritage assets within the District (see paras BDP 20.12, BDP 20.13 & BDP20.14).

Service / Operational Implications

- 3.3 Local Heritage Lists identify what is valued at a local level as opposed to statutory listing which identify nationally important buildings. The process of preparing a local list allows local people to identify the local heritage assets which are important to them as well as enabling local authorities to work in partnership with their local communities. A local list will identify the location of such assets and will define their significance. Heritage Assets are defined in the NPPF as

"A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)"

- 3.4 The local list can incorporate all types of heritage assets, and selection criteria are important for defining the scope of the local list, ensuring that a range of local assets including the locally distinctive are included. More weight can be given to preserving the significance of assets on the local list, if the list has been objectively prepared. Criteria therefore need to be subject to public consultation

Preparation of Local Heritage List For Bromsgrove

Cabinet

6th November 2013

and there has to be a clearly defined process for compiling the list as well as adding to it in the future.

3.5 Process of compiling a Local Heritage List

Consult on Criteria

The first step in the process of preparing and adopting the local list will be to consult on the draft selection criteria which have been identified. When they have been agreed upon, a draft local list can be drawn up. We are aiming to commence public consultation on the proposed criteria for a period of six weeks in mid to late November 2013.

The consultation process will involve inviting comments from key stakeholders including the parish councils, neighbouring councils, English Heritage, the statutory amenity societies, local history groups, other local societies and the general public. A Local Heritage List page will be created on the conservation section of the Bromsgrove District Council website, with further information on the process, and details on how to submit comments.

Any comments in respect of the criteria will be considered and the final decision as to whether any changes should be made to the criteria will rest with the Head of Planning and Regeneration in consultation with the Portfolio Holder.

3.6 Proposed Selection Criteria

To be considered for the local list each heritage asset should satisfy criteria 1 and one other criteria.

1 Authenticity

Any heritage asset to be considered for selection under any of these criteria would need to have retained a significant and recognisable amount of its original form and fabric.

2 Architectural Interest

This would include;

- Assets which can be attributed to locally important architects, designers, builders, gardeners or craftsmen, and illustrate a high quality of design or innovation
- Assets which illustrate distinctive artistic, craftsmanship, design or landscaping qualities of interest
- Assets which are a good example of a locally important building type (*e.g Nailers Cottages*)

3 Historic Interest

Preparation of Local Heritage List For Bromsgrove

Cabinet

6th November 2013

This would include;

- Assets which are associated with a locally important historic person, family or group
- Assets which illustrate a particular phase or period of local, social, religious, political or economic history (*e.g nailers cottages or assets associated with the Chartist Movement in Dodford*)
- Assets which are associated with a locally important historic event or movement.

4 Townscape Interest

This would include;

- Assets which are locally important building types such as churches, chapels, schools and other distinctive features in the streetscape.
- Assets which are landmarks or features which make a positive contribution to the distinctive character of the area.

3.7 Creation of the list

Although a draft local list was drawn up in 2006, it was on the basis of nomination only and there were no defining selection criteria. All the properties on this list will be considered in light of the adopted criteria. As the task is a large one and the local authority wants to work with local communities to draw up the list it is proposed that the list is drawn up on a parish by parish basis, where parishes exist, where no parishes exist the areas will be split up in manageable selections.

Local groups including parish councils, local history groups, local interest societies, to name but a few, as well as individuals will be invited to nominate heritage assets for consideration for inclusion on the Local List. They will need to submit evidence to justify the suggestion having considered the selection criteria. A nomination form will be prepared.

All nominations will be assessed by an Assessment Panel, consisting of no more than 6 persons. They will consider the suitability of all the assets nominated against the selection criteria. The panel should include people with a professional interest in the historic environment, such as local conservation architects, local historians, archaeologists', and any other relevant local group and the conservation officer. The Council will be represented on the Assessment Panel by way of the current Historic Environment Champion.

When the Confirmed List has been identified by the panel, there will be a six week consultation process involving the owner/occupier. This will allow owners/occupiers to express their opinion as to whether or not the asset or assets meet the criteria for inclusion on the Local List. Any views expressed by the owner will then be considered against the nomination information, the criteria

Preparation of Local Heritage List For Bromsgrove

Cabinet

6th November 2013

and the conservation officer's own professional assessment of the heritage assets interest, before a final decision is made by the Head of Service.

There will be no appeal procedure if an owner believes his/her property should not be included on the list. The statutory listing process similarly has no appeal process although the issue of whether or not a building should be on the national list can be raised during development control procedures.

After consultation the confirmed Heritage Assets will be recommended for inclusion on the Local Heritage List. The final decision will be taken by the Head of Planning in consultation with the Portfolio Holder. As each area is completed the buildings identified to be listed will be added to the Local Heritage List

The process will be repeated until the whole district has been assessed. Following which there will be a process for subsequently adding any further heritage assets to the list. It is suggested that there be two nomination dates each year, the panel will be reconvene and the rest of the process will be as outlined above.

If for any reason a heritage asset loses its significance, for example due to unsympathetic alterations, or additions, it could be considered for removal from the list following a similar process to the one outlined above.

Customer / Equalities and Diversity Implications

- 3.7 There are not considered to be any customer/equality or diversity implications. The consultation will be in line with the published consultation processes for planning identified in the Statement of Community Involvement

4. RISK MANAGEMENT

- 4.1 There are no associated risks with this report

5. APPENDICES

Appendix 1 - Local Heritage List Document

AUTHOR OF REPORT

Name: Mary Worsfold

BROMSGROVE DISTRICT COUNCIL

Preparation of Local Heritage List For Bromsgrove

Cabinet

6th November 2013

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DRAFT

LOCAL HERITAGE LIST

WHAT IS LOCAL LISTING?

Local lists identify heritage assets which are valued by local communities and contribute to the character and local distinctiveness of an area. There are a significant number of heritage assets within the District which are important to our local communities and make a valuable contribution to our sense of history and understanding of place. Heritage Assets are defined in the National Planning Policy Framework (NPPF) as 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)' These assets can include buildings, structures, landscapes or places associated with significant local, historical events, important people, trades or industries, craftsmen or locally distinctive buildings in terms of their architecture or materials, to name but a few examples. Overall they are heritage assets which are valued by local communities and contribute to the character and local distinctiveness of an area.

Local lists identify what is valued at a local level as opposed to national level . Nationally important heritage assets are identified as either scheduled Ancient Monuments, or on the Statutory List (occasionally they appear on both) or Register of Parks and Gardens. Other heritage assets do not satisfy the criteria for any of these national designations, and if not located in a conservation area they have no formal recognition and consequently no protection.

The process of preparing a local heritage list allows local people to identify the local heritage assets which are important to them as well as enabling local authorities to work in partnership with their local communities. A local list will identify the location of such assets and will define their significance. It is envisaged that the Local Heritage List will not include archaeological features which are best recorded on the Historic Environment Record (HER)

POLICY CONTEXT

NPPF

The use of local lists is promoted by the National Planning Policy Framework (NPPF). Which advises local planning authorities in Paragraph 126¹ , to 'set out in

¹ 126. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment,²⁹ including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

their local plan a positive strategy for the conservation and enjoyment of the historic environment'. It is emphasised that 'they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance'.

In respect of non-designated Heritage Assets, Paragraph 135 states 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

LOCAL PLAN POLICIES

In light of the NPPF the Proposed Submission Bromsgrove District Plan acknowledges the importance of adopting a local list to formally identify the locally important heritage assets within the district, and includes the following policies;

BDP20.12 The District Council will update the current draft local list of assets and formally adopt it. It would include all heritage assets recognised as being of local importance, including those which are locally distinctive such as nailers cottages, assets associated with the scythe industry and assets associated with the use of the Birmingham and Worcester canal which runs the length of the District, to name but a few.

BDP20.13 The District Council will support development that:

- i. Retains locally listed buildings.
- ii. Involves sympathetic alterations and extensions to locally listed buildings
- iii. Does not have a detrimental impact on the setting or context of locally listed buildings.

BDP20.14 In considering applications that directly or indirectly affect locally listed buildings, a balanced judgement will be applied having regard to the scale of any harm or loss as a result of proposed development and the significance of the locally listed building.

English Heritage Guidance

Local lists have been promoted in planning policy since the 1990s. English Heritage has recently produced guidance² on how local authorities should go about preparing and maintain local lists. The guidance document has assisted in the preparation of this document.

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- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - the desirability of new development making a positive contribution to local character and distinctiveness; and
 - opportunities to draw on the contribution made by the historic environment to the character of a place.

² Good Practice Guide for Local Heritage Listing, English Heritage, May 2012

WHAT PROTECTION DO LOCALLY LISTED BUILDINGS HAVE?

Heritage assets on the local list do not attract additional consent requirements, unlike statutory listed buildings where listed building consent is required for all alterations, over and above those required for planning permission.

Heritage assets identified on a local list, are recognised by the local authority as having heritage significance, and therefore due to Paragraph 135 of the NPPF(outlined above), will merit consideration in planning matters. When considering planning applications which impact on heritage assets on the local list, the LPA is required to take a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset, in determining the application.

Heritage assets on the Local Heritage List will not have the same protection as those on the statutory list, although the draft district plan policy supports the retention of heritage assets on the list.

The level of protection afforded to a heritage asset on a local list will be dependent on how the local list was prepared. The more robust the process for adding a heritage asset to the local list, particularly in terms of the selection criteria, the greater the weight for protecting the asset.

Inclusion of a heritage asset on the list will provide clarity to owners, developers and the local planning authority allowing all parties to consider the significance of the asset at an early stage. It should be noted that if a heritage asset is not included on a local list, it does not indicate that it is of no heritage value, only that at this point in time it does not meet the criteria for inclusion on the list.

PROCESS OF COMPILING A LOCAL LIST

CONSULT ON CRITERIA

The first step in the process of preparing and adopting the local list will be to consult on the draft selection criteria which have been identified. When they have been agreed upon, a draft local list can be drawn up. We are aiming to commence public consultation in mid to late November 2013, in respect of the draft criteria.

The consultation process will involve inviting comments from key stakeholders including the parish councils, neighbouring councils, English Heritage, the statutory amenity societies, local history groups, other local societies and the general public. A Local Heritage List page will be created on the conservation section of the Bromsgrove District Council website, with further information on the process, and details on how to submit comments.

Any comments in respect of the criteria will be considered and the final decision as to whether any changes should be made to the criteria will rest with the Head of Planning and Regeneration in consultation with the Portfolio Holder.

WHY DO WE NEED SELECTION CRITERIA ?

The local list can incorporate all types of heritage assets, and selection criteria are important for defining the scope of the local list, ensuring that a range of local assets including the locally distinctive are included. More weight can be given to preserving the significance of assets on the local list, if the list has been objectively prepared. Criteria therefore need to be subject to public consultation and there has to be a clearly defined process for compiling the list as well as adding to it in the future.

Summary of special interest for Bromsgrove District

Bromsgrove District is situated in North Worcestershire, and although the town of Bromsgrove is located only 14 miles from the centre of Birmingham, the district is predominately rural, with approximately 91% designated as Green Belt.

Away from the built up areas around Bromsgrove the District is characterised by settlements of farmsteads and wayside dwellings with the occasional village. The recent Historic Environment Assessment of Bromsgrove District indicated that there was generally a moderate to high survival rate of historic character, although many of the historic assets are undesignated.

There are 469 listed buildings, 13 Scheduled Ancient Monuments, 839 known sites of archaeological interest, 2 registered parks and gardens and 12 conservation areas. The conservation areas vary greatly in character, however most are centred around village cores such as Belbroughton and Alvechurch, but this also means that that village buildings of interest, of which there are many, not situated in this central core are unprotected.

The more unusual conservation areas include a stretch of the Birmingham and Worcester Canal, however not all buildings and structures associated with the waterway are within the boundary of the conservation area, and the Chartist settlement at Dodford. Most of the Dodford settlement is protected by the conservation area designation and the best surviving cottages are listed. Dodford was one of only five Chartist settlements in the country, and is considered to have been one of the key events in agricultural development in Worcestershire.

In addition there are other smaller but equally notable groups of assets which are important in terms of local character and distinctiveness and these include;

The cottages and workshops relating to the nailing industry, which boomed around Bromsgrove during the 18th and 19th centuries, and they can be found throughout the district.

The numerous vernacular cottages and farmsteads found throughout the district, although many farmsteads have been converted to residential use.

The houses designed by prominent Birmingham Arts and Crafts architects at the end of the 19th and at the beginning of the 20th century, particularly around Barnt Green.

Work by the Bromsgrove Guild of Applied Arts, founded at the end of the 19th century which attracted craftsmen to the area from across Europe before it closed in the late 1960s.

Structures and other evidence relating to the scythe industry in Belbroughton

The significant number of parks and gardens of regional importance, identified in the Hereford and Worcester Gardens Trust, Survey of Parks and Gardens in Worcestershire³. Of the 37 noted only 2 have been lost through redevelopment.

PROPOSED SELECTION CRITERIA

To be considered for the local list each heritage asset should satisfy criteria 1 and one other criteria.

1 Authenticity

- Any heritage asset proposed to be considered for selection under any of these criteria the asset would need to have retained a significant and recognisable amount of its original form and fabric.

2 Architectural Interest

This would include;

- Assets which can be attributed to locally important architects, designers, builders, gardeners or craftsmen, and illustrate a high quality of design or innovation
- Assets which illustrate distinctive artistic, craftsmanship, design or landscaping qualities of interest
- Assets which are a good example of a locally important building type (*e.g Nailers Cottages*)

3 Historic Interest

This would include;

- Assets which are associated with a locally important historic person, family or group
- Assets which illustrate a particular phase or period of local, social, religious, political or economic history (*e.g nailers cottages or assets associated with the Chartist Movement at Dodford*)
- Assets which are associated with a locally important historic event or movement.

4 Townscape Interest

This would include;

- Assets which are locally important building types such as churches, chapels, schools and other distinctive features in the streetscape.

³ A Survey of Parks and Gardens in Worcester shire, Richard Lockett, Hereford and Worcester Gardens Trust. 1997

- Assets which are landmarks or features which make a positive contribution to the distinctive character of the area.

HOW WILL WE CREATE THE LIST

Although a draft local list was drawn up in 2006, it was on the basis of nomination only and there were no defining criteria. All the properties on this list will be considered in light of the adopted criteria. As the task is a large one and the local authority wants to work with local communities to draw up the list it is proposed that the list is drawn up on a parish by parish basis where parishes exist, where no parishes exist the areas will be split up in manageable selections.

Local groups including parish councils, local history groups, local interest societies, to name but a few, as well as individuals will be invited to nominate HAs for consideration for inclusion on the Local List. They will need to submit evidence to justify the suggestion having considered the selection criteria. A nomination form will be prepared.

All nominations will be assessed by an Assessment Panel, consisting of no more than 5 persons. They will consider the suitability of all the assets nominated against the selection criteria. The panel should include people with a professional interest in the historic environment, such as local conservation architects, local historians, archaeologists, any other relevant local group and the conservation officer. The Council will also be represented on the assessment panel by way of the current Historic Environment Champion.

When the Confirmed List has been identified by the panel, there will be a six week consultation process involving the owner/occupier. This will allow owners/occupiers to express their opinion as to whether or not the asset or assets meet the criteria for inclusion on the Local List. Any views expressed by the owner will then be considered against the nomination information, the criteria and the conservation officer's own professional assessment of the heritage assets interest, before a final decision is made by the Head of Planning and Regeneration.

There will be no appeal procedure if an owner believes his/her property should not be included on the list. The statutory listing process similarly has no appeal process although the issue of whether or not a building should be on the national list can be raised during development control procedures.

After consultation the Heritage Assets will be recommended for inclusion on the Local Heritage List. As each area is completed the revised list will be presented to the Head of Planning and Regeneration (in consultation with the Portfolio Holder) to include the additional heritage assets on the Local Heritage List

The process will be repeated until the whole district has been assessed. Following which there will be a process for subsequently adding any further heritage assets to the list (It is suggested two nomination dates each year, the panel will be reconvened, the rest of the process will be as outlined above)

If for any reason a HA loses its significance, for example due to unsympathetic alterations, or additions, it could be considered for removal from the list following a similar process to the one outlined above.

What will the list look like?

It is envisaged that it will comprise address details, photograph and brief reasons for inclusion.

Availability/Accessibility

There will be link to the list from the conservation pages of the BDC Website, with a hard copy maintained in the office.

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CABINET

6 November 2013

UPGRADE OF THE PUBLIC REALM

Relevant Portfolio Holder	Del Booth
Portfolio Holder Consulted	Yes
Relevant Head of Service	John Staniland
Wards Affected	St Johns
Ward Councillor Consulted	Cllr Dent
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To enable Members to consider the funding arrangements for the improvements to the Public Realm in the High Street and Worcester Road.

2. RECOMMENDATIONS

- 2.1 That the Capital Programme 2013/14 is revised to £1.150m to reflect the element of the project to be funded by the Council from current Capital receipts available.
- 2.2 That £350k is included in the Capital Programme 2014/15 to reflect the Council cost of the works on the public realm in Worcester Road to be funded from future capital receipts.

3. KEY ISSUES

Financial Implications

- 3.1 The cost of scheme is being funded by Worcestershire County Council and Bromsgrove District Council.
- 3.2 It is estimated that the total costs for the schemes are :
 High Street Works £2.05m
 Worcester Road works £350k
- 3.3 There are a number of funding elements that can be attributed to the scheme however some are subject to future receipts being generated. The current receipts available to fund the £2.40m scheme are :

WCC – Health Centre Funding	£500k
BDC - remaining funds from the sale of industrial units	£500k
WCC Highways funds available	£400k
BDC General Capital Receipts	£650k
WCC allocation for Worcester Road	£350k

The costs from the works at Worcester Road will initially be funded by Worcestershire County Council with repayment made by Bromsgrove when future receipts in relation to the Town Centre are generated.

- 3.4 It is anticipated that sufficient funding can be realised from the sale of assets which offer redevelopment opportunities within the town centre to enable repayment of the £650k of capital receipts. In addition to the redevelopment opportunities that may be available for funding streams there are other receipts available to call on for funding:

Recreation Road	£365k
BDC Sainsburys S106	£300k
BDC Market Hall S106	£Yet to be negotiated

- 3.6 Members should be aware that should no further capital receipts be received from the Town Centre redevelopment opportunities in respect of either 3.4 the Council will be in a position of borrowing earlier than originally anticipated. However officers are confident that this will not be necessary.

- 3.7 As members are aware the initial estimate of costs associated with the High Street Public Realm project were £2m to be funded by the District and the County. With the benefit of more detailed designs, to include the work on Worcester Road and up to date information this estimate has been increased to £2.40m to include:

- Worcester Road scheme has been developed with extra works to include changes to Taxi Ranks and increased day time street parking (subject to consultation).
- The cost of the initial area of Marshalls Saxon slabs laid at High Street South, was greater than expected, primarily due to the cost of traffic management during the works. The estimated cost of the same works along Worcester Road has therefore been revised upwards as a result.
- County Highways have incurred costs from their budget for the technical approval process by their retained consultants.
- To satisfy requirements of Worcestershire Highways the size of the natural stone pavements to be laid throughout the High Street area have been reduced from 'slabs' or 'flagstones' to 'setts', which have a higher labour cost of installing.
- The drainage survey of the High Street has identified the requirement for some major remedial works to be carried out at

a cost of £70k, to prevent future flooding issues, which were not known at the time the initial estimate was prepared.

- In light of the discovery of drainage rectification works, County Highways have requested an increase in the contingency fund associated with the works from 10% to 15%.
- The on-going Programme Management costs to Bromsgrove District Council have been included to cover the work detailed in 3.9 and 4.2.

Legal Implications

- 3.8 Agreements are required with Worcestershire County Council in respect of their role as the Highways Authority for the public realm areas in question and their role in executing the works and for the advance financial support in relation to Worcester Road.

Service / Operational Implications

- 3.9 The Regeneration Programme Manager will manage the financial framework supporting the delivery of the public realm projects and report to members any concerns they may have.

Customer / Equalities and Diversity Implications

- 3.10 The upgraded Public Realm utilises distinct linear zones which are different in a tactile sense and also visually to help the navigation of the High Street for those with some visual impairment. Clear lines of sight and unfettered movement along the High Street will also be possible on Market Days. A full Impact Assessment Record has been prepared.

4. RISK MANAGEMENT

- 4.1 The Public Realm budget will continue to be reviewed on an ongoing basis against the agreed costs of the schemes, completed elements, contingency elements and the availability of additional third party funding. Further reports will be brought to Cabinet accordingly.
- 4.2 The Regeneration Programme Manager will continuously monitor works planning, stakeholder consultation, construction progress and completion certification in order to constantly review and agree the ongoing programme to ensure the works programme is expedited efficiently with no un-necessary delays.

5. APPENDICES

6. BACKGROUND PAPERS

Public Realm Consultation Report
Public Realm Brief
Town Centre Area Action Plan

7. KEY

AUTHOR OF REPORT

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CABINET

06 NOVEMBER 2013

NOMINATION OF AN ASSET OF COMMUNITY VALUE

Relevant Portfolio Holder	Cllr Roger Hollingworth
Portfolio Holder Consulted	√
Relevant Head of Service	Ruth Bamford – Head of Planning & Regeneration
Wards Affected	
Key Decision – N/A	

1. SUMMARY OF PROPOSALS

To consider a request to list the Cross Inn as an Asset of Community Value

2. RECOMMENDATIONS

That Cabinet consider the contents of the report and decides to either:-

- (a) Support the listing of the Cross Inn, Finstall as an Asset of Community Value; or**
- (b) Not support the listing of the Cross Inn, Finstall as an Asset of Community Value**

3. KEY ISSUES

- 3.1 As Members are aware from previous reports the Localism Act included the 'Community Right to Bid' which gave communities a right to identify a building or other land that they believe to be of importance to their community's social well-being so that if it comes up for sale there is a six month period within which they can prepare their bid to buy the asset. The property in question can then be sold on the open market. Community groups have the same rights as any other bidders but there is no preference given to the local community bid.
- 3.2 Officers have received a nomination for the Cross Inn, Finstall of which the freehold is owned by Enterprise Brewery and currently tenanted. The nomination has been made by CAMRA (Campaign for real Ale) , Bromsgrove and Redditch Branch. CAMRA has requested that the asset be nominated to give the ability for it to remain as a community asset in the future. The nomination and plan of the land is attached at Appendix 1.
- 3.3 Enterprise Breweries and the Local ward Councillors have been consulted as part of the process. There have been no responses received from the Brewery during the consultation period. As members are aware from a previous nomination the sale of the going concern business would be exempt from the legislation relating to assets of

community value. Therefore if the pub was to be sold on as a going concern the 6 month moratorium would not apply.

- 3.4 The nomination from CAMRA supports the inclusion of the asset due to the fact that the Cross Inn provides a valuable meeting place for several organisations; Bromsgrove Lions, Badminton Club, Canine Society together with CAMRA. In addition it offers a library to the public with donations to a local charity and sells local produce to the public.
- 3.5 CAMRA have provided officers with the full signatures of 21 members who wish to nominate the Cross Inn and the constitution of the organisation.
- 3.6 Members are reminded that under the new process for assets of community value introduced in November 2012 the final decision regarding whether to list an asset rests with the Head of Planning and Regeneration in consultation with the Portfolio Holder for Planning and Regeneration.

Financial Implications

- 3.7 Property owners who believe they have incurred costs as a result of complying with these procedures can apply for compensation from the Council. As previously reported to Council, Government recognises this as a potential risk to local authorities and will provide a safety net whereby any verified claims of over £20,000 will be met by Government. The owners also have a right to appeal the decision made by the Council in agreeing that the building be included on the Assets of Community Value.

Legal Implications

- 3.8 There is a legal requirement within the Localism Act 2011 to implement the provisions as defined for Assets of Community Value regulations 2012.

Service/Operational Implications

- 3.9 There are no specific operational implications for the District. The list of nominated assets will be maintained by Land Charges officers and will be available on the Councils Website.

Customer / Equalities and Diversity Implications

- 3.9 The approval of the nomination of The Cross Inn will ensure that should the property be declared for sale any community group would be able to express an interest in purchasing the asset. This would result in up to 6 months of moratorium whereby any sale could only be to a community group. Following this the owner can sell to any purchaser.

4. RISK MANAGEMENT

- 4.1 The register will be maintained to ensure that all assets nominated are included to mitigate any risks associated with assets not being included on the register. Consideration by officers and members will be undertaken at each nomination to ensure a consistent approach is taken.

APPENDICES

Appendix 1 – Nomination Form including plan of asset

AUTHOR OF REPORT

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CAMRA is a not-for-profit company limited by guarantee.

Any surpluses the Campaign generates are used for ongoing campaigning purposes.

The National Executive

The National Executive (NE) are the Board of Directors who oversee and direct the Campaign. There are 12 members of the NE who are elected by members of the Campaign at the Annual General Meeting and who serve a three year term. NE members can serve more than one term.

The National Chairman of CAMRA is elected by the members of the National Executive.

Each member of the Executive normally takes overall responsibility for one or more areas of the Campaign.

National Committees of the Campaign

Underneath the National Executive there are several lead National Committees which oversee specific areas of the Campaign.

These lead National Committees are:

Finance and General Purposes Committee

Chaired by the NE Finance Director the Finance and General Purposes Committee establishes budgets for the year and monitors income and expenditure. This key committee ensures resources are in place for CAMRA to carry out effectively its campaigning activities.

Campaign Strategy Committee

This committee is responsible for the co-ordination of the two leading "Industry" committees - Pubs Campaigns Committee (PCC) and Brewing Industry Campaigns Committee (BICC) - see below. In addition it oversees CAMRA's lobbying of Parliament, assemblies, Government and the EU. It also co-ordinates the activities of CAMRA's public affairs officers.

Promotions and Marketing Committee

Responsible for the public face of CAMRA and the implementation of its campaigns via both internal and external communications strategies.

Membership

Responsible for activation and recruitment, as well as promoting and marketing CAMRA's membership. Responsible for the running of CAMRA's membership system.

Branches Committee

This committee - whose membership consists of the 16 Regional Directors of CAMRA - acts as the conduit for information to branches from the National Executive and various committees and vice versa. It also provides support for CAMRA branches.

All these committees report directly to the National Executive.

In addition there is a **Publications Committees** which oversees book publishing, and a separate committee overseeing What's Brewing and CAMRA's quarterly magazine BEER.

There are two major committees which report to Campaign Strategy Committee covering the main industry areas Breweries and Pubs. These are:

Pubs Campaigns Committee

This committee is responsible for promoting pubs and issues regarding pubs. The committee oversees monitoring, liaising, influencing and campaigning on pub issues. It also co-ordinates information from Pub Chain Liaison Officers (PCLO).

Brewing Industry Campaigns Committee

This committee is responsible for all aspects of production in the industry. It oversees the monitoring, liaising, influencing and campaigning on brewing issues. It co-ordinates information from Brewery Liaison Officers (BLOs).

Many of these lead committees have sub-committees, working groups and task groups who report to the relevant lead committee.

In addition there are also specialist committees and task groups reporting direct to the National Executive who have responsibility for specific events or functions such as:

- Great British Beer Festival Working Party
- National Winter Ales Festival Working Party
- Members Weekend Organisation
- Information Technology Advisory Group (ITAG)
- Technical Advisory Group (TAG)
- National Cider and Perry Committee

As well as this functional committee structure there is also a geographical structure via which the 200-plus branches of the Campaign are organised. A member of CAMRA belongs to a branch which is usually where he or she lives but might, at their request, be another branch based for instance where they are employed or spend a major part of their time.

There are over 200 branches covering the whole of the United Kingdom, as well as the Isle of Man and the Channel Islands. A branch will elect from its members a chair and committee who will look after the day to day running of the branch. Branches are the campaigning strength of CAMRA. It is at the branch level that many of CAMRA's national policies are put into action with campaigns to promote real ale, save pubs and breweries from closure, and to encourage more people to give real ale a try.

Branches are also a vital source of funds for the Campaign through the beer festivals they run and beer and pub guides they publish, which raise much needed monies to donate to CAMRA central funds.

The branches are organised into 16 regions. Each region has a volunteer Regional Director (RD) elected by the region and it is these 16 Regional Directors who form the Branches Committee (see above) which reports to the National Executive. In some of the larger or more geographically spread regions the Regional Director may appoint Area Organisers to oversee branches in parts of the region.

The AGM and National Members' Weekend

Each year in March or April members of CAMRA meet for the Annual General Meeting of the Campaign.. The meeting is open to all CAMRA members.

Members can review what has happened over the past year and have their say on campaigning issues and form policy items.

There are usually guest speakers on issues relating to beer, brewing and campaigning issues.

This is where members can debate policy and vote upon the issues raised. If passed these become part of CAMRA's policy.

CAMRA's policy is split into two parts- an External Policy file and an Internal Policy file.

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