



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY 1ST APRIL 2015 AT 6.00 P.M.

THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

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

AGENDA

1. To receive apologies for absence
2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. To confirm the accuracy of the minutes of the meetings of the Cabinet held on 25th February 2015 and 4th March 2015. (Pages 1 - 6)
4. Minutes of the meeting of the Overview and Scrutiny Board held on 16th February 2015 (attached and 16th March 2015 (Pages 7 - 22)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes
5. Minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 19th February 2015 (Pages 23 - 32)
 - (a) to receive and note the minutes
 - (b) to consider any recommendations contained within the minutes

6. Recommendation from Licensing Committee held on 23rd March 2015 - Fees in respect of Street Amenity Policy Consents

At its meeting on 23rd March 2015 the Licensing Committee approved a Street Amenity Policy in relation to street cafes within the High Street, Bromsgrove. In addition the Licensing Committee made the following recommendation to the Cabinet in respect of fees payable for Street Amenity Consents:

RECOMMENDED that the following fees be adopted and added to the Fees and Charges Schedule:

- Street Amenity Policy (First Application) - £200
 - Street Amenity Policy (Annual Renewal) - £55
7. Bromsgrove Outdoor Market - Future Options (Pages 33 - 36)
 8. Application for Inclusion on Register of Asset of Community Value - Hagley Library (Pages 37 - 50)
 9. Gambling Act Fees and Charges Report (Pages 51 - 52)
 10. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

24th March 2015

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

25TH FEBRUARY 2015 AT 4.00 P.M.

PRESENT: Councillors M. A. Sherrey (Leader), C. B. Taylor (Deputy Leader) (from Minute no. 89/14), D. W. P. Booth, M. A. Bullivant, R. L. Dent and M. J. A. Webb

Observers: Councillor H. J. Jones

Officers: Ms. J. Pickering, Mrs C. Felton, Mrs S. Sellers and Ms R. Cole

86/14 **APOLOGIES**

There were no apologies for absence. There was an apology from Councillor C. B. Taylor for late arrival.

87/14 **DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

88/14 **MINUTES**

The minutes of the meeting of the Cabinet held on 4th February 2015 were submitted.

RESOLVED that the minutes of the meeting of the Cabinet held on 4th February 2015 be approved as a correct record.

89/14 **MEDIUM TERM FINANCIAL PLAN 2015/16 - 2017/18**

The Cabinet considered the report on the Medium Term Financial Plan 2015/16 – 2017/18.

The Executive Director Finance and Corporate Resources referred to the background to the Medium Term Financial Plan and to the decisions which had been taken at the previous Cabinet meeting on 4th February 2015.

Members considered the impact of the proposed freezing of Council Tax in years 2016/17 and 2017/18, the Capital Programme for 2015/16 – 2017/18 together with the Pay Policy Statement which the Council was required to produce under the Localism Act.

The Portfolio Holder for Finance expressed thanks to the Executive Director and her Team for their assistance with the preparation of the Medium Term

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Cabinet
25th February 2015

Financial Plan and to other officers for their work towards achieving the delivery of a balanced budget.

RECOMMENDED:

(a) that the following be released from balances:

2016/17- £136,000
2017/18 - £137,000

(b) that the Capital Programme be approved as follows:

2015/16 - £712,000
2016/17 - £573,000
2017/18 - £822,000

(c) that the Pay Policy as attached at Appendix 2 to the report be approved.

The meeting closed at 4.10 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

4TH MARCH 2015 AT 6.00 P.M.

PRESENT: Councillors M. A. Sherrey (Leader), M. A. Bullivant, R. L. Dent and M. J. A. Webb

Observers: Councillor R. A. Clarke

Officers: Mr K. Dicks, Ms A. De Warr, Ms S. Morgan, Mrs S. Sellers and Ms R. Cole

90/14 **APOLOGIES**

Apologies for absence were received from Councillors D. W. P. Booth and C. B. Taylor.

91/14 **DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

92/14 **OVERVIEW AND SCRUTINY BOARD**

The minutes of the Overview and Scrutiny Board held on 21st January 2015 were submitted.

It was noted that the recommendations in respect of the car parking Short Sharp Review had previously been considered by the Cabinet at its 4th February 2015 meeting.

RESOLVED that the minutes of the Overview and Scrutiny Board held on 21st January 2015 be noted.

93/14 **BROMSGROVE TOWNSCAPE HERITAGE INITIATIVE - GRANT APPLICATIONS**

The Cabinet considered a report relating to two applications under the Townscape Heritage Initiative. Under the Grant Scheme previously agreed these two grants required Cabinet approval because they were over £150,000.

Members were reminded that the Townscape Heritage Initiative (THI) was a Grant Scheme of £1.6m funded by the Heritage Lottery Fund and the County Council for the restoration of historic buildings on the High Street, including

parts of Worcester Road and New Road. Members noted that this Council is responsible for project managing the Grant Scheme .

It was noted that both of the current applications were in respect of Listed Buildings :

- 67 High Street (Oswald Bailey) – grant of £195,500 (to be capped at this level)
- 1-3 New Road (The Tudor House) – grant of £198,024 (to be capped at this level)

It was further noted that arrangements were in place for claw back to the Heritage Lottery Fund should the properties be sold following the works as set out in section 3.9 - 3.12 of the report. It was requested that the final grant figures be confirmed to Members when available.

Following discussion it was

RESOLVED:

- (a) that the offer of a THI Grant of £195,500 (capped) as set out in the report in respect of 67 High Street be approved;
- (b) that the offer of a THI Grant of £198,024 (capped) as set out in the report in respect of 1-3 New Road be approved.

94/14

FINANCE MONITORING REPORT - QUARTER 3 2014/15

The Cabinet considered a report on the financial position for revenue and capital for the period April to December 2014.

The Portfolio Holder referred to the total predicted saving against budget of £301,000 and it was confirmed that the majority of this was in relation to savings on interest payable on borrowing to support the capital programme which had not yet been required.

Reference was also made to a shortfall in income within Environmental Services which had arisen from the review of a previous decision to sell the Trade Waste service. Officers were now working on alternative options for the service which would be brought back to Members for consideration.

Following discussion it was

RESOLVED that the current financial position on revenue and capital be noted .

RECOMMENDED that the Capital Programme for 2015/16 be increased by £40,000 in respect of S106 monies (from land off Regent Road, the Oakalls), and this be utilised to improve the quality of parks and public open spaces in and around the Oakalls.

95/14 **DISCRETIONARY WRITE OFF OF DEBTS**

The Cabinet considered a report requesting authorisation for discretionary write off in respect of a number of debts.

It was reported that the total value of discretionary write off was £28,141.49 with the majority of this arising from one Non Domestic Rates case. Officers confirmed that all actions had been taken in an attempt to recover the debts but there was no likelihood of recovery.

Following discussion it was

RESOLVED that the discretionary write off of debts totalling £28,141.49 as set out in Appendix 1 to the report be approved.

The meeting closed at 6.15 p.m.

Chairman

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

16TH FEBRUARY 2015 AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), R. J. Laight (Vice-Chairman), C. J. Bloore, J. S. Brogan, R. A. Clarke, S. R. Colella, S. J. Dudley, P. Lammas, R. J. Shannon, S. P. Shannon and C. J. Tidmarsh

Invitees: Councillor D. Booth

Officers: Ms. J. Pickering, Ms. D. Poole, Mr D Riley, Ms L Wood, Ms. J. Bayley and Ms. A. Scarce

111/14 APOLOGIES

Apologies were received on behalf of Councillors B. T. Cooper, C. R. Scurrall and C. J. Spencer. Councillor S. J. Dudley confirmed that he was attending as a substitute for Councillor Cooper.

112/14 DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS

There were no declarations of interest nor of any whipping arrangements.

113/14 MINUTES

The minutes of the meeting of the Overview and Scrutiny Board held on Wednesday 21st January 2015 were submitted.

Members questioned whether a timetable had been set for the roll out of Universal Credit and other welfare reforms in Bromsgrove district. Officers confirmed that this was due to take place in autumn 2015, though the Council had not yet been notified of a specific date.

RESOLVED that the minutes of the Overview and Scrutiny Board held on 21st January 2015 be approved as a correct record.

114/14 ACTION LIST

Officers explained that the majority of the actions detailed on the actions list had been resolved prior to the meeting. The only outstanding action concerned the Artrix and Officers were able to confirm that the venue took responsibility for maintaining the building.

115/14 **STAFF SURVEY**

The Acting Human Resources and Organisational Development Manager delivered a presentation on the subject of the staff survey. During the delivery of the presentation she raised the following points for Members' consideration:

- The survey, which was circulated in August 2013, had been completed by 40 per cent of staff.
- There had been delays in analysing the data due to the complexity and volume of the feedback.
- Responses had been treated as confidential and every effort had been made to ensure that individual respondents could not be identified.
- There had been a low response rate from Bromsgrove depot, which would be addressed in any future surveys.
- A Working Group, comprising senior Officers, had been established to consider the feedback provided in the surveys.
- Sub-Groups had also been established to consider four key themes, chaired by members of the Working Group.
- The four key themes identified from analysis of the feedback were; management and the need for managers to manage staff in a different way in a changing environment, the need for more effective internal communications, the importance of an appropriate working environment that enabled staff to be a healthy workforce, and failures in ICT support and the impact of IT improvements on wider service delivery.
- Action had been taken in a variety of areas to address the concerns raised by staff.
- The first event relating to the Council's Time to Change pledge would take place at Bromsgrove Council House on 5th March 2015.
- The Council was participating in the Worcestershire Works Well accreditation process.
- A new performance management framework was being piloted in the business transformation team.
- A new induction process, which would include face-to-face support, mentoring and podcasting, was due to be introduced.
- A generic skills matrix was being launched focusing on 25 skills all staff required in addition to any technical and specialist abilities.
- Additional support for staff was being made available in Bromsgrove and the Phone a Friend service was due to be re-launched with new volunteers.
- Monthly updates were being delivered through Oracle newsletters.
- A staff choir had been launched due to identified links between singing and wellbeing.
- In total 11% of respondents had reported that they had experienced some form of bullying from either the public or other officers in the workplace. The Council's Bullying Policy had been promoted in an attempt to address this problem.
- The information available to staff in respect of corporate priorities, performance measures and strategic purposes had been updated and various ICT policies would be rewritten to ensure they were user friendly for staff.

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- The new survey would be launched outside the school holiday period in order to maximise the number of responses.
- Officers were intending to use the same questions in the survey to ensure that the feedback could be compared to the data from the 2013 survey.

Following the delivery of the presentation Members discussed a number of points in further detail:

- The need for first aider and fire warden training to be delivered as part of the corporate training programme.
- The current content of the Bullying Policy and the extent to which changes needed to be made to the policy in order to secure a reduction in bullying.
- The type of issues that were considered bullying by staff.
- The training delivered in wellbeing sessions, covering healthy eating, physical exercise, breaks from work and health checks.
- The potential for exit interviews to take place in order for the Council to have an understanding why staff left. (Members were informed that these would be introduced across the organisation and the fact that these could only be undertaken on a voluntary basis.)
- The arrangements for the new Performance Development Review (PDR) framework which would look forward towards achieving objectives rather than backwards at past behaviour.
- Some concerns were expressed about the limited number of PDRs that staff had undertaken in recent years and the impact that this could have on both staff morale and performance.
- The provision of regular one-to-one meetings for staff and the fact that these varied in content and timescales.
- The payment of staff by increments rather than in accordance with an assessment of service performance.
- The number of times members of the Corporate Management Team had attended team meetings and the breakdown of attendances at these meetings.
- The number of new members of staff who would be employed by the Council in the following year.
- The potential value of a podcast in the corporate induction process and the benefits of face-to-face contact when welcoming new staff to the organisation.
- The content of the Oracle newsletters and the potential for these newsletters to be sent to Members alongside the monthly newsletter for Councillors.
- The operation of staff from Redditch Town Hall and the extent to which the working environment in the building was appropriate for shared services.
- The work that had been delivered in accordance with the Council's Equalities Plan.
- The reasons why the review of key behaviours in a customer driven organisation had been superseded. Officers explained that this had occurred as part of the on-going work to transform the organisation.

Members also suggested the following amendments to the survey:

- An additional question on the subject of health and wellbeing concerning the option to work from alternative locations to the standard Office workspace.
- The potential for “paternity” to be added as an additional option as a reason why a member of staff may have been subject to bullying or harassment.
- The potential for the option “lack of belief” to be rephrased as “no religious belief”.

Following further discussion the Board

RESOLVED that the report be noted.

116/14 **QUARTER 3 WRITE OFF OF DEBTS REPORT**

The Revenue Services Manager presented the Quarter 3 Write Off of Debts report covering the period 1st October to 31st December 2014. Members were advised that a number of amendments had been made to the format of the report in accordance with requests made at previous meetings of the Board. This included provision of case studies and further information about the process that Officers followed to collect the debt.

Following presentation of the report Members preceded to discuss a number of points in further detail:

- The garden waste debts and the fact that invoices for this service were raised once a year.
- The potential to provide benchmarking figures for similar local authorities.
- Access to figures for Redditch Borough Council and the difficulty of using this data for comparative purposes due to differences between the District and Borough.
- Council tax arrears and how these figures were recorded for the existing financial year.
- The positive impact of the amendments to the report on the clarity of information provided.

Following further discussion it was

RESOLVED that the report be noted.

117/14 **MEDIUM TERM FINANCIAL PLAN 2015/16**

The Executive Director for Finance and Corporate Resources presented the Medium Term Financial Plan 2015/16 to 2017/18. During presentation of this report the following areas were highlighted for Members' consideration:

- The report had been amended slightly by comparison to the version that had been presented at the Cabinet meeting earlier in the month.
- These amendments took into account the revision that was required to the released from balances in 206/17 and 2017/18. The impact of the Council

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Tax freeze on future years had not been built into the Cabinet recommendations and therefore the figures were different by £136k per annum.

- In future years Officers were assuming that the Council would increase Council Tax by 1.9%.
- The Council was one of three local authorities to generate levy to the Business Rates Pool and therefore benefit financially from this.
- £87,000 had been proposed to be allocated to the New Homes Bonus scheme. This represented 25% of Government funding that related specifically to the increase in grant from 2014/15 and Cabinet was recommending that this should be allocated to community schemes.
- Worcestershire County Council had received £500,000 from the Government for welfare reform and social care. The County Council had decided to pass this funding to all the districts in the county, divided according to need reported in previous years. This equated to £53k for Bromsgrove.
- Worcestershire County Council had also agreed to match fund the £30,000 Essential Living Fund (ELF) bid that had been proposed by the District Council.
- Officers were assuming that the Government grant settlement in future years would be reduced by 5%.
- Balances were due to fall from £3.7 million to £1.7 million unless further savings were made during 2016/17 and 2017/18.
- An internal audit review of the budget setting process had been launched to enable Officers to learn lessons that could help to improve the process in future years. The Chairman of the Board confirmed that he had contributed to this (and was positive about the improvements to Scrutiny of the budget this year).

Following presentation of the report Members proceeded to discuss a number of points in further detail:

- The involvement of Planning Officers in monitoring housing growth and the financial implications for the district.
- The potential for ward Councillors to submit capital bids on behalf of local communities if appropriate.
- Funding available to groups such as Two Pennies and NewStarts which provided advice and support to residents struggling to manage their finances.
- The Council's continuing support for the Citizens Advice Bureau (CAB).
- The potential impact of the closure of the Redditch branch of the CAB on demand for Bromsgrove services and the need to ensure that grant funding from the Council was not used to subsidise services received by residents outside of the District.
- Financial support available to The Lounge in Alvechurch. The Chairman explained that this support had been provided by the Bromsgrove Local Strategic Partnership.
- The potential impact of further budget savings on the sustainability of Worcestershire Regulatory Services (WRS). Officers expressed

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confidence that the savings could be achieved without having a detrimental impact on services.

- Proposals to change the governance structure of WRS, which was due to be considered at the next meeting of the Worcestershire Shared Services Joint Committee, and the beneficial impact that this might have on the sustainability of the partnership.
- The recent securing of contracts by WRS to deliver services on behalf of other organisations.
- The potential for a larger reduction than 5% to the Government grant to occur in future years. By 2019/20 Officers advised that it was possible that local authorities would be expected to be self-funding.

RESOLVED that the report be noted.

118/14 **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME**

Officers advised Members that there would be a heavy agenda at the meeting of the Board on 16th March 2015. For this reason Members agreed not to add any further items for consideration at this meeting. It was also agreed that Councillor B. T. Cooper, the Council's representative on the Health Overview and Scrutiny Committee (HOSC), should be invited to deliver a detailed presentation on the outcomes of the Committee's deliberations in the first four months of the year at the April meeting of the Board.

RESOLVED that subject to the preamble above the Work Programme be noted.

119/14 **CABINET WORK PROGRAMME 1ST MARCH TO 30TH JUNE 2015**

Members considered the content of the Cabinet Work Programme for the period 1st March to 30th June 2015. Officers explained that following publication, the Modifications to the Bromsgrove District Local Plan item, which the Board had previously expressed an interest in scrutinising, had been removed from the Cabinet Work Programme and Members had been notified of the new timetable which would apply to this item.

The meeting closed at 7.55 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

16TH MARCH 2015 AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), R. J. Laight (Vice-Chairman), C. J. Bloore, J. S. Brogan, R. A. Clarke, S. R. Colella, B. T. Cooper, P. Lammas, C. R. Scurrell, R. J. Shannon, S. P. Shannon and H. J. Jones (Substitute)

Observers: Councillor D. W. P. Booth, Councillor M. A. Sherrey, Councillor C. B. Taylor and Councillor M. J. A. Webb

Officers: Ms. J. Pickering, Mrs. R. Bamford, Ms. D. Poole, Mr. M. Hanwell, Ms. B. Houghton, Mr. I. Roberts, Ms. A. Scarce and Ms. J. Bayley

120/14 **APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES**

Apologies for absence were received on behalf of Councillors C. J. Spencer and C. J. Tidmarsh. It was confirmed that Councillor H. Jones was attending as a substitute for Councillor Tidmarsh.

The Board noted that Councillor Tidmarsh was unfortunately in poor health. The Chairman requested that the Board's best wishes be passed on to Councillor Tidmarsh and his family.

121/14 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest or whipping arrangements.

122/14 **MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on Monday 16th February 2015 were submitted.

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Board held on 16th February 2015 be approved as a correct record.

123/14

SCRUTINY OF CRIME AND DISORDER PARTNERSHIPS - UPDATE NORTH WORCESTERSHIRE COMMUNITY SAFETY PARTNERSHIP

The Chairman explained that there was a legal requirement for the Overview and Scrutiny Board to scrutinise the work of the local Crime and Disorder Reduction Partnership (CDRP) at least once a year. Under the terms of the legislation the focus of the Board had to be on the work of the partnership as a whole rather than on the work of individual partner organisations.

The Community Safety Manager proceeded to present a report concerning the work of the local CDRP, the North Worcestershire Community Safety Partnership (NWCSP), during the year. Whilst delivering this presentation the following matters were highlighted for Members' consideration:

- The NWCSP was the first merged community safety partnership to be approved by the West Mercia Police and Crime Commissioner (PCC).
- The Safer Bromsgrove Group, a sub group of the NWCSP, had a particular focus on crime and disorder matters relevant to Bromsgrove and had delivered a range of projects in the district.
- The NWCSP and the South Worcestershire Community Safety Partnership were due to be reviewed in 2015 to assess the extent to which both partnerships were fit for purpose.
- There was a statutory requirement for a 3 year rolling plan to be produced in a Strategic Assessment report for the partnership.
- The CWCSPP had 5 key priorities; anti-social behaviour, burglary and home security, business and rural crime, reducing reoffending and violence and abuse.
- The CWCSPP applied for funding from the PCC and in 2014/15 had received funding based on the previous year's allocation.
- In future years the PCC had indicated that he would be making 2 year funding settlements.
- Funding had been received to support the delivery of the West Mercia Police Business and Rural Crime strategies.

Following the presentation of the report Members discussed a number of additional points in further detail:

- The involvement of HMP Hewell in the work of the CWCSPP. Officers confirmed that the prison had been involved in some local partnership activities, though it was not a statutory partner.
- The process for monitoring the impact of projects that received funding from the PCC.
- The potential for the outcomes of the review of the NWCSP to be shared with Members of the Overview and Scrutiny Board.
- The value of data provided on a ward basis and the potential for confusion to arise if this data was not analysed in context.
- The role of the West Mercia Police Force's Independent Advisory Groups (IAGs) which provide advice on particular subjects. Members were

advised there were three IAGs; race and religion, disability and lesbian, gay bisexual and transgender (LGBT).

- The role of the North Worcestershire Hate Incident Partnership and the need for the IAGs to be organised so as not to duplicate the work of the partnership.
- Requirements for securing funding from the PCC. Officers explained that projects needed to meet community needs and to be based on sound intelligence.
- The potential to spend funding on staffing costs. Members were advised that PCC funding had to be spent on community safety projects and could not be reallocated to fund Police Officer posts.
- The £15,000 allocated to tackling unlawful incursions on business and rural land. For this project Officers would work with private landlords to help them protect their land.
- The need to ensure that those bidding for funding from the Community Safety team had properly audited accounts and were in need of financial support.
- The loan shark awareness event and the need for future events to be promoted in a sensitive manner and to take place at an appropriate location.
- The Worcestershire Safe Places Scheme - this scheme would be implemented in Bromsgrove in spring/summer 2015 and local businesses would be invited to become safe places.
- The impact of various budget cuts agreed by Worcestershire County Council on support for victims of domestic abuse in the county and the continuing focus of partners on early intervention.
- The investment of additional funding in upgrading the CCTV system in the district.
- Local safeguarding roles for both Council Officers and Councillors. Members were advised that a briefing note on the subject of child sexual exploitation had recently been circulated among partners and the partnership had links at a strategic level to the Safeguarding Children Board.
- The role of the Worcestershire Safer Communities Board in a 2 tier authority area, comprising senior representatives of the responsible authorities.

RESOLVED that the update report be noted.

124/14

SUMMARY OF ENVIRONMENTAL ENFORCEMENT

The Community Safety Manager presented the Summary of Environmental Enforcement Outcomes Monitoring Report for the period 1st April 2014 to 31st January 2015. During the delivery of this report the following matters were raised for Members' consideration:

- The Community Safety team undertook environmental enforcement duties on behalf of Environmental Services.

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- There were six stages to the enforcement process. The enforcement Officers could use their discretion to determine which stage in the process should be followed in a particular case.
- Whilst there had been an increase in the number of fly tipping and fly posting cases investigated when compared to the previous year there had been a decline in the number of dog fouling cases.
- In cases where no further action had been recorded there may have been a lack of evidence or no crime had been detected when Officers were called to the scene.
- The Council had a statutory duty to investigate cases of abandoned vehicles.
- In total 2 fixed penalty notices (FPNs) had been issued for fly tipping during the period and these had both been paid.
- A further 2 FPNs had been issued for waste carrier licences which had not been paid. One of these cases had been referred to the Council's Legal Services team for further consideration.

Following the presentation of the report Members discussed a number of issues in further detail:

- The extent to which written warnings would deter offenders from fly tipping in future.
- The use of written warnings to advise residents that they should not leave bags of rubbish alongside full bins on refuse collection days.
- The legal definition of fly tipping and the value of providing a breakdown of the types of fly tipping cases that had occurred in future reports.
- The need for Officers to have enough evidence to justify issuing an FPN as this evidence could be used in court if the case reached that stage.
- The potential to trace perpetrators guilty of fly posting from the contact details provided on posters.
- The reduction in cases of dog fouling reported to the Council and the suggestion that these figures did not reflect the full scale of the problem in the district.
- The need for witnesses to be prepared to identify a particular dog and owner when dog fouling occurred and the reluctance of many people to act as witnesses in an legal proceedings.
- The potential for Officers in the place teams to act as official witnesses in cases of dog fouling and the likelihood that this would lead to an increase in the number of cases reported because the team operated in the community.
- Restrictions on covert surveillance of repeat offenders. Members suggested that the CCTV team could identify hotspots and direct the Enforcement Officers to those locations.
- The value of displaying notices that could advise potential offenders of the fines they might be required to pay if they persistently failed to collect their dog's faeces or left bags containing excrement in the community.
- The potential to tackle the behaviour of drivers who threw litter onto the highways and the role of the place teams in providing a litter picking service.

- The role of the dog warden services provided by WRS compared to the service provided by enforcement teams at other authorities..

RESOLVED that the report be noted.

125/14 **ACTION LIST**

Members were advised that a significant amount of information had been provided in relation to the staff survey following the previous meeting of the Board. To ensure that Members could review this information in a constructive manner it was agreed that the Overview and Scrutiny Board consider this information in further detail at a meeting in the new municipal year.

RESOLVED that the Overview and Scrutiny Board in 2015/16 be asked to consider further information about the staff survey at a future meeting.

126/14 **IPADS (BACKGROUND INFORMATION AND CURRENT POSITION)**

The ICT Transformation Manager delivered a presentation on the subject of the provision of Ipads to elected Members. At the end of the presentation Members discussed the following points which had been covered in within it:

- The limited functionality of the Ipads using the Good software and how this compared to some Councillors' personal Ipads.
- Restrictions that the Ipads placed on Members' ability to add attachments to emails. Members noted that Word documents and photographs could not be viewed on their Council emails using the Ipads.
- The restrictions placed on accessing a Councillor's personal email using their Council Ipad and the extent to which having multiple devices for work, personal use and Council responsibilities could be time consuming and confusing.
- The restrictions placed by the Government on Councillors' email use through the need to comply with PSN rules.
- The different approaches adopted by Councils to comply with PSN requirements. Members who were also County Councillors noted that they could access their Council emails through personal IT equipment and this was considered to be compliant.
- The lack of action that had been taken in response to issues that had previously been raised by Members with both the external training providers and with the ICT team.
- The need for further and more regular meetings of the Member Development Steering Group to take place.
- The difficulties that Members experienced when attempting to print documentation for Council business and the inconvenience that this caused.
- The difficulties involved in obtaining support from the ICT team through the IT helpdesk and the financial costs to Councillors when doing so from outside the Council.

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- The problems for Councillors involved in visiting the ICT team to deliver equipment, particularly for Councillors who had work responsibilities.
- Future training plans for Councillors and the need for this to be arranged effectively for new Councillors elected in May 2015.
- The 10 remaining Ipads which had not been returned by some elected Members for the latest software to be installed.
- The extent to which the financial costs listed in the presentation took into account the additional costs of Officer time involved in supporting Councillors, particularly in the Democratic Services team.
- Limitations placed by the Good software on the potential to create folders and the need for the ICT team to perform this function for Councillors on a regular basis.
- The potential for Ipads to be a useful communications tool for elected Members if the problems were resolved.
- The Council's phone contract and the role of the procurement team in monitoring the extent to which this remained value for money.

The Board was informed that the ICT team would appreciate a list of areas that Members felt required further investigation and the following matters were subsequently highlighted for Officers' consideration.

- The need for Councillors to attach photographs to emails for Ward work. This function was not currently available on the Ipads.
- The need for a wireless printer facility to be made available from which Members could print information from their Ipads.
- The value that would arise if Councillors' meeting appointments could be viewed alongside personal and work commitments to enable Councillors to manage their diaries effectively.
- The potential for Councillors to access their personal emails via their Ipads.
- The reasons why other local authorities, like Worcestershire County Council, were able to operate a different system whilst remaining PSN compliant.
- The Ipad trial that had been undertaken did not reflect the final arrangement that had been implemented. In the trial Councillors had been permitted to access the Good software through their own Ipads.
- The need to identify the Committee that had approved investment in provision of the Ipads.
- The potential for Microsoft Office to be installed on Members' Ipads.

RESOLVED that the Overview and Scrutiny Board in 2015/16 consider receiving a further update on progress with this matter at a meeting of the Board in the summer of 2015.

127/14

PLANNING APPLICATIONS - BACKLOG DATA

The Head of Planning and Regeneration explained that she had provided a written response to a number of questions that had previously been raised by the Board on the subject of the planning service. Whilst presenting her responses she highlighted the following matters for Members' consideration:

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- Prior to service transformation staff were allocated numerous planning applications each day regardless of their existing workloads. At times staff could potentially have a workload of up to 45 applications at any one time.
- Under service transformation applications were left in a box until the case officers had the capacity to deal with them.
- The backlog represented customer demand.
- A number of Councils that were undertaking service transformation applied a similar system and had managed at times to reduce the size of the backlog.
- The backlog was approximately 60 by the date of the meeting.
- It was likely that the backlog would remain at this level until the new financial year as the majority of Planning Officers' leave years ended in March and many would seek to use up their leave that month.

Following the presentation of the responses Members discussed a number of key issues in further details:

- The potential for a Planning Officer to challenge experts consulted about a planning application when that advice appeared to be contradicted by the local context.
- The need for technical evidence to be available to challenge the views expressed by experts consulted in the planning process.
- The impact of large number of objections to a planning application on the workload of Planning Officers and the potential for patterns to emerge where residents had similar complaints.
- Current staffing arrangements in the Planning Department. Members were advised that the Development Control team was up to capacity, though there were two vacancies in the Planning Policy team and one member of staff on maternity leave.
- The potential for staff from both Redditch Borough Council and Bromsgrove District Council to work on the backlog and how tasks might be allocated across the 2 authorities.
- Difficulties arising from the fact that Planning Officers in Bromsgrove and Redditch were employed at different grades. These difficulties were compounded by the fact that Planning Officers were employed at a different level to Planning Policy Officers.
- The rights of staff to appeal any decisions about staffing grades reached through the job evaluation process.
- The possible future structure of a shared Planning service. Members were advised that it was likely a business case would be brought forward in the following 6 months.
- The greater volume of planning applications received by Bromsgrove District Council compared to Redditch Borough Council. Members were advised that Bromsgrove received a third as many applications.
- The fact that applications received by Bromsgrove District Council tended to be more complex and therefore required more time to assess.
- The similarities in the systems used at both Councils by the Planning Officers.
- Arrangements for notifying customers that there might be a delay in consideration of their planning application.

- The benefits of maintaining open communications with the customer about the progress of an application.
- The leave year arrangements for new staff which started the month that the employee was employed by the Council. It was suggested that in the long-term this would help to reduce the impact of staff leave on the backlog experienced in the spring each year.
- The value of quarterly updates on progress with clearing the backlog and the need to only invite Officers to attend a Board meeting if the size of the backlog increased further.

RESOLVED that Officers provide quarterly updates to the Overview and Scrutiny Board on progress reducing the backlog in the planning process.

128/14

QUARTER 3 FINANCE MONITORING REPORT

The Executive Director for Finance and Corporate Resources presented the Finance Monitoring Report for the period 1st April to 31st December 2014. During the presentation of this report the following points were highlighted for Members' consideration:

- A new financial ledger system was now being used by the Council and this system would make it easier to produce monitoring reports in a format requested by Members from 2015/16.
- Officers were anticipating that Council services would achieve a relatively low underspend of £18,000 by the end of 2014/15.
- Further savings up to £301,000 were anticipated from the interest payable relating to costs associated with borrowing to support the capital programme which had not been required due to slippage during the year on a number of capital schemes.
- A decision about the trade waste service had been delayed until 2015/16 and this had impacted on the figures recorded for the Environmental Services department.
- There had been a small underspend on capital projects arising from a delay in procurement of vehicles for Environmental Services.

At the end of the presentation the Board discussed the impact of the lower than anticipated income from civil parking enforcement on the service. Members were advised that there were no plans to reduce the number of Civil Parking Enforcement Officers. However, the efficacy of the service would continue to be reviewed on an annual basis.

RESOLVED that the Council's financial position on Revenue and Capital for the period 1st April to 31st December 2014 be noted.

129/14

OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME

The Board received the following updates relating to the content of the Overview and Scrutiny Work Programme:

- a) Overview and Scrutiny Board – 13th April meeting

Officers explained that the Board was due to consider a number of items on 13th April. This would include:

- The quarterly recommendation tracker.
- The Making Experiences Count Update Report.
- The Overview and Scrutiny Board's Annual Report 2014/15.
- A discussion of Overview and Scrutiny training arrangements in the new municipal year.

b) Worcestershire Health Overview and Scrutiny Committee (HOSC)

The Council's representative on the HOSC, Councillor B. T. Cooper, explained that a detailed update on the work of the Committee would be provided at the following meeting of the Board. However, he did provide a brief update on the latest meeting of the HOSC and advised Members that the following matters had been considered:

- Mental health services and support for elderly patients. Further detailed information about these services would be considered at a future meeting.
- An update on the Alexandra Hospital following the resignation of 5 A&E consultants. At the time of the meeting the letter detailing the consultants' reasons for resigning had not been available for public consideration. The Committee had been advised that 3 of the consultants would be leaving in May 2015 and the other 2 would leave later in the summer. The Committee had been advised that no decision had been reached regarding options for the future management of the hospital, though the trust was aiming to keep an A&E department and to recruit consultants to replace the departing staff.

At the next meeting of the HOSC Members would be considering the issues impacting on patients who were registered with a GP practice in a Clinical Commissioning Group located outside Worcestershire.

The Chairman expressed concerns about the future of the Expert Patient Programme in Worcestershire. Worcestershire County Council was no longer investing in this programme. However, whilst it was difficult to measure the impact of the programme there was evidence to suggest that the scheme led to long-term benefits for patients. Members requested that the issue be raised at a future meeting of HOSC.

130/14 **CABINET WORK PROGRAMME 1ST APRIL TO 30TH JULY 2015**

The Board considered the content of the Cabinet Work Programme for the period 1st April to 30th July 2015.

Officers noted that a request had been made to the Cabinet to hold their meeting at a slightly later time to provide the Board with an opportunity to pre-scrutinise the report on the subject of the Hanover Street and George House site. However, the date and time of these meeting remained to be confirmed.

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The meeting closed at 8.27 p.m.

Chairman

WORCESTERSHIRE DISTRICT COUNCILS AND COUNTY COUNCIL

WORCESTERSHIRE REGULATORY SERVICES

MEETING OF THE WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE

THURSDAY 19TH FEBRUARY 2015 AT 4.30 P.M.

PRESENT: Councillors M. A. Bullivant (Chairman), Mrs. B. Behan (Vice-Chairman), R. L. Dent, D. Hughes, J. Fisher, B. Clayton, D. Wilkinson, A. Roberts, Mrs. L. Hodgson, A. N. Blagg, R. Davis, M. Hart and P. Harrison

Observers: Mrs. R. Mullen, Corporate Director, Service Delivery, Worcester City Council and Mr. V. Allison, Deputy Managing Director, Wychavon District Council

Invitees: Mr. I. Pumfrey, Chairman, Worcestershire Regulatory Services Management Board

Officers: Ms. C. Flanagan, Ms. S. Morgan, Mr. M. Kay, Mr. S. Wilkes and Mrs. P. Ross

34/14 **APOLOGIES**

An apology for absence was received from Councillor K. Jennings, Wychavon District Council.

35/14 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

36/14 **MINUTES**

The minutes of the meeting of the Worcestershire Shared Services Joint Committee held on 27th November 2014 were submitted.

RESOLVED that the minutes be approved as a correct record.

37/14 **APPOINTMENT OF ACTING HEAD OF WORCESTERSHIRE REGULATORY SERVICES**

The Committee considered a report that provided information on the vacant post of Head of Service, Worcestershire Regulatory Services (WRS) and the intention of partner authorities not to recruit to this vacant post. Members were asked to consider the appointment of an 'Acting' Head of Service for WRS until a final decision on the future structure of WRS had been considered and agreed.

Mr. I. Pumfrey, Chairman, Worcestershire Regulatory Services (WRS) Management Board introduced the report and informed Members that the post of Head of Service, WRS became vacant on 31st January 2015 and that the WRS Partnership agreement delegated a number of functions directly to the Head of Service, WRS from partners authorities. It was therefore necessary that those delegated functions continued, pending a decision on the permanent appointment of a Head of Service, WRS, in order to demonstrate continuity of delegation, particularly in any enforcement action undertaken by WRS officers.

The report recommended that the Chairman of the WRS Management Board, as an experienced member of the Board with experience in regulatory services, be appointed as Acting Head of Service, WRS in order that the delegated functions continued until the potential new shape of WRS was agreed. It was not proposed to try and provide full time cover for the acting role as some of the workloads required to cover the vacancy would be best met by the two WRS Business Managers. It was anticipated that the acting role would require an input of around one day per week, although this would vary week on week depending on the exigencies of the service. Section 151 (s151) officers had been consulted on the proposals for an Acting Head of Service, WRS and were in agreement that the relevant partner council should be reimbursed in respect of the costs incurred in providing cover for the Head of Service functions. Those costs would be met from savings accrued from the vacant Head of Service, WRS post and would be reimbursed to the relevant partner council.

As highlighted in the report, following on from the unsuccessful outcome of the procurement for a strategic partnership there was now a need to develop and bring forward proposals to ensure the future sustainability of WRS. The view of both partner Chief Executives and the WRS Management Board was that recruitment of a new Head of Service, WRS should be delayed until these changes were agreed to ensure a correct skills match.

Mr. I. Pumfrey, Chairman, Worcestershire Regulatory Services (WRS) Management Board responded to Members' questions and highlighted that the Business Managers were highly regarded and had already taken on a substantial amount of additional work for the service; that it would be unfair to expect the Business Managers to shape a service and structure on which they may be competing, and that strategic management rationale was required. Members were reassured with regard to the rotation of the Chairman, WRS Management Board in June each year, that all of the WRS Management Board representatives had the necessary management skills required to fulfil the post of Acting Head of Service, WRS.

RESOLVED:

- a) that the intention of the partner authorities not to recruit to the vacant Head of Service, Worcestershire Regulatory Services post pending further consideration of the future direction and structure of the service, be approved;

- b) that the Chairman, Worcestershire Regulatory Services, Management Board be appointed as the “Acting Head of Service” for Worcestershire Regulatory Services and that this arrangement would continue pending a final decision on the future structure of the service; and
- c) that a reimbursement to the partner authority for whom the Chairman of the Management Board / Acting Head of Service is employed to reflect the costs of that officer being made available to carry out the Acting Head of Service functions.

38/14

CREATING AND DELIVERING A SUSTAINABLE REGULATORY PARTNERSHIP FOR WORCESTERSHIRE

The Committee considered a report which detailed options and recommendations for changes to the future of Worcestershire Regulatory Services (WRS) business model and partnership agreement in order to create and deliver a sustainable WRS partnership. The report also highlighted the Joint Worcestershire Regulatory Services Scrutiny Task Group recommendations, as detailed in their final report, presented to the Joint Committee on 2nd October 2014. WRS Joint Committee Members were asked to consider the proposals as set out in the report for consultation with partner authorities, WRS staff and relevant stakeholders.

Mr. I. Pumfrey, Chairman, WRS Management Board introduced the report and in doing so highlighted that a secure long term sustainable partnership for Worcestershire would contribute directly to the delivery of partner authorities’ priorities for economic, social and environmental well-being; and would include the priorities for WRS as set out in the WRS Service Plan for 2015/2016.

Financial pressures on local government resulting from austerity measures had resulted in some WRS partner authorities having to make challenging reductions in service expenditure. Recently implemented changes to the WRS partnership agreement had been agreed by the Joint Committee, as not all partner councils were able to commit to sustaining a common future service level. In 2013 the WRS Joint Committee looked at a number of future options for growth for WRS to address the stresses and pressures on partner authorities due to the reduction in local government funding. In 2014 a procurement exercise was undertaken but proved unsuccessful. Whilst procurement did not deliver a strategic partnership with a commercial organisation, it did provide a useful insight in to the strengths and weaknesses of WRS and how WRS was perceived by the private sector. Those insights reinforced that WRS was technically and professional robust and they had provided considerable value in charting the future course for the partnership.

Continuing with the current partnership arrangements was not considered a sustainable long term solution, as the polarisation in service levels and available funding between County and district partners posed significant risks to district partners’ service delivery. The WRS Management Board had considered a wide range of possible options for creating and delivering a sustainable regulatory partnership for Worcestershire. Options included continuing with the current arrangements, dissolving the partnership and reverting to individual service delivery, restructuring the partnership and a

further procurement for a strategic partnership. The report highlighted the options explored and the WRS Management Board recommendations for changes to the future WRS business model, partnership agreement and how these could be implemented. Those proposals also responded to the Joint WRS Scrutiny Task Group's recommendations, as detailed at Appendix 1 to the report.

Restructuring of the current partnership to a smaller partnership, consisting of those authorities who continued to have closely aligned service levels with separate distinctly defined arrangements with other councils, would offer future sustainability. A smaller partnership that continued to take advantage of the proven WRS Joint Committee mechanism, based on common or near-common service levels and interests would be capable of sustaining many of the benefits currently delivered by WRS including its specialist capabilities. Close alignment of partner interests would provide the necessary stability to continue to undertake work for other Worcestershire councils on preferential agreed terms, buffering partners from unacceptable risks to their own service delivery arrangements.

The WRS Management Board's current assessment of partner service levels and financial requirements demonstrated that a smaller partnership based on the six district councils was achievable and sustainable. The County Council had indicated a willingness to consider realigning its relationship to such a partnership as this continued to provide it with a cost effective future service solution. This was therefore the WRS Management Board's preferred future option for WRS. In identifying a restructured, smaller partnership as the preferred option, the WRS Management Board recognised there was a need for internal change within WRS to meet both future partner service requirements and position the partnership to take advantage of opportunities for income generation. The proposed delivery partner network would be underpinned by a combination of contracts and service level agreements. Service level agreements for former WRS partner authorities would be on a preferential 'at cost' basis as detailed at Appendix 2 to the report.

In line with the Joint WRS Scrutiny Task Group, Recommendation 7, it was proposed that the Joint Committee was retained as the mechanism for governing WRS but renamed the WRS Board. This would make its purpose more explicit to external stakeholders. It was also proposed that the membership of the WRS Board be reduced from two Elected Members to one Elected Member per partner authority, with clear arrangements for attendance by substitutes. In addition, and in response to the Joint WRS Scrutiny Task Group, Recommendation 7 and 8, the WRS Board would be attended by each partner's senior officer representative (though in a non-voting capacity). This would improve strategic decision making and remove much of the work associated with supporting both the WRS Joint Committee and the WRS Management Board. It was acknowledged though, that there would still be a need for the senior officer representatives of the councils to meet with WRS Managers to deal with routine business matters and partner liaison.

The financial pressures on the WRS partnership required that the implementation of these proposals needed to be rapid and at minimal

additional cost to current and future partners. It was important that the proposed changes gained the widest possible support to avoid delay or derailment. To achieve these aims, three complementary strands of implementation were recommended:-

Engagement - The engagement strand would concentrate on building understanding of and support for the proposed changes, with direct engagement through briefings underpinned by email circulars, etc. This work would be undertaken by WRS Joint Committee Members, WRS Management Board representatives, key senior officers and Elected Members.

Governance - Governance activities would concentrate on detailed negotiation of the terms of dissolution of the current partnership agreement, the preparation and engrossment of a new partnership agreement and a service level agreement covering County Council services. Input would be necessary from partner authorities' legal teams, WRS Management Board representatives, senior financial officers and Elected Members.

Organisational - Organisational activities would focus on internal structural change within WRS including any appointments to new roles. This work would be led by the Acting Head of Service, WRS and input from WRS Management Board representatives, senior financial officers and Elected Members.

Further discussion followed with those Members who had been involved with WRS and the Joint Committee since inception in 2010, agreed that WRS had delivered a high level of service to date. The service had changed to address partner authorities' financial constraints, but there was still a need to continue to change direction for the future sustainability of WRS.

Mr. I. Pumfrey, Chairman, WRS Management Board and the Host Authority's Principal Solicitor Ms. C. Flanagan responded and provided clarification with regard to the following questions posed by Members:-

Democratic Process -

- What would be the democratic process with a reduction in the number of Joint Committee Members with only one Member per partner authority?
- Which partner authorities rejected the Joint WRS Scrutiny Task Group recommendation to reduce the number of Joint Committee Members from two to one?
- With the current required quorum no Joint Committee meetings have been inquorate. What are the potential implications if the number is reduced and a Member is unable to attend a meeting (due to unforeseen circumstances on route to the meeting), as no substitute would have been arranged?
- Would there be the potential for a vote to be taken without that Member, who may have voted differently?

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- Could this result in decisions being made to the detriment of a partner authority or democratic deficit?
- Could there be a potential for lack of democratic accountability and control over decision making if partner authorities are not represented at meetings?
- Urgent Business being raised at a meeting. Could a decision be taken on urgent business without all partner Members being present and aware of any urgent business?
- Will there be a mechanism in place to brief substitute Members?
- Why the need to change the governance arrangements? The current governance arrangements had worked well since 2010.

Voting –

- Unanimity was included in the current partnership agreement at the request of each partner authority. Was there a need to review the current partnership agreement in respect of the functions delegated that require a unanimous vote being taken?
- Unanimity, potential implications if a partner authority Member is unable to attend?
- Was there a need to consider each partner authorities Constitution with regard to unanimity / majority voting?
- The Joint Committee as it stands consists of Elected Members, this enabled Members to look at and question any WRS Management Board decisions. How would this work with both Elected Members and Senior Officers on the newly formed WRS Board?

Service Level Agreement / Contract –

- With the potential for others to join the partnership, what re-assurance was there that the smaller partnership core group would continue to benefit through scale of economy.

Mr. I. Pumfrey, Chairman, WRS Management Board reassured and informed the Committee that the questions and concerns raised during the course of the meeting would be highlighted during the consultation exercise with partner authorities Members, at the forthcoming Member briefing sessions. Following on from the consultation exercise a detailed response to the questions, as highlighted in the pre-amble above, would be included in the report to be presented to the Joint Committee at the June meeting.

It was noted that whilst Joint Committee Members had taken on board the Joint WRS Scrutiny Task Group's final report, some Members felt it should be highlighted that, whilst the recommendations from the Task Group's final report played a part, the governance and core service was being reviewed

because the service had changed and both Members and Senior Officers had realised that a new direction for the service was therefore required.

RESOLVED:

- a) that the proposals as set out in the report for the purposes of consultation with partner authorities, WRS staff and relevant stakeholders, be approved; and
- b) that following on from the consultation exercise; officers provide a further report, setting out the detailed recommendations to the Worcestershire Shared Services Joint Committee meeting on 25th June 2015.

39/14

WORCESTERSHIRE REGULATORY SERVICES BUSINESS PLAN 2015/2018

The Committee was asked to consider and approve the Worcestershire Regulatory Services (WRS) Business Plan 2015/2018 and the risk based hygiene inspection based on the National Food Hygiene Rating System, as detailed in Section 4.3.1 of the WRS Business Plan 2015/2018.

Mr. S. Wilkes, Business Manager, Worcestershire Regulatory Services introduced the report and in doing so informed the Committee that work on a three year business plan had commenced alongside the Strategic Partnering process in case the process failed to result in a positive outcome. The WRS Management Board and Senior Managers, WRS had reviewed and amended the plan and now sought the Joint Committee's approval for this to be the baseline strategic document to be used to take the service forward for the next three years. The Business Plan 2015/2018 strapline was "A Local Government Solution to Local Government Challenges". The Business Plan 2015/2018 outlined how WRS would develop over the next three years to enable the service to:-

- Respond to the financial pressures faced by the various partners.
- Accommodate service variations for those partners, particularly where there are common functions (i.e. District functionality,) whilst maintaining service levels for others.
- Modify financial arrangements to avoid cross subsidy between functionality and partners.
- Continue to provide a core level of service that meets partner's statutory obligations and, offer the option to fund a higher level of service in all functional areas.
- Maintain sufficient expertise to provide resilience, beyond the financial envelope envisaged by partners through income generating activities.
- Continue with high levels of performance as measured by existing KPIs.

Appendix B to the report contained an outline of the agreed and proposed savings platform for each partner authority. The report also highlighted that at this stage, although partner authorities had stated that no further savings were required for 2017/2018, this could be subject to change.

Section 4.3.1 of the WRS Business Plan 2015/2018 provided information of the Food Hygiene and Infectious Disease Function and the Food Hygiene Rating Scheme which Members were asked to consider and approve.

RESOLVED:

- a) that the Worcestershire Regulatory Services Business Plan 2015/2018 be approved, and
- b) that the risk based inspection strategy based on the Nation Food Hygiene Rating System, to plan proactive food hygiene inspections, as detailed in section 4.3.1 of the Worcestershire Regulatory Services Business Plan 2015/18, be approved.

40/14

WORCESTERSHIRE REGULATORY SERVICES SERVICE PLAN 2015/2016

The Committee was asked to consider a report which detailed the Worcestershire Regulatory Services, Service Plan 2015/2016.

Mr. M. Kay, Business Manager, Worcestershire Regulatory Services (WRS) introduced the report and in doing so highlighted that the service plan outlined the way in which the service's activities linked to National and Local Priorities relevant to regulatory services.

Members were informed that the WRS Service Plan 2015/2016 provided a financial picture for the next three years and detailed for Members the activities that the service would focus on over the forthcoming twelve months. The themes identified were likely to inform future plans, although the uncertainties around local government funding had made it difficult to commit to detailed operational plans over periods longer than twelve months.

As detailed on Appendix C to the report, the twelve key outcome measures to measure the performance of WRS had been retained from 2014/2015, a number of which had been determined as a result of consultation with Members and customers.

RESOLVED that the Worcestershire Regulatory Services, Service Plan for 2015/2016 be approved.

41/14

ACCOMMODATION AND ICT HOSTING RELOCATION PROGRESS REPORT

The Joint Committee was asked to note a report which provided an update on Worcestershire Regulatory Services (WRS) move to Wyre Forest House and the transition of WRS ICT.

Mr. M. Kay, Business Manager, Worcestershire Regulatory Services (WRS) informed the Committee that as detailed in the report, an agreed project plan as provided with the report was in place, the project plan was overseen by the project board that had been established. Preparations for the move were progressing well and on track in accordance with the project plan. Bromsgrove District Council the current hosts for WRS ICT were working to a

timetable of 1st July 2015 for supporting the transition of the required systems to Wyre Forest District Council. Positive feedback had been received from over seventy WRS staff who had taken the opportunity to attend a familiarisation visit to Wyre Forest House. The most important priority identified by staff during those visits was the need for a robust ICT system.

RESOLVED that Members note the update provided on the move to Wyre Forest House and transition of the ICT.

42/14

WORCESTERSHIRE REGULATORY SERVICES BUDGET MONITORING APRIL TO DECEMBER 2014

The Committee was asked to consider and note the Worcestershire Regulatory Services Budget Monitoring financial position for the period April 2014 to December 2014.

The Chairman welcomed and introduced Ms. S. Morgan, Financial Services Manager to the meeting.

Ms. Morgan, Financial Services Manager introduced the report and in doing so informed Members that, as detailed at Appendix 1 to the report, there was a projected outturn underspend of £138,000, taking into account the £114,000 pension deficit, that was liable to be paid for in 2014/2015, this left a final outturn underspend of £24,000. The ICT system projected costs detailed on Appendix 2 to the report, showed the expenditure for the one off costs associated with the implementation of the project for 2014/2015. There was a possibility that the budget may be reduced by a further £50,000, but with the uncertainty over the cost of mobile working and the costs associated with Worcestershire Regulatory Services relocating to Wyre Forest House it was proposed that a decision on the reduction would be made at the end of the financial year.

RESOLVED that the Worcestershire Regulatory Services Budget Monitoring financial position for the period April 2014 to December 2014 be noted.

43/14

ACTIVITY AND PERFORMANCE DATA QUARTERS 1, 2 AND 3

The Committee considered a report which detailed Worcestershire Regulatory Services Activity Data for Quarters 1, 2 and 3, 2014/2015.

Mr. S. Wilkes, Business Manager, Worcestershire Regulatory Services (WRS) introduced the report, which covered both district and county functionalities. The new extended format, as detailed at Appendix 2 to the report, provided Members with wide ranging information across a number of parameters. The information would build into the full end of year activity report. Each Team Manager has provided written commentary on each of their areas of work in order to provide Members with information on what was happening and to explain some of the wider activity of work undertaken.

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In response to Councillor B. Clayton, Redditch Borough Council, Mr. S. Wilkes agreed to provide relevant comparison information in the annual report to identify any specific trends at district level.

RESOLVED:

- a) that the Activity Data for Quarters 1, 2 and 3, 2014/2015 be noted; and
- b) that Members use relevant forums within their respective authorities to share this information with all elected Members.

44/14

WORCESTERSHIRE SHARED SERVICES JOINT COMMITTEE -
2015/2016 MEETING DATES

The Committee considered the proposed meeting dates scheduled for 2015/2016.

RESOLVED that the Worcestershire Shared Services Joint Committee meeting dates and start time of 4.30pm for 2015/2016 be approved as follows:

- Thursday 25th June 2015 – Annual Meeting
- Thursday 8th October 2015
- Thursday 26th November 2015 – Budget Meeting
- Thursday 18th February 2016

The meeting closed at 6.11 p.m.

Chairman

REPORT TITLE BROMSGROVE MARKET

Relevant Portfolio Holder	Cllr Rita Dent – Portfolio Holder for Town Centre and Regulatory Services
Portfolio Holder Consulted	√
Relevant Head of Service	Kevin Dicks – Chief Executive
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A
Key Decision / Non-Key Decision	Non-Key decision

1. SUMMARY OF PROPOSALS

- 1.1 Bromsgrove Town Centre Outdoor Market is currently managed and operated by the North Worcestershire Economic Development & Regeneration (NWedr), a shared service hosted by Wyre Forest District Council (WFDC) under a Collaboration Agreement in May 2011.
- 1.2 The NWedr Client Management Group has instructed officers to explore options for the future operation and management of the markets and Members are asked to consider whether NWedr should invite informal expressions of interest from market operators to inform any future decisions on the future management of the outdoor market.

2. RECOMMENDATION

The Cabinet is requested to RESOLVE that

- 2.1 **North Worcestershire Economic Development & Regeneration service invites informal expressions of interest from market operators for the future management of Bromsgrove Outdoor market; and**
- 2.2 **a report on the outcome of the process be brought to a future meeting of the Cabinet.**

3. KEY ISSUES

Financial Implications

- 3.1 In 2013/14 the Council received a net income from the market of nearly £19,000. The amount of rent received during the last and current financial years has been lower than previous year as a result of fewer traders attending the market and lower rent received during the improvement works to the High Street between February and September 2014.

- 3.2 However, now the market is re-established on the High Street, the regular traders have been returning and it is anticipated that, should the market continue in its current operational format, the market would return to previous levels of net income in future.

Legal Implications

- 3.4 There are no legal implications relating to this report.

Service / Operational Implications

- 3.6 Bromsgrove Outdoor Market is one of three markets managed and operated through NWedr. The others being Redditch and Kidderminster Outdoor Markets. Kidderminster Outdoor Market, is run by an external market operator, through the Shared Service, by way of a contract with Wyre Forest District Council. This contract is due to be tendered for renewal during the summer 2015.
- 3.7 The NWedr Client Management Group has instructed officers to explore options for the future operation and management of the markets. One such option could be to appoint an external contractor to operate the market.
- 3.8 Before giving further consideration to such an option, it is proposed that some soft market testing is carried out and “soundings” taken from existing market operators to inform any future consideration as to whether or not to procure an external market operator.
- 3.9 In this regard it is suggested that NWedr invite informal expressions of interest from existing market operators who can outline their own proposed options for operating Bromsgrove market against the following criteria:-
- Partnership working with Bromsgrove District Council and the development of an associated shared vision and strategy
 - Effective commercially focussed performance management
 - Marketing, promotion & Public Relations
 - Integration with other events and programme of future markets
 - Safety & security
 - Integration with the town centre, surrounding retail offer and community
 - New business start up opportunities
 - An effective web site and use of social media
 - Stakeholder and trader engagement
 - Accessibility
- 3.10 The results of any expressions of interest received will be reported to a future meeting of the Cabinet accordingly.

CABINET

1ST APRIL 2015

Customer / Equalities and Diversity Implications

3.11 None

4. RISK MANAGEMENT

4.1 None

AUTHOR OF REPORT

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CABINET

01 APRIL 2015

NOMINATION OF ASSET OF COMMUNITY VALUE: HAGLEY LIBRARY

Relevant Portfolio Holder	Cllr Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford – Head of Planning & Regeneration
Wards Affected	Hagley
Ward Councillor Consulted	Yes
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To consider a request to list Hagley Library (DY9 0NW) as an Asset of Community Value.

2. RECOMMENDATIONS

- 2.1 **That Cabinet consider the contents of the report and decide to either:-**

(a) Support the listing of Hagley Library as an Asset of Community Value; or

(b) Not support the listing of Hagley Library 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 (Appendix 1) for Hagley Library which is owned by Worcestershire County Council. The nomination has been made by Hagley Parish Council. The Parish has requested that the asset be nominated to give the ability for it to remain as a community asset in the future.

CABINET

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-
- 3.3 Consideration of the nomination has been undertaken by the Head of Planning and Regeneration, as prescribed in the current process. It is recommended that the nomination meets the definition of being registered as an asset of community value in its current form in the following ways:
- The main use of the building and land furthers the social well being or social interested of the local community and it is realistic to think that this can continue into the near future
 - The building provides cultural, recreational and sporting interests
- 3.4 Consultation has been undertaken with the County Council who have commented that they have no objections to the application for the Library to be listed as an Asset of Community Value.
- 3.5 There are no financial implications arising from the registration of the asset as one of community value.

Legal Implications

- 3.6 The Localism Act 2011 made provision for a new system of listing of assets of community value, giving community groups the right to make nominations, and requiring local authorities to maintain local registers. Further more detailed rules around the operation of assets of community value are set out in the Assets of Community Value Regulations 2012.
- 3.7 The test for listing an Asset of Community Value as set out in Section 88 (1) of the Localism Act 2011 is as follows:-
- “A building or other land in a Local Authority’s area is land of community value if in the opinion of the authority:-
- (a) an actual current use of the building or other land that is not an ancillary user further s the social well-being or social interests of the local community, and
 - (b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social well-being or social interests of the local community.”
- 3.8 Clearly the library is utilised by the community on a regular basis and therefore meetings both elements of the test.

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

- 3.10 There are no direct implications under this heading. The Council has put in place a process to ensure that applications for assets of community value to be listed are considered properly and in accordance with the relevant legislation and guidance. It is open to all sectors of the community to present nominations.

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.

5. APPENDICES

Appendix 1 – Nomination for Hagley Library

6. BACKGROUND PAPERS

Included as Appendices save for the Localism Act 2011, Assets of Community Value (England) Regulations 2012 and guidance issued by DCLG copies of which are available publically.

AUTHOR OF REPORT

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Name: Sarah Sellers
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CABINET

01 APRIL 2015

Tel: _____ 01527 881397 _____

HAGLEY PARISH COUNCIL

www.hagleyparishcouncil.gov.uk

Mrs A Burkes
Clerk to the Council
Tel: 01562 881727
Fax: 01562 881718



74A Worcester Road
HAGLEY
Worcestershire
DY9 0NJ

3rd February 2015

Dear Jayne

Please find attached the relevant forms regarding Hagley Library as an asset of community value.

Yours sincerely

A handwritten signature in black ink that reads "A. Burkes".

Alexandra Burkes
Clerk to the Council

BROMSGROVE DISTRICT COUNCIL

ASSETS OF COMMUNITY VALUE – THE COMMUNITY RIGHT TO BID

NOMINATION FORM

Section A: About your organisation

A1 Organisation's name and address

Name of organisation*

Hagley Parish Council

Address including postcode

74a Worcester Road
Hagley
Stourbridge
DY9 0NJ

**full name as written in your constitution or rules (if appropriate)*

A2 Contact details

Name: Mrs A Burkes

Position in organisation: Clerk

Address including postcode

Hagley Parish Council
74a Worcester Road
Hagley DY9 0NJ

Daytime telephone no. 01562 881727

Email address: clerk@hagleyparishcouncil.gov.uk

How and when can we contact you?* Via email, anytime or via telephone 01562 881727 Monday to Thursday 9am to 2pm

**by email or phone, and days of the week and/or times of day you would prefer*

A3 Type of organisation

Description	Put a cross against all those that apply	Registration number of charity and/or company (if applicable)
Neighbourhood forum		
Parish Council	X	
Charity		
Community interest company		
Unincorporated body		
Company limited by guarantee		
Industrial and provident society		

A4 Number of members registered to vote locally (unincorporated bodies only)

A5 Local connection

Parish Council in Bromsgrove

A6 Distribution of surplus funds (certain types of organisation only)

If your organisation is an unincorporated body, a company limited by guarantee, or an industrial and provident society, its rules must provide that surplus funds are not distributed to members, but are applied wholly or partly for the benefit of the local area (ie. within the administrative area of Bromsgrove or a neighbouring local authority). If relevant, please confirm that this is the case, and specifically which area this applies to.

A7 More about your organisation

Parish Council

A8 Your organisation's rules

Please send us a copy of the relevant type of document for your organisation, and put a cross in the next column to indicate which one this is	X
Memorandum and Articles of Association (for a company)	
Trust Deed (for a trust)	
Constitution and/or rules (for other organisations)	X (standing orders)

Part B: About the land or building(s) you are nominating

B1 Description and address

Local Library
Hagley Library
Worcester Road Hagley DY9 0NW

B2 Sketch plan

See attached location plan

Agenda Item 8

Please include (here or on a separate sheet) a sketch plan of the land. This should show:-

- The boundaries of the land that you are nominating
- The approximate size and position of any building(s) on the land.
- Any roads bordering the site.

Please see attached map.

Agenda Item 8

B3 Owners and others with an interest in the building or land

You should supply the following information, if possible. If any information is not known to you, please say so.

	Name(s)	Address(es)
Names of all current occupants of the land	Worcestershire County Council Libraries	<i>Same as B1.</i>
Names and current or last known addresses of all those owning the freehold of the land (ie. owner, head landlord, head lessor)	Worcestershire County Council	
Names and current or last known addresses of all those having a leasehold interest in the land (ie. tenant, intermediate landlord, intermediate lessor)		

B4 Why you think the building or land is of community value

Note that the following are not able to be assets of community value:-

- *A building wholly used as a residence, together with land "connected with" that residence. This means adjoining land in the same ownership. Land is treated as adjoining if it is separated only by a road, railway, river or canal.*
- *A caravan site.*
- *Operational land. This is generally land belonging to the former utilities and other statutory operators.*

The facility is a public library and is much used by local residents. In addition to book loans, local information, research, adult learning and school visits the facility is regularly used by mother and toddler groups and book groups.

Following the wider County Council Library Review, the Parish Council – reflecting the will of the local community – is funding the upkeep and maintenance of this library via its precept as part of an agreement with WCC to ensure it remains open and fully operational.

Current and planned housing developments in the area are likely to increase demand for library services at this location.

The Parish Council and Worcestershire Library Services have given a commitment to local residents that the future of this facility has been secured through a partnership funding approach. A legal agreement is currently being drafted to recognise these partnership arrangements but this does not preclude a future sale of the asset. The Parish Council is therefore keen to ensure that they receive formal notification of any planned asset sale in the future.

Could it in future further the social wellbeing or social interests of the local community? If so, how? (This could be different from its current or past use.)*

The Village has a vision to create a Community Hub which will integrate the existing Library Facility. Other Facilities could include Community Rooms, Arts, Music, Drama, sport, conference facilities, social meeting places and future Parish Council Offices.

**These could be cultural, recreational and/or sporting interests, so please say which one(s) apply.*

Section C: Submitting this nomination

C1 What to include

- The rules of your organisation (question A8).
- Your sketch plan (question B2).

C2 Signature

By signing your name here (if submitting by post) or typing it (if submitting by email) you are confirming that the contents of this form are correct, to the best of your knowledge.

Signature

A. Burkes



C3 Where to send this form

You can submit this nomination:-

- **By post to:** Jayne Pickering , Executive Director Finance and Resources, Bromsgrove District Council , Council House , Bromsgrove B60 1AA
- **By email to:** j.pickering@bromsgroveandredditch.gov.uk

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2011. Ordnance Survey 100051780



This map was printed from SiGnet on 21-Jan-2015
 and is not for use within a legal document.
 The information is indicative only.
 Approximate scale at A4: 1:1982.
 Please do not take measurements from this map.

Hagley Library
 Worcester Road Hagley DY9 0NW



GAMBLING ACT 2005 FEES AND CHARGES - AMENDMENT

Relevant Portfolio Holder	Cllr Webb
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A
Key Decision / Non-Key Decision	Non-key

1. SUMMARY OF PROPOSALS

- 1.1 This report asks the Cabinet to agree an amendment to the agreed fees and charges under the Gambling Act 2005.

2. RECOMMENDATIONS

It is recommended that

The Cabinet agrees to amend the fees and charges for 2015-16 under the Gambling Act 2005 as follows:

- (a) Notification of change - £50
- (b) Copy of licence - £25
- (c) Copy of a Temporary Use notice - £25.

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications arising from this report. Regulatory Services will not charge above the statutory amount for Gambling Act applications.

Legal Implications

- 3.2 The Council is able to set fees and charges for its services. However, in some instances a maximum amount is set by legislation.

- 3.3 The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 prescribe maximum fees for various applications made under the Act. Regulations prescribe the maximum amount a licensing authority can charge in the following circumstances as:

- a premises licence holder notifying them of a change in circumstances – maximum of £50;
- a copy of a licence – maximum of £25;
- a copy of a temporary use notice - £25.

Service / Operational Implications

- 3.4 When setting fees for 2015-16 the Council included fees above the statutory maximum for certain fees under the Gambling Act 2005.
- 3.5 The new fees cannot be charged and there are no instances of customers being charged the excess amount.
- 3.6 In order to comply with the legislation the relevant fees need to be adjusted as follows:
- (a) Notification of change - £50
 - (b) Copy of licence - £25
 - (c) Copy of a Temporary Use notice - £25.

Customer / Equalities and Diversity Implications

- 3.7 There are no specific customer or equalities implications arising from this report.

4. RISK MANAGEMENT

- 4.1 To charge above the maximum amount set in legislation would be illegal. Worcestershire Regulatory Services have put measures in place to ensure that any applicants affected will not be charged above the statutory maximum.

5. APPENDICES

None

6. BACKGROUND PAPERS

None

7. KEY

AUTHOR OF REPORT

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