



BROMSGROVE DISTRICT COUNCIL

YOU ARE HEREBY SUMMONED to attend a MEETING of BROMSGROVE DISTRICT COUNCIL to be held at Parkside Suite - Parkside at 6.00 p.m. on Wednesday 20th January 2016, when the business referred to below will be brought under consideration:-

The formal business will be preceded by a prayer.

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 meeting of the Council held on 18th November 2015 (Pages 1 - 16)

4. To receive any announcements from the Chairman and/or Head of Paid Service

5. To receive any announcements from the Leader

6. Time to Change Pledge

The Council agreed to support the Time to Change Pledge in January 2015. To receive a short presentation updating Members on actions taken so far, from members of the officer group co-ordinating the Council's actions.

7. To receive comments, questions or petitions from members of the public

A period of up to 15 minutes is allowed for members of the public to make a comment, ask questions or present petitions. A councillor may also present a petition on behalf of a member of the public.

8. **Recommendations from the Cabinet** (Pages 17 - 18)

To consider the recommendations from the meetings of the Cabinet held on 2nd December 2015 and 6th January 2016.

9. **To receive the minutes of the meetings of the Cabinet held on 2nd December 2015 and 6th January 2016** (Pages 19 - 32)

10. **To receive and consider a report from the Portfolio Holder for Planning Services and Housing** (Pages 33 - 38)

11. **Recommendation from Licensing Committee - Statement of Gambling Principles** (Pages 39 - 66)

To receive a recommendation (contained in Minute No.21/15) from the Licensing Committee relating to a review of the Statement of Gambling Principles.

12. **Request to change the Name of the Parish of Belbroughton** (Pages 67 - 70)

To receive a report from the Head of Legal, Equalities and Democratic Services.

13. **Urgent decision - Churchfields Car Park** (Pages 71 - 72)

To note the enclosed urgent decision relating to Churchfields car park.

14. **Questions on Notice (To be Circulated at the Meeting)**

To deal with any questions on notice from Members of the Council, in the order in which they have been received.

15. **Motions on Notice** (Pages 73 - 74)

To consider the attached Notice of Motion submitted by Councillor M. Thompson which was deferred at the last Meeting of the Council on 18th November 2015.

Any further Notices of Motion will follow on a Supplementary Agenda.

Background Information on Recommendations from the Cabinet on 2nd December 2015 - Fees and Charges (To consider only those proposed to be increased.) (Pages 75 - 110)

Background Information on Recommendations from Cabinet on 6th January
2016 - Dolphin Centre Replacement - Sport England Grant Funding and
Project Information Update (Pages 111 - 118)

K. DICKS
Chief Executive

Parkside
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TO ALL MEMBERS OF THE BROMSGROVE DISTRICT COUNCIL

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Agenda Item 3

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

18TH NOVEMBER 2015 AT 6.00 P.M.

PRESENT: Councillors C. J. Spencer (Chairman), H. J. Jones (Vice-Chairman), S. J. Baxter, C. J. Bloore, M. T. Buxton, S. R. Colella, B. T. Cooper, R. J. Deeming, G. N. Denaro, R. L. Dent, M. Glass, J. M. L. A. Griffiths, C.A. Hotham, R. E. Jenkins, R. J. Laight, P. Lammas, L. C. R. Mallett, K.J. May, C. M. McDonald, P. M. McDonald, S. R. Peters, S. P. Shannon, R. D. Smith, C. B. Taylor, P.L. Thomas, M. Thompson, L. J. Turner, S. A. Webb and P. J. Whittaker.

62\15 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors C. Allen-Jones and M. A. Sherrey.

63\15 **MINUTES SILENCE FOR EVENTS IN PARIS**

Those present stood in silence in honour of those people who had been killed or injured during the terrorist incidents in Paris the previous week.

Reverend Ray Khan informed Council of a Joint Act of Prayer and Remembrance organised by the Bromsgrove Muslim Community and the Parish of Bromsgrove which was to take place at St. Johns Church on Sunday, 22nd November. Members of all faiths and no faith were very welcome to attend.

64\15 **DECLARATIONS OF INTEREST**

The following declaration of interest was made:

Item 7 – Recommendation from the Cabinet on Bleak House Farm S106 Funding

Councillor G. N. Denaro declared a disclosable pecuniary interest as a Trustee Governor of Woodrush High School Academy. Councillor Denaro stated that he would be leaving the room for this item.

65\15 **MINUTES**

The minutes of the meetings of the Council held on 23rd September 2015 and 7th October 2015 were submitted.

RESOLVED that the minutes of the meetings of the Council held on 23rd September and 7th October 2015 be approved as a correct record.

(Councillor M. Thompson referred to Minute No 53/15 (Refugee Families) and requested an update on any progress. Councillor C. B. Taylor was unable to provide further information at the meeting).

66\15 **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman referred to the forthcoming local events which she would be attending:

- 20th and 21st November – Bromsgrove Christmas Market in conjunction with St Johns Church. As part of this event the Christmas Lights would be switched on in the High Street on 21st November, including the Primrose Hospice Tree of Lights.
- 24th November – Chairman's Charity Curry Night in Bromsgrove.
- 28th November - Rubery Christmas Lights Switch on, including the Primrose Hospice Tree of Lights.
- 16th December - Community Carol Service organised jointly with Churches Together in Bromsgrove.

The Chairman invited all Members to support these events if possible.

67\15 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER**

In the absence of the Leader of the Council, the Deputy Leader Councillor C. B. Taylor reported on a number of meetings which Councillor M. A. Sherrey had attended over the past few weeks, in particular in relation to the situation regarding the future provision of services including Maternity Services at the Alexandra Hospital in Redditch.

The Leader was unable to attend Council this evening as together with the Leader of Redditch Borough Council and the two Local Members of Parliament, she was attending a meeting with the Secretary of State for Health Jeremy Hunt for further discussions on the future of Health Services in Worcestershire.

Councillor Taylor also reported that the Leader had recently attended the Annual Conference of the Worcestershire Local Enterprise Partnership.

Councillor L. C. R. Mallett welcomed the work the Leader was undertaking in respect of the future of Health Services in Worcestershire.

Councillor Mallett requested details of progress following the decision recently taken by Council to welcome refugee families to Worcestershire.

Councillor Taylor referred to the joint work being undertaken with other Councils in Worcestershire and in particular the anticipated announcement regarding funding from Central Government.

68\15

TO RECEIVE COMMENTS, QUESTIONS OR PETITIONS FROM MEMBERS OF THE PUBLIC

The Chairman announced that two petitions were to be presented regarding the proposed redevelopment of the Leisure Centre. In addition there were a number of public questions which all related to the decision to not include a Sports Hall within the replacement Leisure Centre. The Chairman stated that Councillor R. J. Laight as Portfolio Holder for Leisure would respond to these questions.

The petitions were presented by Ms Sharron Kibble and were phrased as follows:

Petition 1 : “To prevent the downgrading of sports facilities and the destruction of local community groups”

Petition 2: “We the undersigned petition Bromsgrove District Council to keep a sports hall attached specifically to the planned new Leisure Centre”

The petitions were passed to the Monitoring Officer in accordance with the Council’s petitions protocol.

Questions from Members of the Public

From Mr C. Barnett

“Why is the Council spending £426,939 on spa facilities, £128,000 on a climbing wall and £200,000 on a moveable floor, a total of £755,939 on features that were not identified in their consultation, and are already available in other venues within easy reach of Bromsgrove Town Centre; but claim that a sports hall, which was one of the key demands of the public consultation, makes the scheme unaffordable”?

Councillor Laight welcomed the attendance of the public at the Council meeting and the fact that a number of residents had submitted questions under the procedure recently introduced.

In response to the question, Councillor Laight made the following points:

- the plans had not changed since the decision was taken in July 2014 to implement a scheme for the new Leisure Centre which did not include a sports hall;
- the new Centre would be Bromsgrove’s “jewel in the crown” and would be a “fantastic” facility for residents;
- within the budget available the Council was seeking to provide a broad range of facilities and activities which reflected changing leisure habits

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and participation and would encourage new users to visit as well as catering for those already engaged in sport and physical activity ;

- there had been detailed needs analysis and close consultation with National Governing Bodies of sports and Sports England had been involved in determining the mix of facilities.
- the sports hall provision across the District had increased significantly since the Dolphin Centre was built, including the four court sports hall at North Bromsgrove High School completed in 2013. The intention was to enable these assets to be used by the community and to ensure that the capital cost of the project was at an affordable level;
- it was felt that the facilities to be offered would extend the overall offer of affordable, state of the art, sport and leisure facilities for the wider community and increase participation rates during a period of budget pressure;
- whilst it was accepted that there would be some displacement of daytime users and this had been referred to in the report of July 2014, it was intended this would be minimised by the use of other facilities.

From Mr P. Ganner

“Will the Council accept the failures of their past judgements and guarantee to review the decisions previously taken to remove a facility that Bromsgrove has had for 25 years”?

Councillor Laight responded that whilst the Council understood the concerns behind the question and had some sympathy, it was not accepted that there had been a failure of judgement. The issues were known when the original decision was taken and there was no intention to alter the plans for the new leisure centre which would be open in 2017.

From Mr P. Rendell

“In view of how unpopular demolishing the sports hall and selling land for housing will be with the community, for the dubious benefit of even more running machines and spin machines in Bromsgrove, could I plead with the Council to look again at options to keep the sports hall”?

Councillor Laight felt this question was similar to the previous question. Councillor Laight referred to the comments of Sports England and other consultants that sports hall provision was high in Bromsgrove. Discussions were on going to ensure there were facilities available for all parties although there would inevitably need to be some changes in times of use.

From Mrs L. Humphries

“What does the new leisure centre offer in terms of variety of sporting and fitness activities for our children that will replace the current provision the Dolphin Centre offers”?

Councillor Laight listed the current facility mix proposed for the new leisure centre. Councillor Laight stated that it was the intention to work with current service users to build their needs wherever possible into the new programmes for the site. If current sessions couldn't be accommodated it was the intention to work with users to find alternative venues. It was accepted that there may be groups which would be displaced with potentially no alternative venue being available.

69\15

RECOMMENDATIONS FROM THE CABINET HELD ON 4TH NOVEMBER 2015

Bleak House Farm – Use of Section 106 Funding

Councillor G Denaro declared a Disclosable Pecuniary Interest in this item and left the room during its discussion and determination.

- (i) The recommendations from Cabinet were proposed by Councillor R. L. Laight and seconded by Councillor P. J. Whittaker.

During the debate some Members referred to a need for further details of the proposed Community Use Agreement particularly in relation to the available times and level of community access to the facility. The view was also expressed that the proposed facilities were welcomed by the community.

Councillor Baxter requested reassurance that this Council would only be required to contribute £134,000 of S106 funding towards the cost of the fitness equipment fit out and that there would not be a gap which would require further Council funding.

As an amendment it was proposed by Councillor L. C. R. Mallett and seconded by Councillor C. J. Bloore that the matter be deferred and that further information be sought on the proposal, in particular details of the proposed community use of the facility.

On being put to the vote the voting on the amendment was tied. The Chairman cast her vote against the amendment and therefore the amendment was defeated.

It was **RESOLVED**:

- (a) that the Council's Capital Programme 2015/16 be increased by £134,000 to fund the fit out of the new Health and Fitness facilities at Woodrush High School Academy to be funded by the Section 106 payments applicable to the Bleak House farm site.;

- (b) that the Section 106 funds be released to the school only when they are received from the developer;
- (c) that authority be delegated to the Head of Leisure and Cultural Services to enter into a suitable legal arrangement and contract management process to protect the Council's funding in this matter;
- (d) that the Head of Legal, Equalities and Democratic Service be authorised to prepare and complete the necessary documentation in respect of the agreements referred to in (c) above.

(Councillor S. R. Peters requested that it be recorded that he had voted against the recommendations).

(ii) **Bromsgrove Centres Management**

The recommendation from Cabinet was proposed by Councillor R. L. Dent and seconded by Councillor R. D. Smith.

During the debate, a number of Members welcomed the report and the proposals to provide support to a number of Centres across the District. In response to a query the Councillor Dent confirmed that the Post Holder would be working with Local Members across the District to address issues and promote the local centres.

It was **RESOLVED**:

that the funding of an unavoidable budget pressure in respect of a new Town Centre Management function be approved for inclusion in the Medium Term Financial Plan assumptions as follows:

2016/17 - £16,000

2017/18 - £41,000

2018/19 - £43,000

(iii) **Medium Term Financial Plan 2016/17 – 2018/19 – Budget Assumptions**

The recommendations from Cabinet were proposed by Councillor G. N. Denaro and seconded by Councillor S. A. Webb.

In proposing the recommendations Councillor Denaro referred to the proposal not to increase fees and charges (except in particular circumstances) in view of the current inflation rate of 0% together with the underspend transferred to the Council's balances at the end of the financial year 2014/15.

Councillor S. J. Baxter queried the recent increase in the charge for the Green Waste Collection in the light of this current recommendation.

Councillor L. C. R. Mallett raised concerns that if there was no increase, then income from fees and charges would not keep pace with potential shortfalls in the budget. It was suggested that to increase fees and charges may be preferable to potentially increasing Council Tax and that decisions did not need to be taken at this stage.

Councillor Denaro reminded Members that detailed information was still awaited from Central Government on funding.

It was **RESOLVED**:

that the revenue budget assumptions as set out in section 3.7 of the report be approved with the exception of the paragraph in relation to Fees and Charges with the amended assumption to be as follows:

“That it be assumed that the existing schedule of Fees and Charges for Council services will not be increased for 2016/17, with the exception of increases to any Statutory Charges, or any instances where the responsible Heads of Service demonstrates particular circumstances to justify an increase. In such cases the increase would need to be approved by Council.”

70\15 **TO RECEIVE THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON 7TH OCTOBER 2015 AND 4TH NOVEMBER 2015**

The minutes of the meeting of the Cabinet held on 7th October 2015 and 4th November 2016 were received for information.

Councillor S. R. Colella queried the future policy regarding New Homes Bonus arrangements. Councillor Denaro responded that in his view it was premature to decide on this before Central Government had announced its policy for the future.

71\15 **REPRESENTATION FROM THE COUNCIL ON THE ARTRIX**

Members considered a report on Appointments to the Bromsgrove Arts Centre (Operating Trust) – Charitable Company.

Councillor G. Denaro drew attention to the changes to the governing documents for the Bromsgrove Arts Centre Trust which had resulted in the Council's representation on the Trust being 2 rather than 5.

During the debate members raised a number of issues including:

- the importance of Council representatives attending the Trust meetings and for attendance details to be provided to the Council;
- concern that the Council representation was to be reduced in view of the level of public funding provided since the opening of the Artrix;

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- the need for change since the inception of the Trust in 2004, which would afford the opportunity for the Board to recruit representatives from a wider sphere who would be able to provide particular skills and a wide range of experience.
- It was suggested and generally agreed that all outside bodies to which the Council made appointments be asked to supply attendance details for the Council's representatives.

The following Members were proposed as the Council's Representatives:

- Councillor J. M. L. A. Griffiths
- Councillor R. E. Jenkins
- Councillor S. P. Shannon
- Councillor C. J. Spencer

Following a vote on the matter it was

RESOLVED:

- (a) that the changes to the Articles of Association for the Bromsgrove Arts Centre Trust - Charitable Company be noted; and
- (b) that Councillor J. M. L. A. Griffiths and C. J. Spencer be appointed as this Council's representatives on the Bromsgrove Arts Centre (Operating) Trust – Charitable Company.

72\15

REPORT FROM THE PORTFOLIO HOLDER FOR ECONOMIC DEVELOPMENT , REGENERATION AND THE TOWN CENTRE

As the Portfolio Holder for Economic Development, Regeneration and the Town Centre, Councillor R. L. Dent presented a report on the areas covered by her Portfolio.

Members considered the report and raised a number of issues including the link between the regeneration of the Town Centre and improved prosperity across the rest of the District and the importance of improved connectivity in terms of both Transport and Digital services.

There was also discussion on the possible changes to the retention of Business Rates and the importance of working with businesses and schools to understand what skills were required and how these could best be provided.

Councillor Dent undertook to reply in writing to the following:

- Councillor Shannon concerning the level of investment in apprenticeship schemes and number of apprentices involved;
- Councillor Baxter regarding plans to improve transport connectivity in Wythall.

73\15

THE GOVERNMENT'S DEVOLUTION AGENDA - WORCESTERSHIRE DEVOLUTION DEAL

Members considered a report on the proposals to secure a devolution deal for Worcestershire.

Following discussion it was

RESOLVED:

- (a) that the report and summary document on Worcestershire's emerging case for devolution be noted;
- (b) that the direction of travel as set out in the summary document be supported; and
- (c) that a further report be received in 2016 to determine the Council's approach to devolution.

74\15

QUESTIONS ON NOTICE

Question submitted by Councillor H. J. Jones

Can I ask the Leader as Portfolio Holder for Health will she be stepping in to do all she can to bring back maternity services to the Alexandra Hospital as soon as possible and do we have confidence that there are ambulances to cope with the extra strain caused by mothers not being able to get to other hospitals to give birth?

Councillor C. B. Taylor responded on behalf of the Leader that everything possible was being done to ensure Maternity Services were re-established at the Alexandra Hospital and that stable and safe Health services were available in North Worcestershire.

Question submitted by Councillor P. M. McDonald

In light of Worcestershire County Council withdrawing Trading Standards from Worcestershire Regulatory Services (WRS) how does this affect the future of the service?

Councillor P. J. Whittaker responded that the County Council's decision would have no long term impact on the viability and sustainability of WRS. Worcestershire Shared Services Partnership had invested considerable time and effort in reviewing the business model to meet the financial challenges and ensure the long term future of WRS. A new partnership had been set up comprising the six Worcestershire Districts which would work with the County Council under a Service Level Agreement.

Transitional financial arrangements had been put in place to ensure that the loss of income from the new partnership undertaking would not impose any additional burdens upon Districts. The changes would not affect the role of this Council as the host Authority of the new partnership.

Question submitted by Councillor L. C. R. Mallett

To ask the Leader, further to the requests made by Members at the last three Council meetings and the failure of her administration to provide the answer despite promises to the contrary. What is the full cost of the months of delay in moving to Parkside including staff costs, additional meetings and the delay of the promised annual savings Parkside would accrue (previously claimed as £200k per annum), what steps has she taken to recover this loss from WCC and the Contractors and does she agree with me that this huge delay represents a significant failure of project management?

On behalf of the Leader Councillor G. N. Denaro responded that there was a saving of £250,000 included in the budget projections for a full year from the move to Parkside and it was anticipated that some of this saving would be realised following the move in December. A reserve was currently set aside for £105,000 from last year to fund any office moves which would be used to offset the reduction in savings for 2015/16.

Councillor Denaro added that having reviewed the financial position at the end of October and projecting this forward, it was anticipated that the year end position would be £25,000 overspent. This excluded any potential rebate in relation to the delays.

Councillor Denaro reported that this Council was working with the County Council to ensure that where appropriate any costs of the delay were recovered in accordance with the contract. Whilst the delays were regrettable, there were often various delays and complications when managing large listed building projects and it was rarely one person's responsibility to manage the delays.

Question submitted by Councillor S. P. Shannon .

Can the Leader of the Council confirm that the new council offices building at Parkside will have incorporated lifts to the first floor that will be fully accessible to all wheelchair users including powered models?

On behalf of the Leader, Councillor G. N. Denaro responded that the lifts all conformed to the required accessibility standards.

Question submitted by Councillor C. A. Hotham

In view of the Planning Inspectorate's latest letter (2/11/15) in which he states "I must re-emphasise the importance of being able to demonstrate a five year housing land supply" and "any failure to be able to demonstrate such a supply would amount to a serious soundness concern"; please can the Portfolio Holder explain how Bromsgrove expects to achieve this five year requirement?

Councillor C. B. Taylor responded that up-to-date information would be supplied as required by the Inspector's letter.

Question submitted by Councillor M. Thompson

The new railway station is well anticipated by commuters. The building of the new train station is, however, causing disruption for commuters currently using the existing one. In order to find a parking space commuters are now turning up hours in advance and waiting in their cars. Inevitably, commuters with other commitments who cannot do this are resorting to parking on streets some distance away, despite having already paid for parking through their season ticket. To make matters worse, the alterations around the island on the approach to the station will soon take away further parking spaces. In view of this disruption and the unwillingness of the Council to financially compensate, or find alternative parking arrangements for these residents, will the Council review their policy of £4 per day parking to a more realistic and affordable price for real working families?

Councillor P. J. Whittaker responded that he shared some of the concerns regarding parking at Bromsgrove Station, however there was no evidence that the car park construction was affecting parking on side streets as this had been on going for a number of years due to the success of the station.

The new car park was a joint venture between Centro and the County Council. In the New Year, planned highway alterations which had been allowed on appeal would have further implications and officers were working with the County Council to try to progress any improvements and mitigate the impact of this.

In relation to the costs of parking, Councillor Whittaker referred to the cost of a season ticket which would equate to £1.42 per day.

Question submitted by Councillor S. R. Colella

I read with interest that our MP and the Leader of the County Council only seem to have grave concerns with the traffic congestion in Bromsgrove Town. Does the Leader agree with this Group that there are traffic problems with other areas across the District and whilst we appreciate that discussions are taking place in respect of Whitford Road and other town centre problems, the whole of the Districts road infrastructure require urgent immediate review?

On behalf of the Leader, Councillor C. B. Taylor responded that it was acknowledged there were problems with traffic in other parts of the District as well as within Bromsgrove Town. High level talks had commenced between a Group which had included the MP and senior officers and Members at County and District Authorities together with representatives of the Bromsgrove Society. Over the forthcoming months the Group would be discussing a range of potential options.

75\15

NOTICE OF MOTION - DOLPHIN CENTRE REGENERATION

Members considered the following motion submitted by Councillor C. J. Bloore:

“Council notes the outpouring of public concern about the removal of the sports hall from the current Dolphin Centre redevelopment.

Council notes the current and growing number of names to a local petition asking for a sports hall to be part of the redevelopment of the Dolphin Centre.

Council notes the changes in business rates proposed by the Chancellor George Osborne that could give the Council more income than first thought to build a leisure centre.

Council notes the lack of evidence presented to Councillors proving there is no need for a sports hall as part of the redeveloped Dolphin Centre.

Council believes the lack of indoor sports facilities in Bromsgrove and the shortage of available court and pitch spaces in all weather facilities across Bromsgrove will limit the ability of local people to stay fit and for clubs to train.

Council believes there is real difficulty for local residents to have access to privately run sports hall facilities in Bromsgrove.

Council believes that the intended Olympic legacy of the London 2012 games was to promote sports participation and healthy living through the maintaining and improvement of sporting facilities in local communities.

Council believes that Bromsgrove’s residents deserve a regenerated leisure centre that meets the needs of its residents. A leisure centre that includes an onsite sports hall open to the public.

Council resolves to suspend all activities to build a leisure centre that does not contain an onsite sports hall.

Council resolves urgently to revisit and review the financial plan to redevelop the leisure centre to include the building of an onsite sports hall as soon as possible.

The motion was moved by Councillor Bloore and seconded by Councillor L. C. R. Mallett.

In proposing the motion Councillor Bloore referred to the importance of a wider strategic vision in line with the Olympic legacy as opposed to designing a facility to fit a pre decided “ financial envelope”. Councillor Bloore felt that the Sports England report had been used selectively and with a lack of context. Planning Policy also indicated the importance of a sports hall. Whilst there may physically be alternative facilities in the District there would inevitably be a difficulty in availability at peak times and in particular for block bookings.

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During the debate the view was expressed that the plans for the new leisure centre were the same now as those agreed in July 2014. A key issue in deciding the facility mix had been affordability. The basic position had not changed in that under prudential borrowing rules the inclusion of a sports hall in the capital costs of the project would mean there would be insufficient funding to progress the remainder of the scheme.

Councillor Laight reported that officers were continuing to work with North Bromsgrove High School and BAM FM to provide peak and off peak usage. There would need to be flexibility on both sides as times may need to change slightly and “like for like” bookings could not be guaranteed. Recently additional facilities had become available such as Bromsgrove School and the all-weather facilities at Bromsgrove Tennis and Hockey Club.

The scheme had been supported by Sport England at regional and national level and by the Amateur Swimming Association.

The view was also expressed that the significant cost of the project was funded by all Council Tax payers but not all would be able to benefit from it. On this basis the motion was welcomed as an opportunity to reconsider the project.

It was also suggested that whilst there had been consultation, it appeared this may not have been sufficiently robust. Concern was expressed regarding the financial modelling and business case which relied upon an increase in the membership in the face of competition from private sector providers.

During the debate, the financial basis of the proposed facilities was queried. It was suggested that the current proposals would result in a “down graded” leisure centre due to the lack of a sports hall and the limited capacity to host events such as swimming galas.

On a requisition under Council Procedure Rule 18.3, the following details of the voting were recorded:

For the Motion: Councillors S. J. Baxter, C. J. Bloore, M. T. Buxton, S. R. Colella, C. A. Hotham, R. E. Jenkins, L. C. R. Mallett, C. M. McDonald, S.P. Shannon, M. Thompson and L. J. Turner (11)

Against the Motion: Councillors B. T. Cooper, G. N. Denaro, R. L. Dent, M. Glass, J. M. L. A. Griffiths, H. J. Jones, R. L. Laight, P. Lammas, K. J. May, R. D. Smith, C. B. Taylor, P.L. Thomas, S. A. Webb and P. J. Whittaker (14)

Abstentions: Councillor S. R. Peters (1)

(Councillors R. J. Deeming and P. M. McDonald had left the meeting at this stage)

The Chairman therefore declared the motion to be LOST.

76\15 **NOTICE OF MOTION - COUNCIL PROCUREMENT**

Members considered the following motion submitted by Councillor S. P. Shannon:

“This Council notes that the UK Government has taken steps to tackle the issue of tax abuse by companies seeking to secure government contracts for the supply of goods and services and has issued Policy Note 03/14: promoting tax compliance.

Subject to BDC officers reviewing the practical implementation issues, we request that Council incorporate Procurement Policy Note 03/14 into all procurement procedures including tenders, also this motion calls for the Council’s procurement policies to be amended to ensure that all bidders for Council contracts self-certify that they are fully tax compliant in line with central government practice.”

The motion was moved by Councillor Shannon and seconded by Councillor C. M. McDonald.

Councillor Shannon referred to the importance of the Council only using companies and suppliers who were compliant with taxation legislation in line with central government practice.

Councillor G. N. Denaro stated that Policy Note 03/14 referred to in the motion applied to central government contracts over £5m and therefore could not be adopted by this Council. Councillor Denaro reported that the Finance Team were currently reviewing all contract procedure including procurement and these would be considered by Members in the new financial year. However, he was sympathetic to the sentiment of the motion.

Following discussion it was suggested that as a slight amendment the words “the principles of” be inserted into the second paragraph of the motion between the words “incorporate” and “Procurement Policy Note 03/14”. This was accepted by the proposer and seconder.

On being put to the vote the Chairman declared the motion as amended to be CARRIED.

77\15 **NOTICE OF MOTION - ANIMAL WELFARE**

As the time allowed within the Constitution for the consideration of notices of motion had expired, this motion was deferred until the next meeting of the Council.

78\15 **LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC**

RESOLVED that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the

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Act, as amended, the relevant paragraphs of that part being as set out below, and that it is in the public interest to do so:-

<u>Minute No</u>	<u>Paragraph</u>
79/15	3
80/15	3

79\15 **TO RECEIVE THE CONFIDENTIAL MINUTES OF THE CABINET HELD ON 7TH OCTOBER 2015**

The confidential minutes of the Cabinet held on 7th October 2015 were received for information.

80\15 **CONFIDENTIAL MINUTES OF THE COUNCIL**

The confidential minutes of the Council held on 7th October 2015 were submitted.

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

The meeting closed at 9.30 p.m.

Chairman

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CABINET

RECOMMENDATIONS TO THE COUNCIL

2ND DECEMBER 2015

1. FEES AND CHARGES 2016/17

The Cabinet has considered a report on fees and charges to be levied on services provided by the Council and used as the basis for income targets in the MTFP 2016/17 to 2018/19.

The Head of Environmental Services reported that the fees relating to trade waste and cess pool services were closely linked to charges levied on this Council by Worcestershire County Council. At present it was not know if the County Council intended to increase these charges, but if this was the case the charges levied by this Council would need to be increased accordingly to avoid a loss making position.

It is RECOMMENDED:

- (a) that the fees and charges as set out in Appendix 1 to the report, in respect of which there was a proposed increase (an explanation of which was set out in paragraph 3.3. of the report) be approved:
- (b) that if there proves to be a need to reflect increased charges made by Worcestershire County Council, as referred to in the preamble above, the setting of fees in respect of trade waste and cess pool services to reflect such increases be delegated to the Director of Finance following consultation with the Portfolio Holder for Finance.

(Note the fees and charges for which there was no proposed increase were resolved by Cabinet)

6TH JANUARY 2016

1. OVERVIEW AND SCRUTINY BOARD RECOMMENDEATION – DRAFT JOINT HEALTH AND WELL BEING STRATEGY 2016/17

The Cabinet has the following minute 75/15 (a) and recommendation from the Overview and Scrutiny Board Meeting on 23rd November 2015.

“Draft Joint Health and Well-Being Strategy 2016-19

The Committee had considered the draft Joint Health and Well-Being Strategy 2016-19. A number of priorities had been identified for inclusion in the strategy including:

- Mental health.
- Physical well-being and activity.
- Reducing alcohol consumption.

Councillor Cooper explained that he had asked about the potential for air quality to be included as a priority as he was aware, from recent scrutiny work, how significant this issue was in relation to the health of residents living in Bromsgrove district. However, he had been advised that this was not being raised as a concern and therefore there was a lack of evidence to support the inclusion of this as a priority in the strategy. Members agreed that, due to the importance of this matter to the health of residents living in Bromsgrove District, Councillor Cooper's proposal to bring this to the attention of the Leader for action should be supported by the Board.

RECOMMENDED to the Leader that air quality be proposed as an additional priority for inclusion in the Joint Health and Well-Being Strategy 2016-19."

The Cabinet considered the recommendation and

it is RECOMMENDED

that air quality be proposed as an additional priority for inclusion in the Joint Health and Well-Being Strategy 2016-2019.

2. **DOLPHIN CENTRE REPLACEMENT – SPORT ENGLAND GRANT FUNDING AND PROJECT UPDATE**

The Cabinet has considered a report which outlined the progress made in respect of the Dolphin Centre replacement project and which also contained an overview of the significant funding offer which had been received from Sport England

It is RECOMMENDED

- (a) that the funding offer from Sport England be approved and the Capital Programme in respect of the replacement leisure centre be increased by £1.5million to £13million;
- (b) that the revised facility mix for the centre as set out in section 3.6 of the report be approved, based upon the increased funding available; and
- (c) that authority be delegated to the Head of Legal, Equalities and Democratic Services and the Head of Leisure and Cultural Services to enter into the required Lottery Funding Agreement in order to draw down the funding from Sport England and that any performance criteria stipulated be passed on to the future operator of the site.

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY 2ND DECEMBER 2015 AT 6.00 P.M.

PRESENT: Councillors M. A. Sherrey (Leader), C. B. Taylor (Deputy Leader),
G. N. Denaro, R. L. Dent, R. J. Laight and P. J. Whittaker

Observers: Councillor C. Allen-Jones

Officers: Ms J. Pickering, Mr G. Revans, Mrs S. Sellers and Ms R. Cole

59/15 **APOLOGIES**

There were no apologies for absence.

60/15 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

61/15 **MINUTES**

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

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

62/15 **OVERVIEW AND SCRUTINY BOARD**

The minutes of the meeting of the Overview and Scrutiny Board held on 26th October 2015 were submitted.

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Board held on 26th October 2015 be noted.

63/15 **CHURCHFIELDS MULTI STOREY CAR PARK IMPROVEMENTS**

The Cabinet considered a report on proposed capital works required to improve the condition of Churchfields Multi-Storey Car Park and to address the problems caused by vandalism.

It was reported that the Overview and Scrutiny Board had considered the report at their meeting on 23rd November and had supported the proposals.

The Portfolio Holder and the Head of Environmental Services reported on the current condition of the Car Park and in particular referred to the stairwells

which needed cleaning and repainting and the need to replace damaged doors.

It was noted that a survey had been carried out by the Crime Prevention Design Advisor from West Mercia Police who had advised on the work to be undertaken. The report had also highlighted the need to take measures to prevent access outside the normal Car Park opening hours.

It was intended as part of the works to improve the lighting and the fire alarm system and to improve the procedures around the lock up arrangements and the cleaning and maintenance regime. It was anticipated that the improvement works together with the new arrangements proposed would assist in partnership working with the Police and would enhance support to address any Anti Social Behaviour issues.

Cabinet Members supported the proposed actions but it was requested that officers ensure that all potential areas in the vicinity which could be points of unauthorised access were addressed. The Head of Environmental Services referred to the potential for additional work to be undertaken within the proposed budget figure.

RESOLVED that the improvement works to Churchfields Multi – Storey Car Park be approved.

RECOMMENDED that the 2015/16 Capital Programme be increased by £80,500 to include the proposed works to the Churchfields Multi – Storey Car Park and that the necessary funding be released from balances.

64/15

DEBT RECOVERY AND WRITE OFF POLICY

The Cabinet considered a report on a revision to the Write Off Policy to enable changes in best practice to be taken into account and for procedures to be streamlined.

Members noted that the Policy would ensure that all services were taking a consistent approach to the write off of irrecoverable debts and that the new Policy reflected new working practice and changes to the reporting regimes which had been considered by the Overview and Scrutiny Board.

The Director of Finance and Resources reported that the policy would clarify and formalise the framework arrangements in place and would facilitate officers working with those in debt to try to find satisfactory solutions.

RESOLVED that the Write Off Policy contained in Appendix 1 to the report be approved.

65/15

FINANCE MONITORING REPORT QUARTER 2

Cabinet considered a report on the Council's financial position for revenue and capital for the period April to September 2015.

The Director of Finance and Resources and the Portfolio Holder for Finance highlighted a number of issues in respect of revenue spending, however it was noted there were no significant overspends.

In respect of capital it was noted that there would be a re profiling of the budget for some schemes where works would not be commencing until 2016/17.

RESOLVED that the current financial position in respect of revenue and capital as detailed in the report be noted.

66/15 **FEES AND CHARGES 2016/17**

Cabinet considered a report on fees and charges to be levied on services provided by the Council and used as the basis for income targets in the Medium Term Financial Plan 2016/17 to 2018/19.

Members were aware that following the recommendation at the previous Cabinet meeting, any proposed increases other than statutory charges would need to be considered by Council. Members noted the charges set out in 3.3 of the report which officers felt it was appropriate to increase, together with the reasoning behind the proposed increase in each case.

The Head of Environmental Services reported that the fees relating to trade waste and cess pool services were closely linked to charges levied on this Council by Worcestershire County Council. At present it was not known if the County Council intended to increase these charges, but if this was the case the charges levied by this Council would need to be increased accordingly to avoid a loss making position.

RESOLVED that the fees and charges as set out in Appendix 1 to the report in respect of which there was no proposed increase be approved.

RECOMMENDED

- (a) that the fees and charges as set out in Appendix 1 to the report, in respect of which there was a proposed increase (an explanation of which was set out in paragraph 3.3. of the report) be approved:
- (b) that if there proves to be a need to reflect increased charges made by Worcestershire County Council, as referred to in the preamble above, the setting of fees in respect of trade waste and cess pool services to reflect such increases be delegated to the Director of Finance following consultation with the Portfolio Holder for Finance.

67/15 **MEDIUM TERM FINANCIAL PLAN 2016/17 - 2018/19 - UPDATE PRESENTATION**

The Director of Finance and Resources gave a brief presentation on challenges and issues around financial planning for 2016/17 – 2018/19.

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The presentation mainly focussed on the central government Comprehensive Spending Review and the impact this would be likely to have on this Council. It was noted that at present there was a lack of detailed information on levels of grant and other issues such as changes to the Business Rates regime and potentially to the New Homes Bonus scheme.

It was noted that there would be additional information available on 16th December when final details of the settlement would be released.

The meeting closed at 7.00 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

6TH JANUARY 2016 AT 6.00 P.M.

PRESENT: Councillors M. A. Sherrey (Leader), G. N. Denaro, R. L. Dent, R. J. Laight and P. J. Whittaker

Observers: Councillors S. J. Baxter, S. R. Colella, M. Glass, C. A. Hotham, L.C. R. Mallett, K. A. May and M. Thompson

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

68/15 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor C. B. Taylor.

69/15 **DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

70/15 **MINUTES**

The minutes of the meeting of the Cabinet held on 2nd December 2015 were submitted.

RESOLVED that the minutes of the meeting of the Cabinet held on 2nd December 2015 be approved as a correct record.

71/15 **OVERVIEW AND SCRUTINY BOARD**

The minutes of the meetings of the Overview and Scrutiny Board held on 23rd November 2015 and 14th December 2015 were submitted.

23rd November 2015

(a) **Joint Health and Well-Being Strategy 2016-19**

Following consideration of details of the Overview and Scrutiny Board Minute No. 75/15 (a) and the associated recommendation it was

RECOMMENDED that air quality be proposed as an additional priority for inclusion in the Joint Health and Well-Being Strategy 2016-2019.

(b) It was

RESOLVED that the remainder of the minutes of the meeting of the Overview and Scrutiny Board held on 23rd November 2015 be noted.

14th December 2015

(a) Dolphin Centre Update

The Cabinet considered the following recommendation contained within Overview and Scrutiny Board Minute No. 84/15:

“that the Cabinet remain observant of its decision in December 2104 to reconsider options for the leisure centre to include a sports hall if the negotiations with BAM are unsuccessful as detailed in the Cabinet response to the Leisure Provision Task Group Report”

It was noted that Councillor M. Thompson had requested to submit an associated question on this matter and therefore, during the consideration of this recommendation, at the invitation of the Leader Councillor Thompson asked the following question:

“in view of the public opposition to the Dolphin Centre, has the council undertaken a second risk assessment to consider the financial risk of introducing an unpopular leisure centre to Bromsgrove?”

The Portfolio Holder for Finance responded that it was felt that the Risk Assessment process should not be aligned to any public opposition in respect of the sports hall issue. It had been made very clear that officers would be working with existing users of the hall to minimise the effects of the loss of the sports hall. The vast majority of the existing users of the leisure centre as a whole would benefit from the greatly improved facilities.

The Portfolio Holder for Finance also stated that the figures used within the business case and the viability of the project had been confirmed by Sports England and by soft market testing. Once the new facility was built it would be contracted to a Leisure Operator and the financial risk to this Council would be minimal. In view of the situation the existing risk assessment was adequate with no requirement for adjustment.

During the discussion on the recommendation from the Overview and Scrutiny Board, The Portfolio Holder for Leisure Services paid tribute to the work undertaken by officers in progressing the project to this point.

The Portfolio Holder also stated that whilst it was understood that there was disappointment from some users in respect of the lack of a sports hall, the business case (which had been reviewed again) and prudential borrowing did not support a more extensive scheme which would not be viable. Even if discussions with BAM were unsuccessful It was important to concentrate now on progressing the project as designed and agreed as efficiently as possible. To delay further would not be in the best interests of the majority of residents.

(The Leader agreed to a short adjournment to enable officers to advise on suitable wording for the resolution.)

It was

RESOLVED:

- (i) that having considered the recommendation from Overview and Scrutiny Board contained in Minute No. 84/15 the Cabinet believe the negotiations with BAM are progressing positively and therefore the Cabinet rescinds its decision in December 2014 as set out in the preamble above; and
- (ii) that given the financial position of the Council and regardless of the outcome of discussions with BAM this Council proceeds with a scheme in line with the July 2014 facility mix i.e. without a sports hall.

(b) **Quality of Acute Hospital Services**

Following consideration of details of the Overview and Scrutiny Board Minute No. 89/15 (b) it was

RESOLVED that the Leader provide clarification with regard to the Council's position in respect of the future of the Worcestershire Acute Hospital's Trust and to the recent vote taken by Redditch Borough Council that the Trust be broken up.

(In this regard the Leader undertook to attend the next meeting of the Overview and Scrutiny Board to give an update on the situation.)

- (c) **RESOLVED** that the remainder of the minutes of the meeting of the Overview and Scrutiny Board held on 14th December 2015 be noted.

72/15 **AUDIT, STANDARDS AND GOVERNANCE COMMITTEE**

The minutes of the meeting of the Audit, Standards and Governance Committee held on 10th December 2015 were submitted.

RESOLVED that the minutes of the meeting of the Audit, Standards and Governance Committee held on 10th December 2015 be noted.

73/15 **DOLPHIN CENTRE REPLACEMENT - SPORT ENGLAND GRANT FUNDING AND PROJECT UPDATE**

The Cabinet considered a report which outlined the progress made in respect of the Dolphin Centre replacement project. The report also contained an overview of the significant funding offer which had been achieved from Sport England.

It was noted that the submission made to Sport England had been successful and that the Dolphin Centre replacement project would be supported with a grant of £1.5million which would bring the project budget to a total of £13million. Members noted with pleasure the commitment and confidence demonstrated in respect of the project by Sport England.

Members' attention was drawn to section 3.6 of the report which set out the proposed facility mix for the project totalling £13million including an increase in the size of the learner swimming pool with additional seating for spectators, additional dance studio/multi-functional space and improved fitness suite facilities.

RECOMMENDED:

- (a) that the funding offer from Sport England be approved and the Capital Programme in respect of the replacement leisure centre be increased by £1.5million to £13million;
- (b) that the revised facility mix for the centre as set out in section 3.6 of the report be approved, based upon the increased funding available; and
- (c) that authority be delegated to the Head of Legal, Equalities and Democratic Services and the Head of Leisure and Cultural Services to enter into the required Lottery Funding Agreement in order to draw down the funding from Sport England and that any performance criteria stipulated be passed on to the future operator of the site.

74/15

COUNCIL TAX BASE 2016/17

Members considered a report which contained details of the calculation of the District's tax base for Council Tax setting purposes for 2016/17.

RESOLVED that the amount calculated by Bromsgrove District Council as the Council Tax Base for the whole areas for 2016/17 be approved at 35,404.87 as detailed at appendix 1 to include the individual parish elements.

75/15

MEDIUM TERM FINANCIAL PLAN UPDATE 2016/17 - 2018/19

The Executive Director Finance and Corporate Resources gave an update on the position in respect of the Medium Term Financial Plan 2016/17 – 2018/19. A briefing note was circulated. (This is attached as an appendix to these minutes).

It was reported that the impact of the provisional funding settlement received by this Council from Central Government was more severe than previously anticipated. It was currently proposed that the Revenue Support Grant for Bromsgrove would all be lost after 2016/17 rather than being reduced over a few years to zero by 2019/20 as previously announced. In 2017/18 it appeared that this Council would be contributing funds back to Government.

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The assumptions by Central Government on the Council improving its spending power were based on an estimate of the Council Tax base growth exceeding current expectations and therefore increasing available funding to support services.

The table illustrating the impact of the settlement on this Council over the next four years compared to previous forecasts showed a £3.2million shortfall in funding compared to the original budget assumptions. The impact on this Council was severe and Bromsgrove District Council was one of only 15 Councils across the Country which would lose its Revenue Support Grant in one year.

In addition it was reported that there were proposals to change the New Homes Bonus Scheme for future years which it was possible would reduce the available funding.

It was reported that representations were being made to the Department for Communities and Local Government in conjunction with a number of the other Councils similarly affected. Information would be circulated to Members when available.

The Executive Director Finance and Corporate Resources referred to the work Heads of Service were undertaking as part of the budget process in order to deliver a balanced budget. There would be further reports to cabinet in February and to the Overview and Scrutiny Board.

As far as they were able at this stage, the Executive Director Finance and Corporate Resources and the Chief Executive answered queries from Members relating to:

- Business Rates;
- the timetable for the changes;
- the impact of the changes on Bromsgrove District Council specifically in relation to the reduced timetable;
- the actions which could be taken to make representations;
- the possibility of agreeing a budget for one year only

The meeting closed at 7.10 p.m.

Chairman

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Council Tax Base Calculation 2016/17

The Council Tax Base calculation for each parish is detailed below (band D equivalents).

Parish Name	Gross	Net
Whole Area	35,762.50	35,404.87
101/107 Unparished	13,402.15	13,268.13
111 Alvechurch	2,279.77	2,256.97
102 Barnt Green	930.60	921.29
116 Belbroughton	1,206.94	1,194.87
118 Bentley Pauncefort	186.09	184.23
119 Beoley	452.47	447.95
103 Bournheath Catshill &	220.81	218.60
104 Marlbrook	2,337.77	2,314.39
120 Clent	692.05	685.13
121 Cofton Hackett	947.75	938.27
122 Dodford /Grafton	396.01	392.05
105 Finstall	295.26	292.30
123 Frankley	50.29	49.79
124 Hagley	2,665.94	2,639.28
106 Lickey & Blackwell	2,105.20	2,084.14
125 Hunnington	233.16	230.83
126 Romsley	661.83	655.22
127/131 Stoke Prior	1,700.88	1,683.87
129 Tutnall & Cobley	366.45	362.79
130 Wythall	4,631.08	4,584.77
	35,762.50	35,404.87

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Impact of the settlement

Revenue Support Grant (RSG)

The Council receives an element of funding from Central Government to support services across the District. We were expecting this RSG to reduce to zero by the end of the Parliament ie 2019/20, as announced previously, and were considering plans to address this. As a result of the provisional settlement Bromsgrove lose all RSG in 2016/17, move to having to contribute funds back to Government in 2017/18 and this increases to £740k by 2019/20. This is under discussion with Government at present and the Council will be responding to the consultation on the financial settlement.

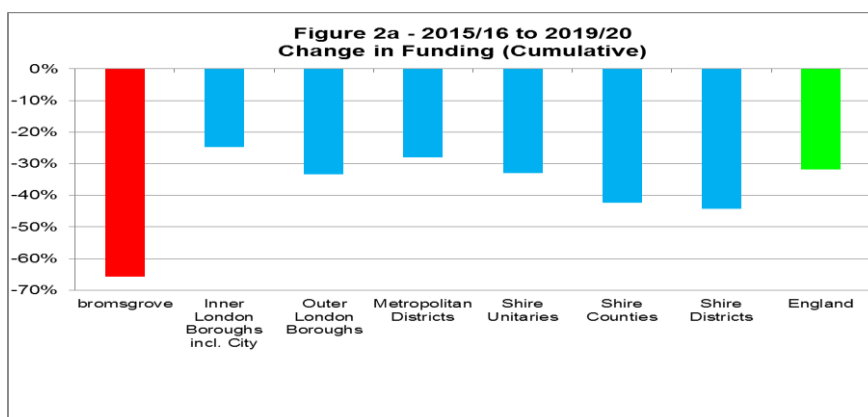
This table reflects the RSG funding for 2015/16 & 2016/17 and the negative grant for the following 3 years.

£000's	2015/16	2016/17	2017/18	2018/19	2019/20
Bromsgrove	1,229	560 (54%)	-20 (-101%)	-360 (-129%)	-740 (-162%)

The following illustrates the impact of the settlement on council, the loss of RSG over the next 4 years up to and including 2019/20 compared to previous forecasts

Revenue Support Grant	Medium Term Financial Plan Assumption £'000	Settlement December 2015 £'000	Reduction £'000
2016/17	1,058	560	-£498
2017/18	947	-20	-£967
2018/19	450	-360	-£810
2019/20	200	-740	-£940
Total			£3,215

This is a £3.2m shortfall in funding to that compared with the original budget assumptions. The graph below shows the impact of the funding reductions over the 4 year period for Bromsgrove compared to other Councils.



Spending Power

The assumptions on the Council improving its spending power is based on an estimate of the Council Tax base growth exceeding current expectations. **Page 31** before increasing available funding to

support services. The optimistic assumptions include Council Tax base increases of approximately 1% initially (which is double the current estimations) arising to 2.5% increase in future years which are highly optimistic based on current growth across the District.

New Homes Bonus

Also there are proposals to change the New Homes Bonus Scheme whereby we currently receive a 6 year payment for any property built in the District the Government is looking to change this to 4 years. In addition to a number of proposals to reduce New Homes Bonus (NHB) where there is no local plan, where homes have been allowed on appeal or where the growth would have occurred anyway. The potential reduction of income to the Council over the 4 year period is:

£000's	2017/18	2018/19	2019/20	2020/21	Total
Bromsgrove	542	531	523	663	2,259

Bromsgrove District Council 20th January 2016

Report of the Portfolio Holder for Planning Services and Housing

Aligned to Help me to Find Somewhere to Live in my Locality

I am pleased to present an update report to the Council about the areas covered by my portfolio. In doing so I would like both to look back over recent events and forward to emerging issues. I will begin by talking about housing and housing strategy going forwards in Bromsgrove.

- **Homelessness** – homelessness is always a good indicator of the health or otherwise of a local housing market, and I am happy to be able to report that, despite some economically challenging times, homelessness remains relatively stable in Bromsgrove – the homelessness acceptance figures from BDHT are as follows:

Year	Homelessness acceptances
2015 to Q3	68
2014	58
2013	75
2012	77
2011	70

It is also encouraging to note that the prevention of homelessness in Bromsgrove is on the increase – the number of cases where homelessness has been prevented – for example by finding alternative accommodation quickly, or by using mediation to resolve a dispute in the family home, has risen significantly in recent years. In 2010, preventions stood at 155. In 2014, BDHT prevented homelessness on 266 occasions.

- **Affordable housing** – As members will be aware, we regularly negotiate up to 40% affordable housing provision in our Section 106 agreements with developers, and Bromsgrove continues to be an area that's attractive to house builders – currently we have 13 sites with planning permission, which we anticipate will yield a total of 1377 homes in the next 3 years. 477 of these homes will go on to be owned by local Registered Providers, such as BDHT, who will be adding them into their affordable homes portfolio. This will help us continue to address the housing needs of Bromsgrove residents, and I am pleased to be able to advise that the number of households on the housing register currently stands at 1506, down from 3708 in April 2013. This means we are able to provide local households with the biggest housing need a realistic chance of securing a new affordable home in the near future.

- **Traveller incursions** - despite some negative media coverage locally, the Council has actually worked very closely with the Police and other partners in recent years to ensure traveller incursions are moved on in a timely way in Bromsgrove, balancing the rights of travellers with those of the wider community. Data shows that the vast majority of these incursions take place on private land, which is no surprise, given the rural nature of the district. Where incursions have taken place on Council-owned land, on average, the matter is resolved within ten working days, including appointments at court. I am also pleased to advise that action taken by local businesses and land owners has seen a significant reduction in traveller incursions in the Buntsford area of our district.
- **The immediate future** - whilst we have a successful track record of intervening constructively in the Bromsgrove housing market, there's certainly no room for complacency. The government is clear that we should be creating the right conditions so that first-time buyers can enter the market, as well as taking steps to help tenants and landlords flourish in the private rented sector. So we are currently working our way through the implications of future changes in welfare reform, and the Housing and Planning Bill 2015, as well as exploring the best way to support the private rented sector in Bromsgrove, given the changes that have been made to improve safety and standards in that area.
- The progress of the Bill is fundamental to understanding what the future might look like in housing terms, and it's likely to bring challenges with it. The Bill covers a diverse range of topics from starter homes to right to buy for registered housing providers, and from rogue landlords to pay to stay for higher earning social tenants. The incoming legislation also covers a number of related planning themes, including tightening up local plans and unblocking brownfield sites. All in, the Bill, when it becomes law, will shake up the housing market nationally and locally, and we need to be ready for that. As a result, I have asked officers to monitor the Bill's progress through Parliament and to ensure the Council is fully briefed about all the implications and challenges in housing terms once these become clear, so that we can make the most of the opportunities ahead.

Report of the Portfolio Holder for Planning and Regeneration

I am pleased to present an update report to the Council about the areas covered by my portfolio. In doing so I would like both to look back over recent events and forward to emerging issues. As ever the planning department has been extremely busy with 799 applications lodged between Sept 2014 and September 2015. Of these 799 applications, 89% were granted, demonstrating the Council's commitment to sustainable growth within the area, in line with the goals of the NPPF.

Bromsgrove District Plan

The Bromsgrove District Plan has seen delays since it was first submitted, with the Planning Inspector initially highlighting a number of issues, one in particular being the assessment of housing needs. Whilst the delay is certainly frustrating, statistics show that we are not alone, with a third of local plans undergoing examination delayed due to the changing requirements for housing needs assessments and the onerous examination procedures. More recently as part of a continually changing planning system the government has promised changes to the way in which Local Plan examinations will be carried out, with an emphasis on a more streamlined and pragmatic approach, it is hoped this will be reflected in the on-going proceedings. Significant progress has been made recently with supplementary documentation submitted in December 2015. This work prepared jointly with Redditch and in response to a request from the inspector reconfirms the comprehensive rationale for the proposed housing allocations on the edge of Redditch, providing a narrative of all evidence supplied. This is due to be discussed at the re-opened examination in March 2016, which should see the plan take a significant step towards being found sound and subsequently adopted.

The Strategic planning team have also been engaging with Worcestershire County Council Highways on addressing the infrastructure issues; this has resulted in a Major scheme bid for government infrastructure funding being prepared alongside a number of new models and tools to help better assess the requirements for infrastructure from new development. As part of this work a successful briefing was held with members in December and an agreement reached with WCC to ensure more collaborative working takes place.

Development Management and Enforcement

It has been an eventful and challenging year for development control within Bromsgrove, however, I am pleased to be able to deliver positive news as we have proactively sought to address the delays in processing applications and deliver a more efficient, but still high quality service. The Service has successfully increased its decision making percentage for major applications from 24% to 63% (period December 2013 – December 2015). This brings us above the target of 50%, which should see us taken out of designation later in the year.

The Planning Service has good appeal statistics and a reputation for taking time to provide developers with quality advice, helping to ensure the right developments are built in the right places. The fact the no developer has chosen to bypass the local decision making process and take their application straight to the planning inspectorate can be directly attributed to the excellent service the Council provides and the strong relationships that are held with local developers.

In terms of Enforcement issues, many cases continue to be closed because of successful negotiation. However, when formal action has been necessary the

Council has been successful at appeal. There have been 6 enforcement appeals in the past 12 months with a success rate of 100% for Bromsgrove Council.

Economic Development and the Townscape Heritage Initiative

The Planning team continues to work closely with colleagues in Economic Development to support the regeneration of Bromsgrove Town Centre. A major planning application has been submitted for the Market Hall site and officers continue to work to support the appropriate development of other key sites within the town centre boundary.

Looking ahead to the next 12 months, it is anticipated that a major planning application for the site known as the 'Redditch Eastern Gateway' will be submitted to the Council from the developer, Stoford Developments Ltd. Although the site is primarily allocated in Bromsgrove's Local Plan to serve Redditch's employment needs, it does represent an opportunity for Bromsgrove with important new jobs created in the district's travel to work area. The development could potentially deliver more than 1 million square foot of new office and industrial space and create approximately 1500 new jobs.

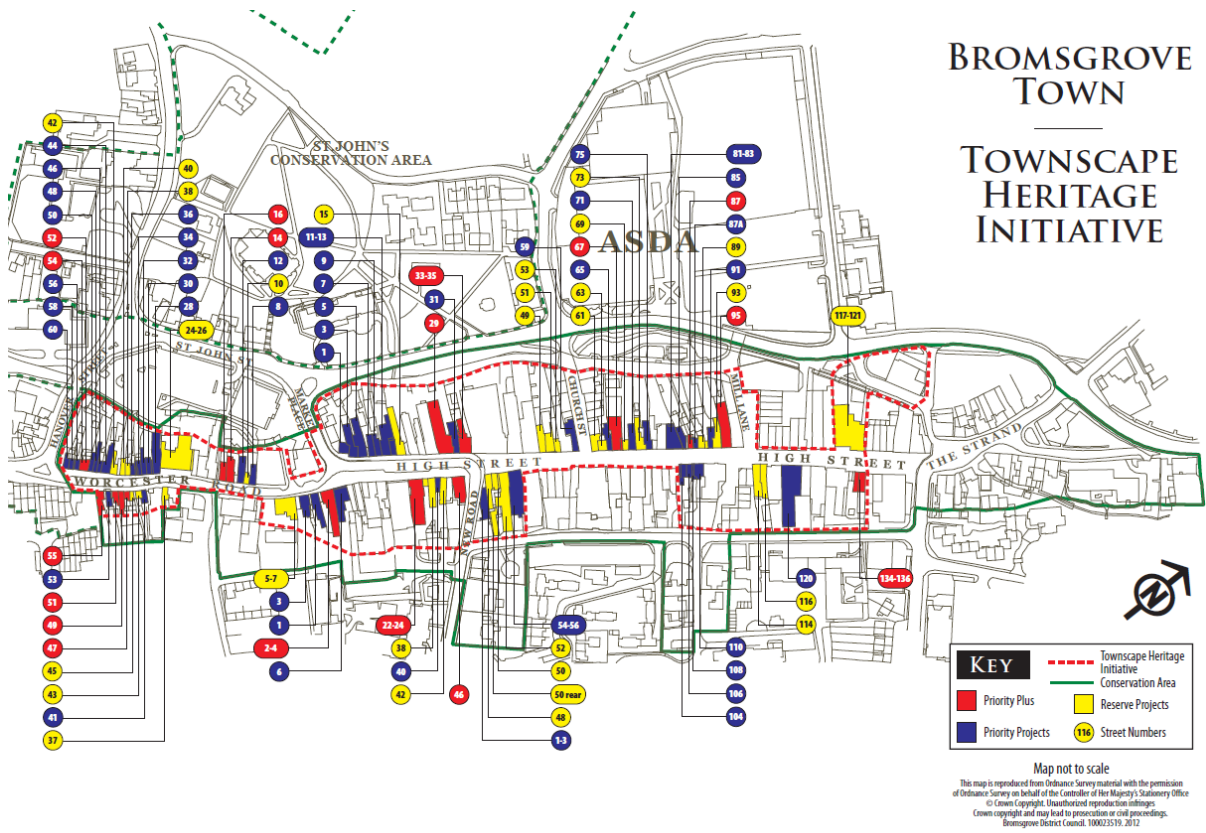
We are continuing to see the benefits of the Townscape Heritage Initiative, which has seen £1.2 million of National Lottery funding alongside £400,000 from Worcestershire County Council, used to regenerate the Bromsgrove town centre (See Map 1). To date we have seen significant public realm improvements including the highly successful repaving of the High Street, along with the improvement of a number of shop fronts including the Bedroom Centre, British Heart Foundation (See Picture 1) and the Bank Solicitors (See Picture 2). Looking forward to 2016, there promises to be even more, exciting projects, with the iconic 1-3 New Road, formerly the Hope Pole Inn, set to undergo work, whilst a number of other key properties are also in the pipeline.

Building Control

At a time of increased competition from the private sector, the building control department has managed to achieve an overall increase in its application numbers and enquiries. This has been done whilst continuing to offer exceptional non-fee earning services, such as dealing with dangerous structures, building demolition and general, impartial advice.

Conclusion

As I have said, it has been a challenging year for the Planning Service; however, there are real positives which can be taken forward into 2016. The adoption of a Local Plan will be advantageous to all parties, as greater control is taken over development in the area. The improvement and continued success of the different sections of the department will be beneficial for us all.



Map 1: Bromsgrove Townscape Heritage Initiative Area Map



Picture 1: British Heart Foundation



Picture 2: Bank Solicitors

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY, 9TH NOVEMBER 2015 AT 6.00 P.M.

PRESENT: Councillors B. T. Cooper (Chairman), J. M. L. A. Griffiths (Vice-Chairman), M. T. Buxton, K.J. May, C. M. McDonald, S. R. Peters, S. P. Shannon, P.L. Thomas, L. J. Turner and S. A. Webb

Officers: Mrs. V. Brown, Mr. D. Etheridge, Mrs. A. May and Mrs. P. Ross

17/15 **APOLOGIES**

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

18/15 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

19/15 **MINUTES**

The minutes of the meeting of the Licensing Committee held on 14th September 2015 were submitted.

RESOLVED that the minutes of the meeting be approved as a correct record.

20/15 **VERBAL UPDATE FROM THE SENIOR LICENSING PRACTITIONER, WORCESTERSHIRE REGULATORY SERVICES, ON CHILD SEXUAL EXPLOITATION AWARENESS RAISING**

At the request of the Chairman and as noted during the Licensing Committee meeting held on 14th September 2015, Members received a verbal update with regard to Safeguarding Children and the role of Licensing Officers, Worcestershire Regulatory Services (WRS) in raising awareness with licensed premises and hackney carriage and private hire drivers with regard to Child Sexual Exploitation (CSE).

The Senior Licensing Practitioner, WRS, gave apologies on behalf of the Licensing and Support Manager, WRS, who was unable to attend.

The Senior Licensing Practitioner, WRS, informed Members that following on from the recent high profile independent inquiries into CSE, in Rotherham; WRS were keen to show support and to play a key role in raising awareness of CSE and would look for every opportunity to raise awareness of CSE.

WRS were carrying out a series of awareness raising initiatives on behalf of Worcestershire County Council, Safeguarding Children Board, as detailed in their Child Sexual Exploitation (CSE) Strategy Action Plan. The action plan was a multi-agency approach which highlighted the complexity of CSE and the need to raise awareness of CSE. There were four key priorities to the action plan:-

1. Prevention and Education
2. Recognition and Identification
3. Intervention and Support
4. Pursue and Disrupt

As part of the Intervention and Support key priority, WRS were responsible and tasked to:-

- Undertake a CSE awareness raising campaign with hackney carriage
- Undertake a CSE awareness raising campaign with licensed premises in partnership with the Community Safety Partnerships District Tasking Groups.
- District Council Licensing Committee Members to be made aware of CSE responsibilities.

In line with its responsibilities under the action plan, WRS had incorporated information leaflets within its application processes in order to raise awareness of CSE amongst the licensed trade, both for premises licence holders and the taxi trade. The information leaflets were routinely added to outgoing granted licence packs. Raising CSE awareness had also been an agenda item at Taxi Forum meetings so that trade representatives could pass the relevant information onto their members. Licensing Committee Members were provided with a copy of both information leaflets.

The hackney carriage and private hire trade and licensed premises were an integral part of the local working economy. They could often be seen as the eyes and ears of the community, so raising awareness within these groups was a vital link within the action plan.

As detailed on the Licensing Committee work programme, a further in depth presentation on CSE, from the Head of Community Services, was scheduled to take place on 14th March 2016.

Further discussion followed with questions raised on how information from Worcestershire Safeguarding Children Board meetings was disseminated to Members. It was suggested that the District Councils representative on the Worcestershire Safeguarding Children Board be invited to attend the next meeting of the Licensing Committee.

The Chairman thanked the Senior Licensing Practitioner, WRS, for his verbal update, Members had welcomed the input from WRS with regard to their CSE awareness raising initiatives and involvement.

21/15

GAMBLING ACT 2005 - REVIEW OF STATEMENT OF PRINCIPLES - CONSULTATION RESULTS

Following on from the Licensing Committee meeting held on 8th June 2015, when Members approved for the purpose of consultation, the draft Statement of Principles; Members were asked to consider the responses received to the consultation and the changes incorporated into the draft Statement of Principles as a result of those responses.

The Senior Licensing Practitioner, Worcestershire Regulatory Services (WRS), presented the report and in doing so informed Members that during the consultation period two responses had been received, one from Wythall Parish Council and one from the Gambling Commission. Wythall Parish Council had confirmed that they did not have any adverse comments to make. The Senior Licensing Practitioner, WRS, drew Members' attention to the response received from the Gambling Commission, as detailed at Appendix 1 to the report.

Productive meetings had taken place with WRS officers and the Gambling Commission. The Gambling Commission were more than happy with their input and their suggested changes being incorporated into the draft Statement of Principles.

Members were further informed that the suggestions made by the Gambling Commission had been incorporated into the draft Statement of Principles, as detailed at Appendix 2 to the report. These included:-

- A new section that set out the Council's intention to develop a 'Local Area Profile', as detailed in section 3.0 of the draft Statement of Principles.
- Guidance for operators on the matters that the Council believed they should consider when compiling their own local risk assessments. This will be a requirement from 6th April 2016, as detailed in section 9.0 of the draft Statement of Principles.
- Further detail in relation to the way the Council would approach its enforcement and compliance role under the Gambling Act 2005, as detailed in sections 19.6 and 19.7 of the draft Statement of Principles

In response to questions from Members, the Senior Licensing Practitioner, WRS, informed the Committee that, operators would have to assess local risks, including 'whether the premise is in an area of deprivation'. The Local Authority could then decide if any additional measures were necessary in order to protect vulnerable people who may gamble beyond their means.

In order to ensure compliance with the law the Council would prepare a risk based Inspection Programme and would carry out regular 'routine' day time programmed inspections, as detailed in sections 19.6 and 19.7 of the draft Statement of Principles.

RECOMMENDED:

- (a) that Council approve the Statement of Principles, as detailed at Appendix 2 to the report, and
- (b) that the Statement of Principles be published by 31st January 2016.

22/15

HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICIES - CONSULTATION RESULTS

During the Licensing Committee meeting held on 23rd March 2015, Members received a report detailing some potential changes to the Council's existing policies and procedures for hackney carriage and private hire licensing.

The Senior Licensing Practitioner, WRS, introduced the report and in doing so reminded Members that the potential changes had originated from the Bromsgrove Taxi Association and trade forums held in February and March 2015. After considering a summary of the responses to the proposals from the trade forums; Members had agreed that a formal consultation on the proposals be carried out by Worcestershire Regulatory Services.

The consultation exercise had commenced in late April 2015 and had ended on 31st July 2015. The consultation was also advertised on the Council's website and via social media channels. Further consultation was also carried out with Bromsgrove Engagement and Equalities Forum. Members' attention was drawn to section 3.7 of the report which detailed all of those consulted with. A summary of the consultation results was shown at Appendix 2 to the report.

The Senior Licensing Practitioner, WRS, further informed the Committee that a total of twenty five responses had been received; twenty four from licensed drivers / operators and one from a Traffic Management Advisor for West Mercia Police.

Members unanimously agreed that each question and the comments received to each question should be considered individually. In depth discussions took place on each question with the following being agreed:-

Questions:-

- **“The Council is considering introducing a “private hire only” licence alongside the dual hackney carriage and private hire driver licence it currently issues”.**

The licensing requirements for this new type of licence would be the same as for the dual licence, but the “knowledge test” taken would be tailored to the private hire sector of the trade only with less emphasis placed on elements of local geographic knowledge that is more relevant those licensed to drive hackney carriage vehicles.

The Council's Legal Advisor informed the Committee that this question was considered, as legislation was designed so as licences could be seen as individual licences, and not just as currently offered by the Council, as dual licences. Members should therefore consider offering applicants the

opportunity and choice to apply for either of the three licences, a hackney carriage driver licence, a private hire driver licence and a dual hackney carriage and private hire driver licence.

Members were in agreement that three types of licenses should be introduced; hackney carriage driver licences, private hire driver licences and dual hackney carriage and private hire driver licences. Private hire driver licence applicants would undertake a different knowledge test to those applicants who applied for hackney carriage or dual driver licences.

- **“The Council is considering requiring all new applicants for licences to drive Hackney Carriage and/or Private Hire vehicles to undertake a driving standards test”.**

Members were in agreement that all new applicants should undertake a driving skills assessment conducted by Worcestershire County Council, Road Safety Unit.

- **“The Council is also considering requiring all licence holders who accumulate more than six penalty points on their DVLA licence to undertake a driving standards test”.**

Members were not in agreement. It was felt that with regard to this, and as stated in the current Guidelines Relating to the Relevance of Convictions and Cautions, each case should be considered on its own individual merit. Licensing Sub-Committee Members when determining applications could, if needed, request that the licensed driver completed a driving standards test.

- **“The Council is considering requiring all new applicants for licences to drive Hackney Carriage and/or Private Hire vehicles to undertake an “essential skills” test which would cover matters such as basic mathematics, map reading, communication skills etc.”**

Members were in agreement, that both knowledge tests for private hire and hackney carriage/dual licences included a section to ensure that the ‘essential skills’ for a licence holder were in place. Following further information provided by the Senior Licensing Practitioner and the Technical Officer, WRS; Members further agreed that any applicant who failed either knowledge test on three occasions would be barred from taking the knowledge test for a further six months.

- **“The Council is considering limiting new applicants to three attempts at passing both the knowledge and essential skills tests before they are barred from attempting the tests again for six months”.**

Following information provided by the Senior Licensing Practitioner and the Technical Officer, WRS; Members agreed that any applicant who failed the knowledge tests and essential skills test after three attempts would be barred from taking the tests again for a period of six months.

- **“The Council is considering introducing a requirement that new hackney carriage vehicles entering the licensed fleet are under five years of age when first licensed. Currently a vehicle can be anything up to ten years of age when first licensed as a hackney carriage”.**

This policy change would affect both new applicants for Hackney Carriage vehicle licences and those who are replacing their Hackney Carriage vehicles for any reason.

Several questions were raised with Members agreeing that there was a need to maintain a certain standard of vehicle within the district.

The Council’s Legal Advisor reminded Members that licensed drivers whose vehicles fell outside of the Council’s Taxi Handbook policy had the opportunity to present their vehicle to a meeting of a Licensing Sub-Committee for Members to determine, following an inspection of the vehicle, if the age limit should be waived.

Members agreed that, in order to ensure that a high standard of vehicle was maintained within the district, that any new or replacement Hackney Carriage Vehicles must be under seven years old from the date of first registration on the day the application was made. Members also agreed that a review should be undertaken after two years in order to measure any impact.

- **“The Council is considering introducing a requirement that, from a specified future date, all new vehicles being licensed at Hackney Carriage Vehicles must be a wheelchair accessible vehicle (WAV). WAV means a vehicle capable of carrying a wheelchair user whilst they remain seated in their wheelchair”.**

The effect of this policy change would be to see the gradual phasing out of “saloon” type vehicles so that ten years after the Policy comes into effect all vehicles licensed by the Council to be used as Hackney Carriages should be WAVs.

Members felt that further consultation work was required in order to ascertain if there was currently an unmet demand for WAVs as Hackney Carriages within the district or if this was the perception. The replies received from the trade highlighted that there was little demand for WAVs in the district.

The Senior Licensing Practitioner, WRS, informed the Committee that members of Bromsgrove Engagement and Equalities Forum and Bromsgrove Older People’s Forum had been consulted with and that neither had responded or provided evidence that there was a demand for WAVs within the district. It was agreed that WRS licensing officers would conduct a further comprehensive consultation with relevant agencies / organisations in order to ascertain if there was a demand and if that demand was being met; also taking into account visitors accessing Bromsgrove via the railway station. The Senior Licensing Practitioner, WRS, also agreed to organise a press release in order to inform residents of the consultation.

Members also discussed the possibility of introducing incentives to encourage drivers to purchase and operate WAVs. The Senior Licensing Practitioner, WRS, agreed that licensing officers could carry out an additional consultation with the taxi trade and look at possible ways to incentivise them to purchase and operate WAVs.

In light of the outcome, as detailed in the preamble above and with regard to WAVs, the three questions that followed; in respect of policy changes relating to new Hackney Carriages being WAVs and existing licence holders “grandfather rights, were no longer relevant.

- **“Do you have any other suggestions or comments in relation to the Council’s existing policies and procedures in relation to Hackney Carriage and Private Hire Licensing”?**

Further discussion took place on the suggestions, as detailed on page 56 in the report. The Senior Licensing Practitioner, WRS, informed Members that, with regard to the suggestion of having more surgeries or longer surgeries, he was willing to consult with the taxi trade and look at additional or alternative times / days for licensing surgeries within the district.

With regard to the suggestion that the Council’s current policy needed to be reviewed in respect of providing a spare wheel and not being allowed tinted windows. The Chairman highlighted to the Committee that vehicles had been presented at recent Licensing Sub-Committee Hearings, as the vehicles had fallen outside of the Council’s Taxi Handbook policy due to no spare wheel and / or tinted windows. The Council’s Taxi Handbook stated that ‘tinted windows will not be permitted where they conceal the identity of the passenger inside’ and ‘Boot – this should be clean, tidy and empty, except for the spare wheel and essential tools’.

It was noted that new vehicles often had manufactured fitted tinted windows and / or ‘run flat’ tyres.

Further discussion followed on the possibility of WRS purchasing and using a light meter that measured the percentage of visual light transmission through tinted windows. The Council’s Legal Advisor advised Members that passenger safety was of paramount concern.

Members were in agreement that passenger safety was of paramount concern and agreed that the Council’s Taxi Handbook policy on no tinted windows remained. Members, however, also agreed that the Senior Licensing Practitioner, WRS, investigated the purchase of a light meter to determine if a more acceptable manufactured factory fitted level of tint could be set.

With regard to the issues raised in respect of ‘run flat’ tyres, Members agreed that the Council’s Taxi Handbook policy be updated to take into account wheels fitted with a suitable ‘run flat’ tyre mechanism on all four wheels, and that in the case of a ‘run flat’ tyre getting a puncture, the tyre must be replaced at the earliest opportunity or in any case on or before the maximum number of miles as recommended by the manufacture has been travelled; or another

means of conveying passengers to their destination safely and without inconvenience can be called upon.

The Chairman thanked the Senior Licensing Practitioner and Technical Officer, WRS, for the work carried out during the consultation exercise and for their valuable contribution.

RESOLVED

- (a) that the proposed changes as agreed and detailed in the preamble above, be incorporated in to the Council's Taxi Handbook and;
- (b) that the revised Council's Taxi Handbook be presented to the next meeting of the Licensing Committee for consideration.

23/15

UBER INFORMATION REPORT

As requested at the previous meeting of the Committee, Members were provided with an update from the Senior Licensing Practitioner, Worcestershire Regulatory Services, (WRS), on the company that trades as Uber.

The Senior Licensing Practitioner, Worcestershire Regulatory Services, (WRS), informed the Committee that Uber was growing rapidly and now operated in Birmingham, under Birmingham City Council's private hire operator's licence.

Uber Technologies Inc. was an American international transportation network company, with its headquarters in San Francisco, California. The company developed, marketed and operated the Uber mobile application (app), which allowed consumers with smartphones to submit a trip request which was then routed to Uber drivers. Essentially it was an online booking service for private hire vehicles.

The activities of Uber had provoked controversy in some countries. Questions were raised about the legalities of their operating model. However, it should be stressed that in the UK, Uber appeared to be operating entirely lawfully within the private hire licensing regimes.

The controversy surrounding Uber's operation in London related to the way that fares were calculated and charged to passengers who used the Uber app; and the fact that the fares were generally cheaper than those charged by London's world famous 'Black Cabs'. In London only licensed hackney carriages could use taximeters, under section 11 of the Private Hire Vehicles (London) Act 1988. Recently the transport regulator Transport for London (TfL) had brought a case to the high court following pressure from the city's black-cab and minicab drivers. But the high court ruled that Uber's app was legal in London.

The Senior Licensing Practitioner, WRS, responded to Members' questions and explained that fares were calculated via GPS. Fares were cheaper due to the number of taxis available. Uber was very streamlined. The Uber app

calculated the nearest available driver and allocated the job to that driver. Drivers paid a rental fee to Uber.

As with all licensed private hire operators, Uber could dispatch vehicles and drivers to carry out work anywhere in the country; provided that the vehicle and driver allocated the booking were licensed with the local authority that had issued the relevant private hire operator licence. Due to the relaxation on sub-contracting rules for private hire vehicles, which came into effect on 1st October 2015, Uber could also sub-contract bookings to other licensed private hire operators in other local authority areas so that, that operator could then dispatch an appropriately licensed vehicle and driver.

The Chairman and Committee Members thanked the Senior Licensing Practitioner, WRS, for his comprehensive update report on Uber.

RESOLVED that the Uber update report be noted.

24/15

LICENSING COMMITTEE WORK PROGRAMME 2015/2016

The Committee considered the Work Programme for 2015/2016.

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

The meeting closed at 8.15 p.m.

Chairman

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Bromsgrove
District Council
www.bromsgrove.gov.uk

REVISED STATEMENT OF PRINCIPLES

GAMBLING ACT 2005



2016 - 2019

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Statement of Principles – Gambling Act 2005

1.0 Introduction

- 1.1 Bromsgrove District Council is situated in the County of Worcestershire, which contains six District Councils in total. The Council area has a population of approximately 93,600 and in terms of area it covers approximately 84 square miles. The Council area is mainly rural in character (90% of the area is classed as Green Belt) with two central urban areas of Bromsgrove Town and Rubery. Whilst it is only 14 miles from central Birmingham, the Clent and Lickey Hills provide an important dividing line between the industrial Midlands and the rural landscape of North Worcestershire.
- 1.2 Bromsgrove District Council's overall vision is "working together to build a district where people are proud to live and work, through community leadership and excellent services." This statement accords with that vision in seeking to promote the licensing objectives set out in the Act, which are central to the regulatory regime created by the Act. These are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way, and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.3 We have produced this statement as required by Section 349 of the Gambling Act 2005 (referred to in this statement as "the Act") and having had regard to the Gambling Commission's formal guidance issued under Section 25 of the Act, the licensing objectives and to the views of those that we have consulted. We consulted widely upon this statement before finalising and publishing. The list of those persons and organisations consulted is appended. The consultation took place between July and September 2015 in line with current published Government consultation principles. Should you have any comments as regards this policy statement please send them via email or letter to: wrsenquiries@worcsregservices.gov.uk
- 1.4 This statement must be published at least every three years. The statement may also be reviewed from 'time to time' and any amended parts re-consulted upon.
- 1.5 We intend that this document should provide information and guidance on the general approach that we will take to licensing. A series of advice sheets with more specific guidance is available from our web site or will be sent on request; advice tailored to individuals is available by phone or to personal callers.
- 1.6 Nothing in this policy takes away the right of any person to make an application under the Act and to have that application considered on its merits; nor does it undermine the right of any person to object to an application or to seek a review of a licence where the law provides that they may do so. Applications will be considered in line with our statement of general principles, below.

2.0 Gambling Act 2005

- 2.1 This policy reflects and aims to support our strategic purposes, as set out in the Council Plan.
- 2.2 The Act provides for gambling to be authorised in a number of different ways. Our main functions are to:
- licence premises for gambling activities, including the issue of provisional statements,
 - regulate and grant permits for gambling and gaming machines in clubs, including commercial clubs,
 - regulate gaming and gaming machines in alcohol licensed premises,
 - grant permits to family entertainment centres for the use of certain lower stake gaming machines,
 - grant permits for prize gaming,
 - receive and endorse notices given for the temporary use notices,
 - receive occasional use notices for betting at tracks,
 - register small societies lotteries,
 - Maintain public registers, and
 - Provide information to the Gambling Commission on issued licences.
- 2.3 The Gambling Commission regulates remote gambling and issues personal and operating licences for premises. The “National Lottery” is also regulated by the Gambling Commission. Spread betting is regulated by the Financial Conduct Authority.

3.0 Local Area Profile

- 3.1 Alongside its Statement of Principles, the Licensing Authority would like to work with the other Licensing Authorities in Worcestershire and other partners during the lifetime of this Statement to develop a “Local Area Profile” for the County as a means of mapping out local areas of concern, which can be reviewed and updated to reflect changes to the local landscape.
- 3.2 This Local Area Profile is likely to take account of a wide range of factors, data and information held by the Licensing Authority and its partners. An important element of preparing the Local Area Profile will be proactive engagement with responsible authorities as well as other organisations in the area that can give input to ‘map’ local risks in the area.
- 3.3 These are likely to include public health, mental health, housing, education, community welfare groups and safety partnerships, and organisations such as Gamcare or equivalent local organisations.
- 3.4 The aim of the Local Area Profile will be to increase awareness of local risks and improved information sharing, to facilitate constructive engagement with licensees and a more coordinated response to local risks. The Local Area Profile will also help to inform specific risks that operators will need to address in their own risk assessments, which will form a part of any new licence application, or an application to vary a licence from April 2016.

- 3.5 The creation of a Local Area Profile, however, is dependent on information and knowledge of the local area gathered by partner agencies and other relevant organisations who have the expertise and knowledge of the impact gambling has in the local area. Where evidence is submitted to the Licensing Authority which identifies the areas of concern it is intended to produce a Local Area Profile separate to this Policy.
- 3.6 Once a Local Area Profile has been developed, it will be published on the Licensing Authority's website and updated on a regular basis to reflect changes to the local environment.

4.0 Authorised Activities

- 4.1 'Gambling' is defined in the Act as gaming, betting, or taking part in a lottery.
- gaming means playing a game of chance for a prize,
 - betting means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not, and
 - a lottery is an arrangement where persons are required to pay in order to take part in an arrangement whereby one or more prizes are allocated by a process which relies wholly on chance.

5.0 General Statement of Principles

- 5.1 In carrying out our licensing functions in accordance with the Act, particularly with regard to premises licences, we will generally aim to permit the use of premises for gambling as long as it is considered to be :-
- in accordance with any relevant Codes of Practice issued by the Gambling Commission
 - in accordance with any relevant Guidance issued by the Gambling Commission
 - in accordance with this Statement of Principles, and
 - reasonably consistent with the licensing objectives.
- 5.2 We will not seek to use the Act to resolve matters that are better dealt with by other legislation. Licensing is not the primary mechanism for general control of nuisance and the antisocial behaviour of people once they are away from licensed premises.
- 5.3 We will ensure that in dealing with applications under the Act we follow the required procedures, and only take into account issues that are relevant. Specifically we will not have regard to "demand" when considering applications for gambling premises; nor will we consider the suitability of applicants for premises licences (which is a matter for the Gambling Commission). We will not reject an application on moral grounds. If we do decide to reject an application, we will make known our reasons for doing so.
- 5.4 Our current Council Constitution (including the scheme of delegation) details the way that we will discharge our functions under this Act. Details are available from the Licensing Department.
- 5.5 Where an application is for a new premises licence, the responsible authorities may visit to check that gambling facilities meet all necessary legal requirements.

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- 5.6 Where there are no representations (objections), licences and permissions will be granted subject only to any appropriate mandatory conditions (Section 167 of the Act) and any conditions having at least the effect of appropriate default conditions made under Section 168.
- 5.7 If there are objections that can't be resolved informally, or we intend to impose extra conditions, we will hold a public hearing at which our licensing sub-committee will hear evidence and make a decision in accordance with the Act.
- 5.8 This statement is not intended to override the right of any person to make an application under the Act, and to have that application considered on its merits. Equally, this Statement of Principles is not intended to undermine the right of any person to make representations about an application or to seek a review of a licence where provision has been made for them to do so.
- 6.0 Preventing gambling from being a source of crime and disorder**
- 6.1 The Gambling Commission takes the leading role in preventing gambling from being a source of crime, and maintains rigorous licensing procedures aiming to prevent criminals from providing facilities for gambling. Applicants need an operating licence from the Commission before we will issue a licence to use premises for gambling.
- 6.2 In view that we will not issue a premises licence to someone who does not hold an operator's licence, we are not generally concerned with the suitability of an applicant. Where concerns about a person's suitability arise we will bring those concerns to the attention of the Commission.
- 6.3 If an application for a licence or permit is received in relation to premises which are in an area noted for particular problems with organised crime, we will, in consultation with the Police and other relevant authorities, consider whether specific controls need to be applied to prevent those premises from being a source of crime. This could include a requirement for Security Industry Authority (SIA) registered door supervisors.
- 6.4 Disorder will only be considered under this Act if it amounts to activity which is more serious and disruptive than mere nuisance, and where it can be shown that gambling is the source of that disorder. A disturbance might be serious enough to constitute disorder if police assistance was required to deal with it; we will then consider how threatening the behaviour was to those who could see or hear it, and whether those people live sufficiently close to be affected or have business interests that might be affected.
- 6.5 "Disorder" is generally a matter for the Police; we will not use this Act to deal with general nuisance issues, for example, parking problems, which can be better dealt with using alternative powers.
- 6.6 When making decisions relating to disorder, we will give due weight to comments made by the police.

7.0 Ensuring gambling is conducted in a fair and open way

7.1 The Gambling Commission does not expect local authorities to become concerned with ensuring that gambling is conducted in a fair and open way. The Commission, through the operating and personal licensing regime, will regulate the management of the gambling business and the suitability and actions of an individual.

7.2 Because betting track operators do not need an operating licence from the Commission we may, in certain circumstances, require conditions of licence relating to the suitability of the environment in which betting takes place.

8.0 Protecting children and vulnerable people from being harmed or exploited by gambling

8.1 The intention of the Act is that children and young persons should not be allowed to gamble, and should be prevented from entering those gambling premises which are 'adult-only' environments.

8.2 Codes of Practice, including advice about access by children and young persons may be published by the Gambling Commission for specific kinds of premises. Applicants will be expected to heed this advice where applicable.

8.3 We expect steps to be taken to prevent children from taking part in, or being in close proximity to, gambling. This may include restrictions on advertising to ensure that gambling products are not aimed at children, nor advertised in such a way that makes them particularly attractive to children.

8.4 When determining a premises licence or permit we will consider whether any additional measures are necessary to protect children, such as the supervision of entrances, the segregation of gambling from areas frequented by children and the supervision of gaming machines in non-adult gambling specific premises like pubs, clubs and betting tracks.

8.5 In seeking to protect vulnerable people we will include people who gamble more than they want to, people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling, perhaps due to a mental impairment, alcohol or drugs.

8.6 We will always treat each case on its own individual merits and when considering whether specific measures are required to protect children and other vulnerable people will balance these considerations against the overall principle of aiming to permit the use of premises for gambling.

8.7 The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.

These principles are:

- The need for the body to be responsible for an area covering the whole of the Licensing Authority's area.
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

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In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Worcestershire Safeguarding Children Board for this purpose.

9.0 Local Risk Assessments

9.1 From 6 April 2016 it will be a requirement for operators to assess local risks to the licensing objectives taking into account this Council's Policy. The operator must also have policies, procedures and control measures in place to mitigate these risks. Risk assessments must be reviewed whenever there are significant changes in local circumstances, or at the premises, or when applying for a new licence or a variation of a licence. Risks in this context include actual, potential and possible future emerging risks to the licensing objectives.

9.2 The Licensing Authority will expect the local risk assessment to consider, for example:

- whether the premise is in an area of deprivation;
- whether the premise is in an area subject to high levels of crime and/or disorder;
- whether the premise is near an addiction treatment facility and in general consider the demographics of the area in relation to vulnerable groups;
- the location of sensitive buildings such as schools, playgrounds, toy shops, leisure centres, libraries and other areas where children are likely to gather; and
- how vulnerable persons as defined within this Policy are protected.

9.3 In compiling their local risk assessment the Licensing Authority shall also expect operators to take into account the general principles as set out in this Policy

9.4 Other matters that the risk assessment may include are, for example:

- Staff training, including refresher training, e.g. such as intervention when customers show signs of excessive gambling, in the mandatory licensing conditions, in location of the premises licence; in location of information relating to gambling care providers, etc.;
- Where installed, details of CCTV coverage and how the system will be monitored;
- Layout of the premises to ensure staff have unobstructed views of persons using the premises or where this is not possible, evidence of how this can be achieved;
- The number of staff employed at the premises at any one time taking into account any effects from seasonal trade in the area.
- Where only one staff member is employed in the case of smaller premises, what the supervisory and monitoring arrangements are when that person is absent from the licensed area or distracted for any other reason;
- Provision of signage and documents relating to games rules, gambling care providers;
- What mix of gambling is provided;
- Consideration of primary gambling activity and location of gaming machines;

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- 9.5 Operators are expected to share their risk assessments with the Licensing Authority when applying for a new Premises Licence, applying for a variation to an existing licensed premise or otherwise upon request. These risk assessments must in any event be kept under regular review and updated as necessary.
- 9.6 The information contained within the risk assessment may be used to inform the decision the Licensing Authority makes about whether or not to grant the licence, to grant the licence with special conditions or to refuse the application.
- 9.7 However, in all circumstances each application will be treated on its own merits with the onus on the applicant providing the Licensing Authority with sufficient information to make their determination with the underpinning statutory aim of permitting gambling subject to being reasonably consistent with the licensing objectives.
- 9.8 In its Guidance to Licensing Authorities, the Gambling Commission suggests that Licensing Authorities should adopt a 'Local Area Profile'. The Guidance suggests that a Local Area Profile is a process of gathering and presenting information about a locality and any particular areas of concern within that locality. It underpins and explains the approach that the Licensing Authority will apply when granting licences. By developing a Local Area Profile it is likely to assist operators in identifying specific local risks within the area.

10.0 Premises licences

- 10.1 A premises licence can authorise the provision of facilities at the following:
- casino premises
 - bingo premises
 - betting premises, including betting tracks
 - adult gaming centres
 - family entertainment centres
- 10.2 Premises can be 'any place' but the Act generally prevents more than one premises licence applying to any one place. A single building could be subject to more than one premises licence provided they are for different parts of the building and those parts can be reasonably regarded as being separate 'premises'.
- 10.3 This will allow large, multiple unit premises such as tracks, shopping malls or service stations to obtain discrete premises licences, with appropriate safeguards in place. We will pay particular attention if there are issues about sub-divisions of a single building or plot and mandatory conditions relating to access between premises are observed. We will not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partition, can properly be regarded as different premises. Whether different parts of a building can properly be regarded as being separate premises will depend on the individual circumstances of the case.

- 10.4 A particular requirement might be for entrances and exits from parts of a building covered by one or more licences to be separate and identifiable so that the separation of the premises is not compromised and people are not allowed to 'drift' accidentally into a gambling area. It should normally be possible to access the premises without going through another licensed premises or premises with a permit. We would also expect customers to be able to participate in the activity named on the premises licence.
- 10.5 The Secretary of State appointed an independent Casino Advisory Panel to advise the Government on the areas in which small and/or large casinos may be located. The District of Bromsgrove was not identified as a suitable location for a casino, consequently we are currently prevented from granting a Casino Premises Licence.
- 10.6 The Council has not passed a resolution under section 166(5) of the Gambling Act 2005 to not issue casino premises licences. If such a resolution were considered in the future, the Council would carry out a full public consultation and consider all responses before passing such a resolution.
- 10.7 We will not turn down applications for premises licences where relevant objections can be dealt with through the use of licence conditions.
- 10.8 Other than an application for a betting premises licence for a track, we are not able to issue a premises licence unless the applicant holds the relevant operating licence from the Gambling Commission.
- 10.9 When considering applications for premises licences we will not take into account either the expected 'demand' for facilities or the likelihood of planning permission or building regulation approval being granted, as well as 'moral' objections to gambling. Equally, the grant of a premises licence would not prejudice or prevent any action that may be appropriate under the law relating to planning or building regulations.
- 10.10 We are aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to our decision-making. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated.
- 10.11 We will only issue a premises licence once we are satisfied that the premises is ready to be used for gambling in the reasonably near future. Where we have agreed to grant a licence but substantial building works or alterations are still required we will impose a condition requiring the premises to be inspected on completion of the work and prior to the issue of the licence. Where the construction of a premises is not yet complete, or if they need alteration, or the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made as having a right to occupy the premises is a pre-condition to making a Premises Licence application.
- 10.12 We will apply a two stage consideration process if there is outstanding construction or alteration works at the premises:
 - should the premises be permitted to be used for gambling;
 - can appropriate conditions be imposed to cater for the situation that the premises is not yet in the state in which they should be before gambling takes place.

10.13 We are entitled to decide whether or not it is appropriate to grant a licence subject to conditions.

10.14 Applicants for premises licences are encouraged to propose any prohibitions or restrictions of their own in circumstances where it is felt that the presence of children would be undesirable or inappropriate.

10.15 We will maintain a public register of Premises Licence applications received which may be viewed at the Council Offices during normal office hours which are generally Monday – Friday 9am until 5pm.

11.0 Responsible authorities

11.1 Responsible authorities are identified in the legislation, and have to be notified about licence applications so that they can identify any risks. The responsible authorities that we recognise are listed below, contact details for each of the responsible authorities identified are available on our website www.bromsgrove.gov.uk, and will be sent on request.

- The Gambling Commission
- The Chief Officer of Police for the Area
- Fire and Rescue Service
- Bromsgrove District Council Planning Department
- Bromsgrove District Council Licensing Department (WRS)
- Bromsgrove District Council Environmental Health (WRS)
- Worcestershire Safeguarding Children Board
- HM Revenue and Customs
- Any other bodies identified in Regulation by the Secretary of State,
- For vessels, the Environment Agency, Canal and River Trust, Secretary of State.

11.2 Any concerns expressed by a Responsible Authority cannot be taken into account unless they are relevant to the application itself and the licensing objectives. However, each representation will be considered on its own individual merits.

12.0 Interested Parties

12.1 An interested party is someone who:

- lives sufficiently close to the premises to be likely to be affected by the authorised activities, or
- has business interests that might be affected by the authorised activities, or
- represents persons in either of the two groups above.

12.2 We will generally require written evidence that a person/body ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representations is sufficient. Whilst this may not apply to those elected ward members or MP or Parish Councillors, those persons should be aware of the need to represent the whole of the community that they represent and not just the vocal ‘minority’.

- 12.3 In determining whether someone lives sufficiently close to a particular premises so as to be affected, we will take into account, among other things :
- the size of the premises
 - the nature of the premises
 - the distance of the premises from the person making the representation
 - the nature of the complainant
 - the potential impact of the premises
- 12.4 In determining whether a person has a business interest which could be affected the Council will consider, among other things:
- the size of the premises
 - the catchment area of the premises, and
 - whether the person making the representation has business interests in the catchment area that might be affected
- 12.5 If an existing gambling business makes a representation that it is going to be affected by another gambling business starting up in the area, we would not consider this, in the absence of other evidence, as a relevant representation as it does not relate to the licensing objectives and instead relates to demand or competition.
- 12.6 We may consider a representation to be either frivolous or vexatious, and reject it. This will generally be a matter of fact given the circumstances of each individual case but, before coming to a decision we will normally consider:
- who is making the representation and whether there is a history of making representations that are not relevant,
 - whether it raises an issue relevant to the licensing objectives, or
 - whether it raises issues specifically to do with the premises which are the subject of the application.

13.0 Licence conditions

- 13.1 In particular cases we may find it necessary to impose conditions beyond appropriate mandatory and default conditions. Any such conditions will be relevant to the need to make the building suitable for use as a gambling facility; directly related to the premises and the type of licence applied for; fairly and reasonably related to the scale and type of premises and reasonable in all other respects. We will not have recourse to a pool of standard conditions.
- 13.2 We will also ensure that where category C or above machines that are on offer in premises to which children are admitted are located in an area of the premises which is separated by a physical barrier to prevent access other than through a designated entrance; the designated area is supervised and observed by staff or the licence holder.
- 13.3 Examples of conditions which are likely to be attached in certain circumstances include those relating to opening hours, segregation of gambling from non-gambling areas frequented by children, SIA licensed door supervisors, appropriate signage for adult only areas, age limits, or keeping children and young persons away from gaming machines. We will also expect the applicant to offer their own suggestions as to way in which the licensing objectives can be promoted effectively.

- 13.4 We will not seek to control those matters specified in the Act with conditions:
- which make it impossible to comply with an operating licence condition imposed by the Gambling Commission,
 - relating to gaming machine categories or method of operation,
 - which specify that membership of a club or other body is required, or
 - in relation to stakes, fees, winnings or prizes.

13.5 Duplication with other statutory or regulatory regimes will be avoided as far as possible. The need for conditions will be assessed on the specific merits of each application.

14.0 Gaming Machines

14.1 Gaming machines include all types of gambling activity which can take place on a machine, including betting on 'virtual' events.

14.2 The Act itself prescribes the number and category of gaming machines that are permitted in each type of gambling premises.

14.3 Subject to the provisions of the Act, gaming machines can be made available in a wide variety of premises, including :

- casinos
- bingo premises
- betting premises, (including tracks)
- adult gaming centres
- family entertainment centres
- clubs
- pubs and other alcohol licensed premises
- travelling fairs

14.4 A machine is not a gaming machine if the winning of a prize is determined purely by the player's skill. However, any element of 'chance' imparted by the action of the machine would bring it within the definition of a gaming machine.

14.5 We will encourage permit and premises licence holders to adopt applicable codes of practice which may be introduced by the amusement industry or Gambling Commission, from time to time.

15.0 Temporary Use Notices

15.1 These allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. We would object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises. Premises that might be suitable for a temporary use notice would include hotels, conference centres and sporting venues. A temporary use notice may only be granted to a person or company holding a relevant operating licence.

15.2 Temporary use notices may only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single overall winner. Equal chance gaming is gaming which does not involve playing or staking against a bank and gives equally favourable chances to all participants. Examples of equal chance gaming include games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker.

16.0 Occasional Use Notices

- 16.1 We have very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. Whilst tracks are normally thought of as permanent racecourses, this can also include land which has a number of uses for example agricultural land upon which a point-to-point meeting takes place. Land used temporarily as a track can qualify, provided races or sporting events take place or will take place there. The track need not be a permanent fixture.

17.0 Lotteries

- 17.1 All lotteries are unlawful unless they are run in accordance with an operating licence issued by the Gambling Commission - unless they are 'exempt' lotteries as defined by the Act. One of those exemptions is for "small society lotteries," which we will allow, after registration. We will maintain a register of small society lotteries.
- 17.2 A society will be allowed to register with us if it is 'non-commercial', in other words, if it is established and conducted :
- for charitable purposes ;
 - for the purpose of enabling participation in, or of supporting, sport, athletic or a cultural activity; or
 - for any other non-commercial purpose other than for private gain.

18.0 Exchange of Information

- 18.1 To ensure the licensing objectives are met, we will establish a close working relationship with the police, the Gambling Commission and, where appropriate, other responsible authorities.
- 18.2 Subject to the provisions of the Data Protection Act 1998, we will share any information we receive through the application process with the Gambling Commission and any relevant responsible authority. In doing so we will have regard to the Act itself, any guidance issued by the Commission and to any Regulations issued by the Secretary of State. People can access personal information that we hold about them by contacting our Information Management Officer.
- 18.3 We are committed to being open about what we do and how we come to our decisions, in accordance with the spirit of the Freedom of Information Act 2000 (FOIA). An important feature of the FOIA is the requirement for each public authority to produce a publication scheme setting out what information it will publish as a matter of course, how and when it will be published, and whether this information will be free of charge or on payment. Copies of our FOI publication scheme are available on request from our Information Management Officer or via the Council's website www.bromsgrove.gov.uk.
- 18.4 FOIA also provides the public with a general right of access to information held by public authorities, and subject to exemptions, be supplied with a copy of that information. Individual requests should be made in writing to the Information Management Officer or via the Council's website.

18.5 Unless restricted by the Gambling Act, details about applications, licences and representations will be made available in our public register. Representations that we accept will be copied in their entirety to applicants, to provide an opportunity for mediation and to ensure that the rights of the applicant are not compromised.

19.0 Enforcement Protocols

19.1 The main enforcement and compliance role for us in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the Operator and Personal Licences and will also take the lead role on the investigation and where appropriate, the prosecution of illegal gambling. Any concerns about manufacture, supply or repair of gaming machines will not be dealt with by us but will be notified to the Gambling Commission.

19.2 We will work with the Commission, the Police and other enforcing authorities, having regard to any specific guidance produced by the Gambling Commission, relevant codes of practice, the licensing objectives and this statement of principles, to provide for the targeting of agreed problem or high-risk premises. A lighter touch will be applied to those premises which are shown to be well managed and maintained.

19.3 The overall aim is to permit the use of premises for gambling. With that in mind it is intended that action will generally be taken against 'problem' premises through the licence review process.

19.4 We will also have regard to the Regulators' Code whilst carrying out our regulatory functions.

19.5 We will endeavour to be proportionate; accountable; consistent; transparent and targeted, as well as avoiding duplication with other regulatory regimes so far as possible.

19.6 In order to ensure compliance with the law, the Licensing Authority will prepare a risk based Inspection Programme and will carry out regular 'routine' day time programmed inspections, based on risk assessment in the categories High, Medium and Low and will also carry out 'non routine' evening programmed inspections. Where a one off event takes place under a Temporary Use Notice or Occasional Use Notice, the Licensing Authority may also carry out inspections to ensure the Licensing Objectives are being promoted.

19.7 High-risk premises are those premises that have a history of complaints and require greater attention with low risk premises needing only a lighter touch so that resources are effectively concentrated on problem premises.

20.0 Reviews

20.1 A review of a premises licence can be made by interested parties or responsible authorities, however, we will decide if the review is to be carried out on the basis of the following:

- In accordance with any relevant Code of Practice and/or guidance issued by the Gambling Commission

- Consistent with the licensing objectives
 - In accordance with our statement of principles.
- 20.2 We will also consider whether or not the request for a review is frivolous, vexatious, or repetitious or whether we would wish to alter/revoke or suspend the licence.
- 20.3 We can also initiate a review of a premises licence on the basis of any reason which we think is appropriate, including if a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 20.4 Once a valid application for a review has been received by us, representations can be made by responsible authorities and interested parties during the statutory consultation period. The purpose of the review will be to determine whether we should take any action in relation to the licence. The options available are:
- Add, remove or amend a licence condition;
 - Remove or amend a default condition, such as opening hours;
 - Suspend the premises licence for a period not exceeding 3 months;
 - Revoke the licence.

List of Consultees

Chief Officer of West Mercia Police

Gambling Commission

All Other Responsible Authorities Identified in the Gambling Act 2005

District Councillors

Parish Councils

Holders of Premises Licences issued by the Council under the Gambling Act 2005

Gambling Trade Associations:

Association of British Bookmakers

British Amusement Catering Trade Association

Bingo Association

National Casino Forum

Lotteries Council

Hospice Lotteries Association

Organisations working with those who have a gambling problem:

GamCare

Gamblers Anonymous

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Belbroughton Parish Council – Request to Change Name

Relevant Portfolio Holder	Cllr Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
Wards Affected	Belbroughton Parish in the Belbroughton and Romsley Ward
Ward Councillor Consulted	Yes

1. SUMMARY OF PROPOSALS

- 1.1 To consider the request from Belbroughton Parish Council to change the name of the Parish Council to Belbroughton and Fairfield Parish Council

2. RECOMMENDATIONS

- 2.1 That in accordance with section 75 of the Local Government Act 1972, and with immediate effect, the name of Belbroughton Parish Council be changed to Belbroughton and Fairfield Parish Council

3. KEY ISSUES

Financial Implications

- 3.1 There are no significant resource implications other than the publicity for the name change (in the region of £100), officer time and administration costs which can be met from existing budgets

Legal Implications

- 3.2 Section 75 of the Local Government Act 1972 states that at the request of a Parish Council, the council of the district within which the Parish is situated may change the name of the Parish Council. This legislation requires notice of change to be sent to the Secretary of State, the Director General of the Ordnance Survey and the Registrar General for England and Wales. Details be also be published by the District Council in the parish and elsewhere in such a manner as they consider appropriate – usually in the local press.

Service / Operational Implications

- 3.3 In accordance with Section 75 of the Local Government Act 1972 Belbroughton Parish Council has requested that the District Council

consider a request to change its name. The Parish Council would like to change its name to Belbroughton and Fairfield Parish Council as it feels that it would better reflect the area that it represents.

- 3.4 At the Belbroughton Parish Council Meeting held on 13th April 2015 the Parish Council confirmed a decision previously approved in 2012 to change the name of the Parish Council. This can be found in minute number 144/15.
- 3.5 There is no requirement for any public consultation to take place. However, in order to ensure that any request to this Council for a decision was transparent, representative and robust, the parish undertook a consultation exercise over a period of 12 months with the residents within its area
- 3.6 The consultation has included publication in the Parish Council Annual Report, publication of the proposals in the Parish magazine, circulation of the 2012 decision via an email data base of interested parties and publication on the Parish Council website.
- 3.7 Members are advised that no adverse comment was received in respect of this proposal.

4. Customer / Equalities and Diversity Implications

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

5. RISK MANAGEMENT

The request is primarily an administrative matter. Whilst consent is not assumed, the decision needs to be made in a timely way. If the change is agreed various official documents need to be changed in time for the budget process.

6. BACKGROUND PAPERS

Correspondence from the Clerk of Belbroughton Parish Council attached.

AUTHOR OF REPORT

Name: Claire Felton
E Mail: c.felton@bromsgroveandredditch.gov.uk
Tel: 01527 881429

BELBROUGHTON PARISH COUNCIL (BROMSGROVE DISTRICT)

John Farrell
Clerk
[e mail: belbroughtonpc@live.co.uk](mailto:belbroughtonpc@live.co.uk)
tel: 01299 270722

Millers Cottage
Pinkham
Cleobury Mortimer
Kidderminster
Worcs. DY14 8QE

Ms C Felton Head of Legal, Equalities & Democratic Services
Bromsgrove District Council
Parkside Market St. Bromsgrove B61 8DA

7th January 2015

Dear Claire

Parish Council – Change of name.

The Belbroughton Parish Council now wishes to progress the change of name to Belbroughton and Fairfield Parish Council. It thus seeks the confirmation from the District Council and will work with its officers on the implementation procedures.

The change was approved at the Council meeting of 13th April 2015 - minute number 144/15 -

144/15 Parish Council – Change of Name

Council noted that previous minutes and parish magazine entries had advised of the intention to change the name and sought comments from residents. No comments had been received but it would still welcome these and will detail the below reasons for the change in the Annual Parish Report welcoming further comment by 31st July 2015.

Council confirmed its previously approved decision (in 2012) to change the name of the parish council which will be 'Belbroughton and Fairfield Parish Council'. It approved the reasons for this decision: to give transparency of the administration of the area, that the name would reflect the area and, it matches the two wards of the parish.

Consultation has been sought from residents via the Annual Parish Report, which was hand delivered to all residential addresses during July 2015 plus 5 monthly entries in the Parish Magazine from April to August 2015. A separate group e mail database of residents has been used as a further medium of communication. No adverse comments have been received.

We look forward to hearing from you following the District Council meeting.

Yours sincerely

John Farrell

John Farrell Clerk
For and on behalf of Belbroughton Parish Council
Website: belbroughtonandfairfieldpc-info@e-services.worcestershire.gov.uk
e-services.worcestershire.gov.uk/myparish

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BROMSGROVE DISTRICT COUNCIL

RECORD OF URGENT DECISION TAKEN UNDER

- **DELEGATION FOR URGENT BUSINESS – SCHEME OF DELEGATIONS**

SUBJECT: IMPROVEMENTS TO CHURCHFIELDS MULTI STOREY CAR PARK,
BROMSGROVE - CAPITAL PROJECT

BRIEF STATEMENT OF SUBJECT MATTER:

At its meeting on 2nd December 2015 the Cabinet considered a report on improvement works necessary to improve the condition of and prevent further vandalism to the Churchfields Multi Storey car park. This was in accordance with advice from the Crime Prevention Design Advisor West Mercia Police. The Overview and Scrutiny Board had also considered the report on 23rd November 2015 and supported the works being undertaken. It was proposed that the improvement works be funded by way of a release from balances of £80,500.

DECISION:

That the Chief Executive under the delegation for urgent business agrees to make the following decisions:-

That the 2015/16 Capital Programme be increased by £80,500 to include the improvement works to the Churchfields Multi Storey Car Park and that the necessary funding be released from balances.

GROUNDINGS FOR URGENCY:

The Churchfields Multi Storey car park had been subject to vandalism which has resulted in the deterioration of parts of the building. It was felt to be important to maintain the car park in a good state of repair in order to encourage use and maximise potential income to the Council.

The Cabinet had approved the improvement works at its meeting on 2nd December 2015 and wished to see the works undertaken as soon as possible. The amendment of the 2015/16 Capital Programme however and the release of funding of £80,500 from balances was a matter for full Council and the next Council meeting was due to take place on 20th January 2016.

To enable the project to go ahead as soon as possible an urgent decision was sought and consultation was undertaken with the following members:-

- Leader of the Council
- Chairman of the Overview and Scrutiny Committee

PROCEDURAL MATTERS

The authority for the Chief Executive to decide these matters is found in the Constitution Part 6 (page 94) – delegation to the Chief Executive to determine matters of such urgency that formal reporting to Council is not possible. Delegation to be exercised by the Chief Executive in consultation with the Leader, Section 151 Officer and the Monitoring Officer and Chairman of the Overview and Scrutiny Board.

Dated 15th December 2015

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COUNCIL

20th January 2016

NOTICE OF MOTION – ANIMAL WELFARE

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor M. Thompson:

“Whilst humans and animals often enjoy a harmonious and mutually beneficial relationship, there are numerous examples of animals suffering extreme and unnecessary cruelty at the hands of humans; sadly and often , in the name of entertainment. Bromsgrove District Council should be a Council that promotes animal welfare and as such be a compassionate beacon to other Districts. This motion, therefore, proposes that on its land and premises the Council:

- (i) Does not allow circuses that use animals;
- (ii) Does not allow the use of animals as prizes (for example: goldfish in fairs)
- (iii) Uses only environmentally cleaning products and products that have not been tested on animals.

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CABINET**2nd December 2015****FEES AND CHARGES 2016/17**

Relevant Portfolio Holder	Councillor Geoff Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	Jayne Pickering , Director of Finance and Resources
Wards Affected	All
Ward Councillor Consulted	No
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To set out the fees and charges to be levied on services provided by the Council as used as the basis for income targets in the Medium Term Financial Plan 2016/17 – 2018/19.

2. RECOMMENDATIONS

- 2.1 It is recommended that Cabinet consider the fees and charges as included at Appendix 1 and;
- 2.1.1 **recommend to Council** the approval of all fees and charges that are included in Appendix 1 which have a proposed increase for 2016/17 and are detailed at 3.3
- 2.1.2 **approve** the fees and charges as presented in Appendix 1 that have no increase for 2016/17

3. KEY ISSUES**Financial Implications**

- 3.1 The Medium Term Financial Plan has been prepared on the basis that additional income will be generated from fees and charges. The guideline increase provided to Heads of Service was 3%.
- 3.2 As members are aware cabinet recommended a zero increase on fees and charges for 2016/17. Any charges above zero would have to be identified separately. This recommendation was due to be considered by full council on 18th November. The financial pressure of £150k was also recommended to be funded included as unavoidable pressure for 2016/17.

CABINET

2nd December 2015

- 3.2 It is proposed that the revised fees and charges will be advertised to the public within approved deadlines with a start date of 1st January 2015, where an invoice has not already been raised covering the last quarter of the financial year, or as soon as practicable thereafter, dependant upon the notice period required prior to implementation.
- 3.3 There are a number of increases that are in excess of the 0% approval to include:
- **Garden Waste** – the increase for 2017 requires approval during this budget round. The proposed increase for 2017 is £2 which equates to 5% increase on the current price of £40. The new charge will therefore be £42. This will take into account all associated increases in costs to the service including staffing and vehicle costs and will ensure the service continues to contribute to the financial position of the Council.
 - **Private Sector Housing** - The fees have been increased by 3% this is in line with Guidance which requires that the charges reflect actual costs of the service
 - **Lifeline** - installation charges have been increased to more accurately reflect the true cost of the service. The proposed fee of £35.00 is a reflection nearer to the true cost in officer time that it takes to complete an installation visit. There is more emphasis in that visit to profile our customers and find a holistic solution that meets their needs and sign post and refer on residents to other services where appropriate. This takes time and care and the charge remains up to £25 less than some other providers in the region.
 - **Council Tax Court Costs** – there is specific guidance in relation to the charge that can be applied in relation to court costs. This has been followed and the associated increases are as a result of complying with the guidance.
 - **Development Control** (pre application re development)– The increase of 3% is proposed due to there being strong evidence that the housing market can tolerate the increase in pre application fees as this is a small part of the cost associated with bringing forward residential development and reflects the cost of the officer time in dealing with cases.
 - **Building Control** - Improving on efforts to maintain and increase market share, a further reduction in the number of published building control fees is proposed. Increasing numbers of rival

CABINET

2nd December 2015

private sector firms have used the publication of local authority fees as a vehicle to increase their own market share. In 2014 / 2015 a number of more mainstream work categories had their published fees withdrawn in favour of providing site specific quotations. This revised way of working has now bedded in amongst both officers and customers, many of whom are repeat customers and has proven to be beneficial. With the exception of the publication of archiving charges and the optional consultancy based hourly charge, it is now proposed to remove all the remaining published fees. The invitation to the customer to seek a site specific quotation is within the provisions of the Building (Local Authority Charges) Regulations 2010 and allows early contact with the customer to ensure the best possible chance of receiving a building regulations application. These final few work categories amount to around just 5% of fee earning applications. The increase in archiving and optional consultancy is to reflect the true cost to the Council of the administration time in delivering this service.

Legal Implications

- 3.4 A number of statutes governing the provision of services covered by this report contain express powers or duties to charge for services. Where an express power to charge does not exist the Council has the power under Section 111 of the Local Government Act 1972 to charge where the activity is incidental or conducive to or calculated to facilitate the Council's statutory function.

Service / Operational Implications

- 3.5 Monitoring will be undertaken to ensure that income targets are achieved.

Customer / Equalities and Diversity Implications

- 3.6 The implementation of the revised fees and charges will be notified in advance to the customer to ensure that all users are aware of the new charges and any concessions available to them.

4. RISK MANAGEMENT

- 4.1 There is a risk that if fees and charges are not increased that income targets will not be achieved and the cost of services will increase.

5. APPENDICES

CABINET

2nd December 2015

Appendix 1 – Fees and Charges

6. BACKGROUND PAPERS

None.

7. KEY

None

AUTHOR OF REPORT

Name: Kate Goldey – Business Support Accountant
E Mail: k.goldey@bromsgroveandredditch.gov.uk
Tel: 01527 881208

Community Services

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
<u>STRATEGIC HOUSING</u>		0.00%		
Homeless persons' hostels				
- Single room	8.75	0.00%	8.80	
- Heating	0.60	0.00%	0.60	
- Two single rooms	13.50	0.00%	13.50	
- Heating	1.40	0.00%	1.40	
- Double room	13.50	0.00%	13.50	
- Heating	1.40	0.00%	1.40	
- More than one double room	18.40	0.00%	18.40	
- Heating	2.05	0.00%	2.10	
Bed and breakfast				
- Single room	14.40	0.00%	14.40	
- Two single rooms	28.85	0.00%	28.90	
- Double room	14.40	0.00%	14.40	
- More than one double room	18.55	0.00%	18.60	
- Breakfast				
- adult	2.15	0.00%	2.20	
- child	1.75	0.00%	1.70	
- Storage of effects (per night)	2.20	0.00%	2.20	
- RTB Plan Preparation for BDHT	109.55	0.00%	109.50	
Private Sector Housing		3.00%		
Housing Fitness Inspections	108.00	2.70	110.70	
Registration of housing in multiple occupation:				
per occupant - first property	89.00	2.23	91.20	
per occupant - subsequent property	77.00	1.93	78.90	
Service and Administration of Improvement	25.00	0.63	25.60	
Prohibition, Hazard Awareness or Emergency Measures Notices * under Housing Act 2004	per hour + 10% Admin charge per Notice		per hour + 10% Admin charge per Notice	
Enforcement of Statutory Notices, Supervision of Work in Default etc.	Actual + 10%		Actual + 10%	

The Private Sector Housing fees have been increased by 3% this is in line with Guidance which requires that the charges reflect actual costs of the service

Appendix

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
- Valuation Fee (relating to properties of 30% ownership) *Based on salary of employee	Admin charge 130.00	0.00%	Admin charge 130.00	
LIFELINE		0.00%		- Lifeline charges has been increased by 5p to more accurately reflect the true cost of the service and the lifeline installation charge has an additional and higher increase to reflect a new way of working with Officer time spent on understanding the holistic needs of the customer. This revised charge is still 20% lower than neighbouring providers.
- Installation Fee	26.57	0.00%	35.00	
- Hire of equipment (per week)	3.06	0.00%	3.10	
- Monitoring charge (per week)	1.26	0.00%	1.30	
HIRE PRODUCTS		0.00%		
Hire of smoke alarm per week	1.38	0.00%	1.40	
CO2 Detector per week	1.38	0.00%	1.40	
Bogus Caller Panic Button	1.38	0.00%	1.40	
Flood Detector	1.38	0.00%	1.40	
Fire Detector	1.38	0.00%	1.40	
Additional pendant	1.38	0.00%	1.40	
Temperature extreme sensor	1.38	0.00%	1.40	

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Customer Access & Financial Support

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
Customer Services		0.00%		
Interview Rooms (based at Service Centre Max 6 persons in room)				
- Per full day (9am - 5pm)	41.20	0.00%	41.20	
- Per half day 9am-1pm/1pm-5pm)	25.75	0.00%	25.80	
- Per hour (1full hour only)	8.75	0.00%	8.80	

Environmental Services

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments

Appendix

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
CAR PARKS		0.00%		
Bromsgrove Station				
All day	3.00	0.00%	3.00	
Churchfields Multi-storey			0.00	
Not exceeding 30 minutes	0.40	0.00%	0.40	
Not exceeding one hour	0.80	0.00%	0.80	
Not exceeding two hours	1.60	0.00%	1.60	
Not exceeding three hours	2.40	0.00%	2.40	
All day	3.00	0.00%	3.00	
Hanover Street				
Not exceeding 30 minutes	0.40	0.00%	0.40	
Not exceeding one hour	0.80	0.00%	0.80	
Not exceeding two hours	1.60	0.00%	1.60	
Not exceeding three hours	2.40	0.00%	2.40	
All day	5.00	0.00%	5.00	
New Road				
Not exceeding 30 minutes	0.40	0.00%	0.40	
Not exceeding one hour	0.80	0.00%	0.80	
Not exceeding two hours	1.60	0.00%	1.60	
Not exceeding three hours	2.40	0.00%	2.40	
Not exceeding four hours	3.20	0.00%	3.20	
Not exceeding five hours	4.00	0.00%	4.00	
Parkside				
Not exceeding 30 minutes	0.40	0.00%	0.40	
Not exceeding one hour	0.80	0.00%	0.80	
Not exceeding two hours	1.60	0.00%	1.60	
Not exceeding three hours	2.40	0.00%	2.40	
Not exceeding four hours	3.20	0.00%	3.20	
Not exceeding five hours	4.00	0.00%	4.00	
Recreation Road North				
Not exceeding 30 minutes	0.40	0.00%		Future Charges for this car park have been removed and currently closed pending disposal through sale.
Not exceeding one hour	0.80	0.00%		
Not exceeding two hours	1.60	0.00%		
Not exceeding three hours	2.40	0.00%		
All day	5.00	0.00%		
Recreation Road South				
Not exceeding 30 minutes	0.40	0.00%	0.40	
Not exceeding one hour	0.80	0.00%	0.80	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
Not exceeding two hours	1.60	0.00%	1.60	
Not exceeding three hours	2.40	0.00%	2.40	
Not exceeding four hours	3.20	0.00%	3.20	
Not exceeding five hours	4.00	0.00%	4.00	
School Drive				
Not exceeding 30 minutes	0.40	0.00%	0.40	
Not exceeding one hour	0.80	0.00%	0.80	
Not exceeding two hours	1.60	0.00%	1.60	
Not exceeding three hours	2.40	0.00%	2.40	
All day	5.00	0.00%	5.00	
Stourbridge Road				
Not exceeding 30 minutes	0.40	0.00%	0.40	
Not exceeding one hour	0.80	0.00%	0.80	
Not exceeding two hours	1.60	0.00%	1.60	
Not exceeding three hours	2.40	0.00%	2.40	
All day	5.00	0.00%	5.00	
Windsor Street				
Not exceeding 30 minutes	0.50	0.00%	0.50	
Not exceeding one hour	1.00	0.00%	1.00	
Not exceeding two hours	2.00	0.00%	2.00	
Season Tickets (valid at long stay car parks only)				
Annual	320.00	0.00%	320.00	
Quarterly	80.00	0.00%	80.00	
Season Tickets (valid at Stourbridge Road car park only)				
Annual	215.00	0.00%	215.00	
Quarterly	53.75	0.00%	53.80	
Season Tickets (valid at Churchfields Road car park only)				
Annual	215.00	0.00%	215.00	
Quarterly	53.75	0.00%	53.80	
Season Tickets (valid at Alvechurch Sports and Social club car park only)				
Annual	250.00	0.00%	250.00	
Quarterly	62.50	0.00%	62.50	
Parking Fines PCN's On Street				
Certain Contraventions	70.00	0.00%	70.00	
If paid within fourteen days	35.00	0.00%	35.00	
Other contraventions	50.00	0.00%	50.00	
If paid within fourteen days	25.00	0.00%	25.00	
<i>These charges will increase if the charge remains unpaid after the 28 days</i>				

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
<i>given on the NTO (Notice to Owner)</i>				
Parking Fines PCN's Off Street				
Certain Contraventions	70.00	0.00%	70.00	
If paid within fourteen days	35.00	0.00%	35.00	
Other contraventions	50.00	0.00%	50.00	
If paid within fourteen days	25.00	0.00%	25.00	
<i>These charges will increase if the charge remains unpaid after the 28 days given on the NTO (Notice to Owner)</i>				
Car Park charges only apply between 8.00am to 10.00pm everyday				
CEMETERY		0.00%		
Interments in a grave				
- children aged under 1 year	FREE		FREE	
- children aged under 1 year (non resident)	100.00	0.00%	100.00	
- children aged 1 year - 16 years	FREE		FREE	
- children aged 1 year - 16 years (non resident)	145.00	0.00%	145.00	
- persons aged 17 and over	450.00	0.00%	450.00	
- extra charge for grave longer than 6'6" or wider than 2'0".	110.00	0.00%	110.00	
Interment in a bricked grave				
Interment of cremated remains	185.00	0.00%	185.00	
Interment of Cremated Remains (under 16 years no residents only)			70.00	
Scattering cremated remains in grave or in rose/memorial garden (roll back turf)		%	81.00	
Exclusive rights of burial (75-year grants)				
- adult grave space	1,200.00	0.00%	1,200.00	
- child grave space	255.00		255.00	
- cremated remains plot	460.00	0.00%	460.00	
			0.00	
Renewal of expired deed (single fee charged in all cases)				
-Burial	400.00	0.00%	400.00	
-Cremated remains	155.00	0.00%	155.00	
-Adult sized grave purchased in reserve	N/A		N/A	
-Ashes grave purchased in reserve	550.00	0.00%	550.00	
-Assignment of the Exclusive Right of a full earth reserved grave from resident to non-resident	2,400.00	0.00%	2,400.00	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
-Assignment of the Exclusive Right of a cremated remains reserved grave from resident to non-resident	920.00	0.00%	920.00	
- Disinterment of Remains - Cremated Remains	250.00	0.00%	250.00	
- Wooden cremated remains casket	90.00	0.00%	90.00	
Memorials				
- Memorial application administration fee	90.00	0.00%	90.00	
- Memorial trees and plaque	350.00	0.00%	350.00	
- Memorial benches (maintenance charge)				
-Assignment / Transfer of Exclusive Right of Burial	40.00	0.00%	40.00	
-Plaque only on existing BDC Bench (time limited to 15 years)	125.00	0.00%	125.00	
Certified copy of entry	20.00	0.00%	20.00	
Burial Path memorial (new memorial option)				
5 Year Lease				
- size 1 (small)	180.00	0.00%	180.00	
- size 2	200.00	0.00%	200.00	
- size 3	220.00	0.00%	220.00	
- size 4	240.00	0.00%	240.00	
- size 5 (large)	260.00	0.00%	260.00	
10 Year Lease				
- size 1 (small)	280.00	0.00%	280.00	
- size 2	300.00	0.00%	300.00	
- size 3	320.00	0.00%	320.00	
- size 4	340.00	0.00%	340.00	
- size 5 (large)	360.00	0.00%	360.00	
20 Year Lease				
- size 1 (small)	380.00	0.00%	380.00	
- size 2	400.00	0.00%	400.00	
- size 3	420.00	0.00%	420.00	
- size 4	440.00	0.00%	440.00	
- size 5 (large)	460.00	0.00%	460.00	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
<p>Motif</p> <p>The option to purchase a full adult plot in reserve has been withdrawn to allow the burial of those who wish to bury their loved one because they have died due to lack of spaces available.</p> <p>The interment and exclusive right fee is trebled* in all cases where the deceased does not have a Bromsgrove address, unless the grave was purchased by the deceased whilst living in Bromsgrove and Redditch</p> <p>Where there is a dispute Bromsgrove District Council may require the family to provide proof of residence of the deceased</p>	100.00	0.00%	100.00	
<p>REFUSE COLLECTION</p> <p>Trade refuse - Non-Lockable Containers - Purchase of Containers</p> <ul style="list-style-type: none"> - 240 litre euro bins (per bin, per year) - 660 litre euro bins (per bin, per year) - 770 litre euro bins (per bin, per year) - 1100 litre euro bins (per bin, per year) - 1280 litre euro bins (per bin, per year) - extra trade waste collection (per visit) <p>Trade refuse - Lockable Containers - Purchase of Containers</p> <ul style="list-style-type: none"> - 660 litre euro bins (per bin, per year) - 770 litre euro bins (per bin, per year) - 1100 litre euro bins (per bin, per year) <p>Emptying of Euro bins</p> <ul style="list-style-type: none"> - 240 litre euro bins (per bin, per year) - 660 litre euro bins (per bin, per year) - 770 litre euro bins (per bin, per year) - 1100 litre euro bins (per bin, per year) - 1280 litre euro bins (per bin, per year) - orange sacks per roll (52 sacks per roll) <p>Special collections - domestic *</p> <ul style="list-style-type: none"> - for up to 10 bags or equivalent <p>Special collections - commercial</p> <ul style="list-style-type: none"> - for up to 1 tonne of waste 		0.00%		
	118.00	0.00%	118.00	
	238.00	0.00%	238.00	
	240.00	0.00%	240.00	
	263.00	0.00%	263.00	
	263.50	0.00%	263.50	
	64.00	0.00%	64.00	
	277.00	0.00%	277.00	
	279.00	0.00%	279.00	
	302.00	0.00%	302.00	
	174.00	0.00%	174.00	
	295.00	0.00%	295.00	
	310.00	0.00%	310.00	
	494.00	0.00%	494.00	
	588.00	0.00%	588.00	
	79.00	0.00%	79.00	
	19.57	0.00%	19.60	
	130.50	0.00%	130.50	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
<u>Bulky Household Waste</u>				
Proposed Charges				
It is proposed that the following charges are trialled for the next year whilst we continue to learn more about the customers' nominal value whilst continuing to improve operational efficiency. The charges would be the same across Bromsgrove and /Redditch.				
Bulky collection - single item*	7.75	0.00%	7.75	New
Bulky collection - two items*	15.50	0.00%	15.50	New
Bulky collection - three items* (reduced rate for 3 items) or 10 black bags	20.50	0.00%	20.50	New
Bulky collection - three items or more	Quotation	0.00%	Quotation	New
Item inside house or garage	Quotation	0.00%	Quotation	New
*Large item (all the items below to be quoted for independently depending on size, and weight and position of collection point).				New
- Garden Shed	Quotation	0.00%	Quotation	New
- Piano	Quotation	0.00%	Quotation	New
- Chest Freezer	Quotation	0.00%	Quotation	New
- Large Cookers (Ranges)	Quotation	0.00%	Quotation	New
- Green houses	Quotation	0.00%	Quotation	New
- Hazardous oils (Special Collections) because of the distance to dispose of them correctly.	Quotation	0.00%	Quotation	New
- Over 10 x black bags	Quotation	0.00%	Quotation	New
- Wheels, Tyres and other car parts	Quotation	0.00%	Quotation	New
Litter and Dog Bins				
- 1st bin	19.40	0.00%	19.40	
- additional bin in the same geographical location	8.25	0.00%	8.25	
		5.20%		
Garden Waste Collection Service	38.00	2.00	40.00	See report for proposed 2017 charge
* For larger bulky items such as garden sheds please contact us regarding the charge for this as prices may vary depending on size and quantity				
<u>CESSPOOL EMPTYING</u>				
Per 4,500 litres or part thereof				
- domestic premises (for a contract period of 18 months)	132.40	0.00%	132.40	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
+Extra Charge for Emergency Call Out			60.00	
- business premises (non-industrial) (for a contract period of 18 months)	132.40	0.00%	132.40	
Additional charges for laying pipes				
- 0 - 15 pipes	0.00	0.00%	0.00	
- 16 - 30 pipes (for a contract period of 18 months)	45.70	0.00%	45.70	
Persons in receipt of housing benefit pay only 25% of the above charge for emptying after their second in the same financial year (1st April - 31st March)				

Finance and Resources

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
LOCAL TAX COLLECTION		4.80%		Costs must be based on actual costs and worked out in accordance with guidance provided.
- Council Tax Court Costs	62.60	3.00	65.60	See report for proposed increase
- NNDR Court Costs	90.20	3.00	93.20	
- Magistrates' court fee (added to both council tax and NNDR Summons)	3.00	0.00	3.00	Statutory Fixed Fees and not subject to any change

Legal and Democratic

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
ELECTORAL REGISTRATION		0.00%		
Register Sales*				
In data form				
- basic fee	20.00	0.00%	20.00	Statutory Fixed Fees and not subject to any change
- for each 1,000 names or part thereof	1.50	0.00%	1.50	Statutory Fixed Fees and not subject to any change
In printed form				
- basic fee	10.00	0.00%	10.00	Statutory Fixed Fees and not subject to any change
- for each 1,000 names or part thereof	5.00	0.00%	5.00	Statutory Fixed Fees and not subject to any change
Marked Election Register Sales*				

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
In data form				
- basic fee	10.00	0.00%	10.00	Statutory Fixed Fees and not subject to any change
- for each 1,000 names or part thereof	1.00	0.00%	1.00	Statutory Fixed Fees and not subject to any change
In printed form				
- basic fee	10.00	0.00%	10.00	Statutory Fixed Fees and not subject to any change
- for each 1,000 names or part thereof	2.00	0.00%	2.00	Statutory Fixed Fees and not subject to any change
Copy of return of Election expenses plus 20p per sheet, per side.	5.00	0.00%	5.00	Statutory Fixed Fees and not subject to any change
Miscellaneous Charges				
* Address labels printed	12.30	0.00%	12.30	
* - for each 1,000 properties or part thereof	6.20	0.00%	6.20	
- street list	12.30	0.00%	12.30	
* - Data Property Addresses	22.40	0.00%	22.40	
* - for each 1,000 properties or part thereof	1.65	0.00%	1.60	
- confirmation letter of registration	16.80	0.00%	16.80	
* Postage & Packaging at cost.				
<i>This charge is determined by the Representation of the People Regulations 2001</i>				
LEGAL		0.00%		
- Legal work (per hour)	125.00	0.00%	125.00	Contractual with BDHT £180 plus vat
- RTB	180.00	0.00%	180.00	
- Consent for proposed works	137.40	0.00%	137.40	
- Retrospective Consent	144.50	0.00%	144.50	
Section 106:				
- Private Owner	467.50	0.00%	467.50	
- Each additional unit added (up to a maximum of £1,500) *	58.50	0.00%	58.50	
- Affordable housing schemes	877.50	0.00%	877.50	
- Deed of Variation**	333.50	0.00%	333.50	
- Fee for agreeing a unilateral undertaking	333.50	0.00%	333.50	
* Please note that for complex 106 agreements charges may be calculated based at the current hourly rate for legal work to reflect the time taken to complete the negotiations and drafting. Fees calculated under this provision may exceed £1,500				

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
<p>**This new head of charge is required as variations to S106 agreements were rare but are becoming more frequent and this enables the charge to be published. The rate is the same as that for a similar type of planning agreement, for consistency.</p>				
Other Fees				
- Fees for sale of property under Low Cost Housing Scheme	230.00	0.00%	230.00	
- Fees for purchase of additional 30% Share	150.00	0.00%	150.00	
- Fees for preparation of Deed of postponement	98.00	0.00%	98.00	
- Administration fee for the grant of licences for more than 12 months	55.00	0.00%	55.00	
- Issuing of consents (transfer of mortgage)	65.00	0.00%	65.00	
- Diversion of footpath under section 257 of the Town and Country Planning Act	1,880.00	0.00%	1,880.00	
LAND SEARCHES				
Single Con29 Question				
Special Certificate of Search (LLC1) only	26.00	0.00%	26.00	HMRC has indicated that it may impose a requirement on local authorities to put VAT on CON29 searches from 1st February 2016, although these charges have not been subject to VAT to date.
CON29R Enquiries of Local Authority (2007)				
- Residential	85.00	0.00%	85.00	
- Commercial	126.00	0.00%	126.00	
Standard Search Fee: LLC1 and CON 29R combined				
- Residential	111.00	0.00%	111.00	
- Commercial	152.00	0.00%	152.00	
CON 29O Optional enquiries of Local Authority (2007)				
(Questions 4,5,6,8,9,11,15) per question	12.00	0.00%	12.00	
(Questions 7,10,12,13,14,16-21) per question	6.00	0.00%	6.00	
(Question 22)	24.00	0.00%	24.00	
Extra written enquiries (Refer to Worcestershire County Council for Highways enquiries)	47.00	0.00%	47.00	
Each additional parcel of land (LLC1 and CON29R)	22.00	0.00%	22.00	
Refresher Search	38.00	0.00%	38.00	
Expedited (within 48 hrs)	30.00	0.00%	30.00	

Leisure Services

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
<u>SPORTS DEVELOPMENT</u>		0.00%		
Community exercise class	2.60	0.00%	2.60	No increase will aim to encourage greater participation in these sessions
Specialised health class				No increase will aim to encourage greater participation in these sessions
	3.00	0.00%	3.00	
Primary Sports Project	19.00	0.00%	19.00	
After school session	2.00	0.00%	2.00	
Sports Specific Coaching (Adults)	4.75	0.00%	4.75	
Inclusive activities	2.70	0.00%	2.70	
Adult Coach Session (requires facility hire)	3.50	0.00%	3.50	
Holiday club rate	2.15	0.00%	2.15	
Concessionary holiday club rate (school dinners)	1.00	0.00%	1.00	
Junior Sport Specific Holiday club / sport session	2.40	0.00%	2.40	
Multi Skills clubs	2.15	0.00%	2.15	
Pre Falls Prevention				relates to grant funding and is a fixed charge set by NHS Worcs
	2.50	0.00%	2.50	
Activity referral	25.00	0.00%	25.00	
<u>SANDERS PARK</u>		0.00%		
Tennis Courts (per court per Hour)				
- Adult	6.85	0.00%	6.90	
- Adult & Junior	6.00	0.00%	6.00	
- Junior/Senior Citizen	5.45	0.00%	5.40	
Tennis Courts (per court per 1/2 Hour)				
- Adult	3.45	0.00%	3.50	
- Adult & Junior	3.00	0.00%	3.00	
- Junior/Senior Citizen	2.75	0.00%	2.70	
Bowls				
- Adult (per hour)	7.15	0.00%	7.20	
- Adult (season ticket)	61.15	0.00%	61.20	
- Junior (per hour)	3.90	0.00%	3.90	
- Junior (season ticket)	33.10	0.00%	33.10	
- Senior Citizen (per hour)	4.95	0.00%	5.00	
- Senior Citizen (season ticket)	44.60	0.00%	44.60	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
Bromsgrove Town Bowling Club - for season (exclusive use on present basis) - additional use, other days (per rink)	2,920.60 26.45	0.00% 0.00%	2,920.60 26.40	
<u>OTHER RECREATION GROUNDS AND OPEN SPACES</u>		0.00%		
Football Pitch (without changing facilities) - adult (per game) - junior (per game)	29.70 18.05	0.00% 0.00%	29.70 18.00	
Changing Facilities - adult - junior	42.65 21.85	0.00% 0.00%	42.60 21.90	
Boleyn Road, Frankley - fairs (per day) - deposit	446.60 2,042.30	0.00% 0.00%	446.60 2,042.30	
Market Street Recreation Ground - fairs (per day) - deposit	445.60 2,042.30	0.00% 0.00%	445.60 2,042.30	
Page 91 One free day is allowed for each of the above bookings by fairs/circuses. Other hiring's – charge to be decided at the time of application.				
<u>ALLOTMENTS</u> (Charge is for October 2014 - September 2015) - Rent per acre equivalent to 0.404685 hectares - Rent per 3/4 acre equivalent to 0.303514 hectares - Rent per 1/2 acre equivalent to 0.202342 hectares - Rent per 1/4 acre equivalent to 0.101171 hectares - Rent per 1/16 acre equivalent to 0.25529 hectares - Rent per 1/32 acre equivalent to 0.01264 hectares	1,007.85 676.80 401.60 184.55 42.45 29.75	0.00% 0.00% 0.00% 0.00% 0.00% 0.00%	1,007.80 676.80 401.60 184.50 42.40 29.70	
<u>Bromsgrove Outdoor Events & Outdoor Fitness– Hire of Parks and Open Spaces</u> <u>£250 - £1500 Bond Payable</u> <u>Events</u> <u>Commercial Rates</u> Small Attendance = 0 to 99 Per Hour	49.00	0.00%	49.00	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
Per Day	239.00	0.00%	239.00	
Medium Attendance = 100 to 499				
Per Hour	64.00	0.00%	64.00	
Per Day	319.00	0.00%	319.00	
Large Attendance = 500 to 1999				
Per Hour	81.00	0.00%	81.00	
Per Day	399.00	0.00%	399.00	
<u>Community Rates</u>				
Small Attendance = 0 to 99				
Per Hour	20.00	0.00%	20.00	
Per Day	94.00	0.00%	94.00	
Medium Attendance = 100 to 499				
Per Hour	25.00	0.00%	25.00	
Per Day	120.00	0.00%	120.00	
Large Attendance = 500 to 1999				
Per Hour	30.00	0.00%	30.00	
Per Day	147.00	0.00%	147.00	
<u>Charities / Not For Profit Organisations</u>				
Small Attendance = 0 to 99				
Per Hour	14.00	0.00%	14.00	
Per Day	67.00	0.00%	67.00	
Medium Attendance = 100 to 499				
Per Hour	17.00	0.00%	17.00	
Per Day	81.00	0.00%	81.00	
Large Attendance = 500 to 1999				
Per Hour	22.00	0.00%	22.00	
Per Day	107.00	0.00%	107.00	
<u>Fairs & Circuses Min of 3 day Hire</u>				
Small Attendance = 0 to 99 Per Day	372.00	0.00%	372.00	
		0.00%		
<u>Outdoor Fitness Session</u>				
Commercial Rates (Per Day)				
Summer Fee (Apr to Sept)	372.00	0.00%	372.00	
Winter Fee (Oct to Mar)	160.00	0.00%	160.00	
Annual Fee	454.00	0.00%	454.00	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
Community Rates (Per Day)				
Summer Fee (Apr to Sept)	266.00	0.00%	266.00	
Winter Fee (Oct to Mar)	81.00	0.00%	81.00	
Annual Fee	319.00	0.00%	319.00	
Additional Costs for Outdoor Event Space:				
Ø Set up and Clearance charged @ 50% of applicable rate				
Ø Any event in excess of 1999 attendees is STN				
Additional Costs for Outdoor Fitness Space:				
Ø Set up and Clearance charged @ 50% of applicable rate				
<u>BROMSGROVE DISTRICT COUNCIL - PARKSIDE SUITE</u>		0.00%		
<u>Scale of Charges from 2015</u>				
<u>Per Hour (Suggest min Hire of 2hrs)</u>				
Main Room				
Community Group	20.00	0.00%	20.00	
Regular Hire	30.00	0.00%	30.00	
Commercial Hire	40.00	0.00%	40.00	
Side Room				
Community Group	10.00	0.00%	10.00	
Regular Hire	15.00	0.00%	15.00	
Commercial Hire	20.00	0.00%	20.00	
Combined				
Community Group	25.00	0.00%	25.00	
Regular Hire	40.00	0.00%	40.00	
Commercial Hire	55.00	0.00%	55.00	
<u>Half Day up to 5pm (max 4hrs)</u>				
Main Room				
Community Group	75.00	0.00%	75.00	
Regular Hire	90.00	0.00%	90.00	
Commercial Hire	150.00	0.00%	150.00	
Side Room				
Community Group	30.00	0.00%	30.00	
Regular Hire	40.00	0.00%	40.00	
Commercial Hire	50.00	0.00%	50.00	
Combined				
Community Group	90.00	0.00%	90.00	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
Regular Hire	125.00	0.00%	125.00	
Commercial Hire	180.00	0.00%	180.00	
<u>Full Day Up to 5pm</u>				
Main Room				
Community Group	140.00	0.00%	140.00	
Regular Hire	175.00	0.00%	175.00	
Commercial Hire	250.00	0.00%	250.00	
Side Room				
Community Group	50.00	0.00%	50.00	
Regular Hire	60.00	0.00%	60.00	
Commercial Hire	75.00	0.00%	75.00	
Combined				
Community Group	180.00	0.00%	180.00	
Regular Hire	225.00	0.00%	225.00	
Commercial Hire	300.00	0.00%	300.00	
<u>Combined Evening Commercial Hire, Fridays and Saturday's, 5pm - Midnight</u>	400.00	0.00%	400.00	
<p>Page 94</p> <p>Only half day and full day rates allowed for weekends. No hourly rates.</p> <p>All day rate for weddings £720** (day and evening to include kitchen and set up) 9am – 12 midnight</p> <p>Sunday hire rates by negotiation.</p> <p>Prices for current users of the Spadesbourne Suite will be held for 12mths as part of the transition arrangements</p> <p>Room 54(Training Room) - Any internal county organisations whom wish to use this room will be charged £25.00 per hour.</p>				

Planning and Regeneration

SERVICE CATEGORY	charge 1st April 2015	% increase	Proposed charge from 2016	Comments
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SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
	£	£	£	
<u>PRODUCE AND RETAIL MARKET</u>		0.00%		
Farmers Market	31.00	0.00%	31.00	
High Street Market - pitches 3 x 3 metres *				
- Tuesday	28.50	0.00%	28.50	
- Friday	28.50	0.00%	28.50	
- Saturday	34.00	0.00%	34.00	
- All 3 days	85.00	0.00%	85.00	
High Street Market - pitches 4.5 x 3 metres *				
- Tuesday	39.50	0.00%	39.50	
- Friday	39.50	0.00%	39.50	
- Saturday	45.00	0.00%	45.00	
- All 3 days	119.00	0.00%	119.00	
National Brand Promotions (per day)				
- Per day	53.00	0.00%	53.00	
- Per 6 day week	212.00	0.00%	212.00	
Market Street Sites				
- Small:				
- Per day	53.00	0.00%	53.00	
- Per 6 day week	212.00	0.00%	212.00	
- Large:				
- Per day	95.50	0.00%	95.50	
- Per 6 day week	530.50	0.00%	530.50	
* Please note an additional charge may apply if electricity is required for the market stalls, for more information please contact the Town Centre and Economic Development Manager				
<u>DEVELOPMENT CONTROL</u>		0.00%		
A0/A1 size print	14.00	0.00%	14.00	
A2 size print	7.00	0.00%	7.10	
<u>Development Management</u>		3.00%		
High Hedge Complaints	561.00	16.82	577.80	See report for proposed Increase
High Hedge Complaints - reduced for people on benefits	224.00	5.60	229.60	
<u>Residential Development/ Development Site Area/Proposed Gross Floor Area</u>				

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
1-4 dwellings / less than 0.5 ha	289.00	8.67	297.70	See report for proposed Increase
- Additional Meetings (after first three)	115.00	3.45	118.50	
5-9 dwellings / 0.6-0.99ha	581.00	17.43	598.40	
- Additional Meetings (after first three)	115.00	3.45	118.50	
10-49 dwellings / 1.0-1.25ha	1,160.00	34.80	1,194.80	
- Additional Meetings (after first three)	580.00	17.40	597.40	
50-199 dwellings / 1.26 - 2.0ha	2,320.00	69.60	2,389.60	
- Additional Meetings (after first three)	858.00	25.74	883.70	
200+ dwellings / more than 2ha	3,479.00	104.37	3,583.40	
- Additional Meetings (after first three)	1,160.00	34.80	1,194.80	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
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BUILDING CONTROL - APRIL 2015 - VAT AT 20%
Explanatory notes

1 Before you build, extend or convert a building to which the building regulations apply, you or your agent must submit a Building regulations application. The charge you have to pay depends on the type of work, the number of separate properties, or the total floor area. You can use the following tables with the current charges regulations to work out the charges. If you have any difficulties, please do not hesitate to call us.

2 The charges are as follows.
 Category A: New domestic homes, flats or conversions etc.
 Category B: Extending or altering existing homes
 Category C: Any other project including commercial or industrial projects etc.

Individually determined fees are available for most projects. We would be happy to discuss these with you if you require. In certain cases, we may agree that you can pay charges in instalments. Please contact us for further discussions.

3 Exemptions and reductions in charges.
 a If your plans have been approved or rejected, you won't have to pay again if you resubmit plans for the same work which has not started, provided you resubmit with 3 years of the original application date.
 b You don't have to pay charges if the work will provide access to a building or is an extension to store medical equipment or provide medical treatment facilities for a disabled person. In order to claim exemption, an application must be supported by appropriate evidence as to the nature of the disabled persons disability. In these regulations, a 'disabled person' is a person who is described under section 29(1) of the National Assistance Act 1948 (as extended by section 8(2) Mental Health Act 1959).

4 You have to pay VAT for all local authority Building Regulation charges, except for the regularisation charge. VAT is included in the attached fees.

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
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5. Regularisation applications are available for cases where unauthorised building work was undertaken without an application. Such work can only be regularised where the work was undertaken after October 1985 and not within the last 6 months. The Authority is not obliged to accept Regularisation applications. Regularisation application fees are individually determined. Please contact us to discuss regularisation application fees.

6. Reversion applications. Where the control of a building project passes from a third party to the Council a reversion application will be required. Reversion application fees are individually determined.

Other information

1 These notes are for guidance only and do not replace Statutory Instrument 2010 number 0404 which contains the full statement of the law, and the Scheme of Recovery of Fees dated April 2014.

2 These guidance notes refer to the charges that you have to pay for building control services within North Worcestershire.

Telephone payments are accepted. Please contact the relevant payment centre with your address and card details:

Bromsgrove 01527 881402

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TABLE A: Standard Charges for the Creation or Conversion to New Housing

Application Charge
Regularisation Charge
Additional Charge

	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £
		0.00%	
Please Ring for Quote		0.00%	Please Ring for Quote
Please Ring for Quote		0.00%	Please Ring for Quote
Please Ring for Quote		0.00%	Please Ring for Quote

An increasing number of customers are aware of the obligation for local authority building control to provide project specific fees, which are now provided in virtually all cases. It is proposed to continue with provision of site specific fees in accordance with The Building (Local Authority Charges) Regulations 2010 as in previous years, however it is also now proposed to expand this to cover the remaining few fee categories where a fixed fee is currently published.

TABLE B: Domestic Extensions to a Single Building Garage Conversion to habitable room

Application Charge
Regularisation Charge
Additional Charge
Extension project up to 10sq.m floor area
Application Charge

	310.00		Please contact us
Please contact us			Please contact us
	230.00		Please contact us
Please contact us		0.00%	Please contact us

The number of applications received which fall within these final few categories amounts to around 5% of all applications

Appendix

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
Regularisation Charge	Please contact us	0.00%	Please contact us	
Additional Charge	230.00		Please contact us	
All other extensions				
Application Charge	Please contact us	0.00%	Please contact us	
Regularisation Charge	Please contact us	0.00%	Please contact us	
Additional Charge	Within provided quote	0.00%	within provided quote	
Loft Conversions				
Application Charge	Please contact us	0.00%	Please contact us	
Regularisation Charge	Please contact us	0.00%	Please contact us	
Additional Charge	Within provided quote	0.00%	within provided quote	
Detached garage over 30sq.m floor area				
Application Charge	Please contact us	0.00%	Please contact us	
Regularisation Charge	Please contact us	0.00%	Please contact us	
Additional Charge	Within provided quote	0.00%	within provided quote	
Electrical works by non-qualified electrician				
Application Charge	305.00	0.00%	Please contact us	
Regularisation Charge	Please contact us	0.00%	Please contact us	
Renovation of thermal element				
Application Charge	170.00	0.00%	Please contact us	
Regularisation Charge	Please contact us	0.00%	Please contact us	
Installing steel beam(s) within an existing house				

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
Application Charge	145.00	0.00%	Please contact us	
Regularisation Charge	Please contact us	0.00%	Please contact us	
Window replacement				
Application Charge	170.00	0.00%	Please contact us	
Regularisation Charge	Please contact us	0.00%	Please contact us	
Installing a new boiler or wood burner etc.				
Application Charge	240.00	0.00%	Please contact us	
Regularisation Charge	Please contact us	0.00%	Please contact us	
<u>TABLE C: All Other works - Alterations</u>				
Application Charge	Please Contact Us	0.00%	Please Contact Us	
Regularisation Charge	Please Contact Us	0.00%	Please Contact Us	

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SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments																																			
<p>For Office or shop fit outs, installation of a mezzanine floor and all other work where the estimated cost exceeds £50,000, please contact the Building Control Office on 01527 881402 for a competitive quote</p> <p><u>These charges have been set on the following basis:</u></p>																																							
<p>1. That the building work does not consist of, or include innovative or high risk construction techniques and / or duration of the building work from commencement to completion does not exceed 12 months</p> <p>2. That the design and building work is undertaken by a person or company that is competent to carry out the relevant design and building work. If they are not, the building control service may impose supplementary charges.</p> <p style="text-align: center;"><u>Building Control – Supplementary Charges</u></p> <p>If you are selling a property that has been extended or altered, you need to provide evidence to prospective purchasers that any relevant building work has been inspected and approved by a Building Control Body. That evidence is in the form of a Building Regulations Completion / Final Certificate and / or an Approval or Initial Notice (called the ‘authorised documents’ in the Home Information Pack Regulations).</p> <p>Legal entitlement to a Completion Certificate is subject to conditions. In cases where the Council is not told that building work is completed, or the building is occupied without addressing outstanding Building Regulation matters, a certificate is not issued. Despite the best efforts of the Council’s Building Control Surveyors, many home owners who undertake building works fail to obtain a Completion Certificate and their application is archived. A fee is payable to re-open archived building regulations applications for the purposes of issuing a completion certificate.</p> <p>Other charges are payable where we are asked to withdraw a Building Regulations application and refund fees, or asked to re-direct inspection fee invoices. Fees are payable in cleared funds before the release of any authorised documents or other actions listed below.</p>																																							
<p><u>ARCHIVED APPLICATIONS</u></p> <table border="1" data-bbox="47 933 2175 1364"> <thead> <tr> <th></th> <th></th> <th>3.00%</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>Process request to re-open archived building control file, resolve case and issue completion certificate (Administration Fee)</td> <td>49.00</td> <td>1.50</td> <td>50.50</td> <td></td> </tr> <tr> <td>Each visit to site in connection with resolving archived building control cases (Per Site Visit)</td> <td>64.00</td> <td>1.90</td> <td>65.90</td> <td></td> </tr> <tr> <td colspan="5"><u>WITHDRAWN APPLICATIONS</u></td> </tr> <tr> <td>Process request</td> <td>49.00</td> <td>1.50</td> <td>50.50</td> <td></td> </tr> <tr> <td colspan="5"><u>With additional fees of:</u></td> </tr> <tr> <td>Withdraw Building Notice application where no inspections have taken place</td> <td>refund submitted fee less admin fee</td> <td>0.00%</td> <td>refund submitted fee less admin fee</td> <td></td> </tr> </tbody> </table>							3.00%			Process request to re-open archived building control file, resolve case and issue completion certificate (Administration Fee)	49.00	1.50	50.50		Each visit to site in connection with resolving archived building control cases (Per Site Visit)	64.00	1.90	65.90		<u>WITHDRAWN APPLICATIONS</u>					Process request	49.00	1.50	50.50		<u>With additional fees of:</u>					Withdraw Building Notice application where no inspections have taken place	refund submitted fee less admin fee	0.00%	refund submitted fee less admin fee	
		3.00%																																					
Process request to re-open archived building control file, resolve case and issue completion certificate (Administration Fee)	49.00	1.50	50.50																																				
Each visit to site in connection with resolving archived building control cases (Per Site Visit)	64.00	1.90	65.90																																				
<u>WITHDRAWN APPLICATIONS</u>																																							
Process request	49.00	1.50	50.50																																				
<u>With additional fees of:</u>																																							
Withdraw Building Notice application where no inspections have taken place	refund submitted fee less admin fee	0.00%	refund submitted fee less admin fee																																				

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
Withdraw Building Notice application where inspections have taken place	refund submitted fee less admin fee, less £64 per site visit made	1.90	refund submitted fee less admin fee, less £65.90 per site visit made	
Withdrawn Full Plans application without plans being checked or any site inspections being made	refund submitted fee less admin fee	0.00%	refund submitted fee less admin fee	
Withdraw Full Plans application after plan check but before any inspections on site	refund inspection fee (where paid up-front) less admin fee	0.00%	refund inspection fee (where paid up-front) less admin fee	
Withdraw Full Plans application after plan check and after site inspections made	refund any paid inspection fee less admin fee, less £64 per site inspection made	1.90	refund any paid inspection fee less admin fee, less £65.90 per site inspection made	
<u>RE-DIRECT INSPECTION FEES / ISSUE COPY DOCUMENTS</u>				
Process request to re-invoice inspection fee to new addressee	49.00	1.50	50.50	
Optional Consultancy Services	Please Contact Us	0.00%	Please Contact Us	
<p><u>*Charges Note*</u></p> <p>Under the Building (Local Authority Charges) Regulations 2010 local authority building control is not permitted to make a profit or loss. The service is to ensure full cost recovery and no more. Any surplus or loss made against expenditure budgets is to be offset against the following years fees and charges setting. This draft set of fees and charges reflects the surplus income projected to have arisen by the end of 14/15 across the shared service. In addition, the level of competition from the private sector needs to continually defended against therefore it is proposed to curtail both the extent of fee categories published and to make extensive use of the fact that legislation now allows local authorities to offer site specific quotations for building regulations applications. In addition expenditure of the service has reduced since the creation of a shared service resulting in a reduction in the hourly rate charged by the service.</p>				

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
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Regulatory Services

SERVICE CATEGORY	Agreed new charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
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0.00%

TAXI LICENSING

- Hackney Carriage - excluding vehicle testing	243.00	0.00%	243.00	
- Hackney Carriage vehicle tests	64.00	0.00%	64.00	
- Private Hire - excludes vehicle testing	225.00	0.00%	225.00	
- Private Hire vehicle tests	54.85	0.00%	54.90	
- Private Hire Operator 1 year	290.00	0.00%	290.00	
- Private Hire Operator 5 year		0.00%	1,102.00	Changes to legislation to offer 5 year charge
- H/C/PH Drivers Licence - 1 year	92.00	0.00%	92.00	
- H/C/PH Drivers Licence - 3 year		0.00%	220.80	Changes to legislation to offer 3 year charge
- Private Hire Drivers Licence - 1 year	92.00	0.00%	92.00	
- Private Hire Drivers Licence - 3 year		0.00%	220.80	Changes to legislation to offer 3 year charge
- Meter Test	23.00	0.00%	23.00	
- Hackney Carriage mid-term vehicle test	64.00	0.00%	64.00	In line with recharge from depot
- Private Hire mid-term vehicle test	54.85	0.00%	54.90	In line with recharge from depot
- Re-Test Fee - Within 48 hours	28.00	0.00%	28.00	
- Knowledge test	20.00	0.00%	20.00	
- Administration charge - new applications	35.00	0.00%	35.00	
- Conversion of vehicle licence to P/H or H/C	0.00	0.00%	0.00	
- Replacement vehicle plate	15.00	0.00%	15.00	
- Replacement Driver's Licence	10.00	0.00%	10.00	
- Trailer Test	20.00	0.00%	20.00	
- Transfer of ownership of licensed vehicle	25.00	0.00%	25.00	
- Amendment to paper licence - e.g. change of address	10.50	0.00%	10.50	
- Criminal Bureau Check	50.00	0.00%	50.00	
- DVLA Check - Electronic	5.50	0.00%	5.50	
- DVLA Check	10.50	0.00%	10.50	

GENERAL LICENSING

Licensing Act 2003

- Annual Street Trading Consent - Food - Initial - per annum	1,418.00	0.00%	1,418.00	
- Annual Street Trading Consent - Food - Renewal - per annum	1,301.00	0.00%	1,301.00	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
- Annual Street Trading Consent - Non Food - Initial - per annum	1,183.00	0.00%	1,183.00	
- Annual Street Trading Consent - Non Food - Renewal - per annum	1,064.00	0.00%	1,064.00	
- Animal Boarding - Vet fees / animal welfare visit costs if applicable charged	225.00	0.00%	225.00	
- Dog Breeding establishments - Vet fees / animal welfare visit costs if applicable charged	225.00	0.00%	225.00	
- Dangerous wild animals - Vet fees / animal welfare visit costs if applicable charged	225.00	0.00%	225.00	
- Pet Shops - Vet fees / animal welfare visit costs if applicable charged at cost	225.00	0.00%	225.00	
- Riding Est. - Vet fees / animal welfare visit costs if applicable charged at cost	225.00	0.00%	225.00	
- Sex Establishments - Vet fees / animal welfare visit costs if applicable charged at cost	979.00	0.00%	979.00	
- Zoo - Vet fees / animal welfare visit costs if applicable charged at cost	97.00	0.00%	97.00	
Tattooing/ ear piercing/ electrolysis/ acupuncture				
- Premises	125.00	0.00%	125.00	
- Practitioners	82.00	0.00%	82.00	
Scrap Metal Dealers Act 2013				
- Site Licence (New)	290.00	0.00%	290.00	
- Per Additional Site	150.00	0.00%	150.00	
- Collectors Licence (New)	145.00	0.00%	145.00	
- Site Licence (Renewal)	240.00	0.00%	240.00	
- Per Additional Site	150.00	0.00%	150.00	
- Collectors Licence (Renewal)	95.00	0.00%	95.00	
- Variation of Licence	65.00	0.00%	65.00	
- Copy of Licence (if lost or stolen)	25.00	0.00%	25.00	
ENVIRONMENTAL HEALTH		0.00%		
Dog Warden				
Penalty* (statutory fee)	25.00	0.00%	25.00	Legislation since 1992
Kennelling Fee - £12 per day or part day	12.00	0.00%	12.00	
Admin charge	10.00	0.00%	10.00	
Out of hours fee	30.00	0.00%	30.00	
Repeat offenders fee	25.00	0.00%	25.00	
*No charge for a first offence to those on income related means tested benefits				
Other Environmental Health Fees				
ISS Certs Condemned Food*	67.00	0.00%	Full Cost Recovery	
Food Hygiene Basic Course fee	62.00	0.00%	Full Cost Recovery	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
<u>Gambling Fees 16-17</u>		0.00%		
<u>Premises Licence Fees - Discretionary</u>				
Bingo Premises				
Application to vary	1,017.00	0.00%	1,017.00	
Application to transfer	694.00	0.00%	694.00	
New applications	2,029.50	0.00%	2,029.50	
Annual fee	580.00	0.00%	580.00	
Copy of licence	26.70	0.00%	25.00	
Notification of change	54.00	0.00%	50.00	
Reinstatement of licence	676.50	0.00%	676.50	
Provisional statement	2,029.50	0.00%	2,029.50	
Adult Gaming Centre				
Application to vary	870.00	0.00%	870.00	
Application to transfer	694.00	0.00%	694.00	
New applications	1,158.25	0.00%	1,158.30	
Annual fee	580.00	0.00%	580.00	
Copy of licence	26.70	0.00%	25.00	
Notification of change	54.00	0.00%	50.00	
Reinstatement of licence	676.50	0.00%	676.50	
Provisional statement	1,158.25	0.00%	1,158.30	
Family Entertainment Centre				
Application to vary	672.50	0.00%	672.50	
Application to transfer	550.50	0.00%	550.50	
New applications	1,158.25	0.00%	1,158.30	
Annual fee	436.00	0.00%	436.00	
Copy of licence	26.70	0.00%	25.00	
Notification of change	54.00	0.00%	50.00	
Reinstatement of licence	540.00	0.00%	540.00	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
Provisional statement	1,158.25	0.00%	1,158.30	
Betting Premises (Excluding Track)				
Application to vary	870.00	0.00%	870.00	
Application to transfer	694.00	0.00%	694.00	
New applications	1,691.50	0.00%	1,691.50	
Annual fee	348.50	0.00%	348.50	
Copy of licence	26.70	0.00%	25.00	
Notification of change	54.00	0.00%	50.00	
Reinstatement of licence	676.50	0.00%	676.50	
Provisional statement	1,691.50	0.00%	1,691.50	
Track				
Application to vary	724.00	0.00%	724.00	
Application to transfer	550.50	0.00%	550.50	
New applications	1,411.50	0.00%	1,411.50	
Annual fee	580.00	0.00%	580.00	
Copy of licence	26.70	0.00%	25.00	
Notification of change	54.00	0.00%	50.00	
Reinstatement of licence	540.00	0.00%	540.00	
Provisional statement	1,411.50	0.00%	1,411.50	
Temporary use notices				
New applications	275.00	0.00%	275.00	
Copy of licence	26.70	0.00%	25.00	
<u>Gambling Act Permit Fees - Statutory</u>				
Licensed Premises Gaming Machine Permit				
Grant	150.00	0.00%	150.00	
Existing operator grant	100.00	0.00%	100.00	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
Variation	100.00	0.00%	100.00	
Transfer	25.00	0.00%	25.00	
Annual Fee	50.00	0.00%	50.00	
Change of name	25.00	0.00%	25.00	
Copy of Permit	15.00	0.00%	15.00	
<u>Licensed Premises Automatic Notification Process</u>				
Grant	50.00	0.00%	50.00	
<u>Club Gaming Permits</u>				
Grant	200.00	0.00%	200.00	
Grant (Club Premises Certificate holder)	100.00	0.00%	100.00	
Existing operator grant	100.00	0.00%	100.00	
Variation	100.00	0.00%	100.00	
Renewal	200.00	0.00%	200.00	
Renewal (Club Premises Certificate holder)	100.00	0.00%	100.00	
Annual Fee	50.00	0.00%	50.00	
Change of name	100.00	0.00%	100.00	
Copy of Permit	15.00	0.00%	15.00	
<u>Club Machine Permits</u>				
Grant	200.00	0.00%	200.00	
Grant (Club Premises Certificate holder)	100.00	0.00%	100.00	
Existing operator grant	100.00	0.00%	100.00	
Variation	100.00	0.00%	100.00	
Renewal	200.00	0.00%	200.00	
Renewal (Club Premises Certificate holder)	100.00	0.00%	100.00	
Annual Fee	50.00	0.00%	50.00	
Copy of Permit	15.00	0.00%	15.00	
Change of Name	25.00	0.00%	25.00	
Transfer of Permit	25.00	0.00%	25.00	
<u>Family Entertainment Centre Gaming Machine Permit</u>				
Grant	300.00	0.00%	300.00	
Existing operator grant	100.00	0.00%	100.00	
Change of name	25.00	0.00%	25.00	
Renewal	300.00	0.00%	300.00	
Copy of Permit	15.00	0.00%	15.00	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
<u>Prize Gaming Permits</u>				
Grant	300.00	0.00%	300.00	
Existing operator grant	100.00	0.00%	100.00	
Change of name	25.00	0.00%	25.00	
Renewal	300.00	0.00%	300.00	
Copy of Permit	15.00	0.00%	15.00	
Transitional Application Fee	100.00	0.00%	100.00	
<u>Small Lottery Registration (set by legislation)</u>				
Grant	40.00	0.00%	40.00	
Annual fee	20.00	0.00%	20.00	
<u>Fee Licensing 15-16 - Statutory</u>		0.00%		
<u>The fee for a Personal Licence is £37.00</u>				
<u>Premises Licence and Club Premises Certificate</u>				
<u>Non- Domestic rateable value of premises</u>				
BAND A	0 - 4,300	0.00%	0 - 4,300	
BAND B	4,301 - 33,000	0.00%	4,301 - 33,000	
BAND C	33,001 - 87,000	0.00%	33,001 - 87,000	
BAND D	87,001 - 125,000	0.00%	87,001 - 125,000	
BAND E	125,001 and over	0.00%	125,001 and over	
<u>New applications and variations</u>				
BAND A	100.00	0.00%	100.00	
BAND B	190.00	0.00%	190.00	
BAND C	315.00	0.00%	315.00	
BAND D	450.00	0.00%	450.00	
BAND E	635.00	0.00%	635.00	
<u>Annual Fee</u>				
BAND A	70.00	0.00%	70.00	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
BAND B	180.00	0.00%	180.00	
BAND C	295.00	0.00%	295.00	
BAND D	320.00	0.00%	320.00	
BAND E	350.00	0.00%	350.00	
<p>Property not subject to non-domestic rates will fall into Band A. Properties, which have not yet been constructed will fall into band C.</p> <p>Those premises which fall into Band 'D' will be subject to two times the amount of fee payable as outlined above, whilst those premises which fall into Band 'E' will be subject to three times the amount of fee payable, if they are used exclusively or primarily for the carrying on of the retail of alcohol for consumption on the premises, i.e. large public houses.</p> <p>Large Events An additional fee will be charged where the maximum number of persons exceeds 5000 at a licensable event. Please contact the Licensing Section for further details.</p> <p>Exemptions Church Halls, Community Halls, Village Halls, or other similar building etc. are exempt from paying any fees for a premises licence authorising ONLY the provision of regulated entertainment. If the retail of alcohol is to be included in the Premises Licence, the full fee will be payable as outlined above.</p> <p>No fees are payable by an educational institution, such as a school or a college (whose pupils/students have not attained the age of 19) for a premises licence authorising ONLY the provision of regulated entertainment providing that is for and on behalf of the educational institution.</p>				
Application for copy of licence or summary on theft, loss etc.	10.50	0.00%	10.50	
Notification of change of name or address (holder of premises licence)	10.50	0.00%	10.50	
Application to vary the Designated Premises Supervisor	23.00	0.00%	23.00	
Application to transfer a premises licence	23.00	0.00%	23.00	

SERVICE CATEGORY	charge 1st April 2015 £	% increase £	Proposed charge from 2016 £	Comments
Interim authority notice following death etc. of licence holder	23.00	0.00%	23.00	
Right of freeholder etc to be notified of licensing matters	21.00	0.00%	21.00	
Application for making of a provisional statement	315.00	0.00%	315.00	
Application for copy of certificate or summary on theft, loss etc.	10.50	0.00%	10.50	
Notification of change of name or alteration of club rules	10.50	0.00%	10.50	
Change of relevant registered address of club	10.50	0.00%	10.50	
Temporary Event Notices	21.00	0.00%	21.00	
Application for copy of licence on theft, loss etc. of temporary event notice	10.50	0.00%	10.50	
Application for copy of licence on theft, loss etc. of personal licence	10.50	0.00%	10.50	
Notification of change of name or address (Personal Licence)	10.50	0.00%	10.50	
Notice of interest in any premises	21.00	0.00%	21.00	
Minor variation application	89.00	0.00%	89.00	
<p>Should you need assistance in determining which level of fee you are required to pay, please contact the Licensing Section on (01527) 881473 or (01527) 881626. Alternatively email - licensing@bromsgrove.gov.uk</p> <p>In all cases, cheques must be made payable to 'Bromsgrove District Council'</p>				

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Dolphin Centre Replacement – Sport England Grant Funding & Project Update

Relevant Portfolio Holder	Cllr Rod Laight Cllr Geoff Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	John Godwin
Wards Affected	All
Ward Councillor Consulted	Yes

1. SUMMARY OF PROPOSALS

The report outlines the progress that has been made with the replacement for the Dolphin Centre and provides an overview of the funding offer that has been successfully achieved from Sport England.

2. RECOMMENDATIONS

2.1 The Cabinet is asked to RECOMMEND to the Council that:

2.1.1 That the funding offer from Sport England of £1.5m be approved and the capital programme for the replacement leisure centre be increased by £1.5million to £13 million;

2.1.2 That the revised facility mix for the centre is noted and endorsed, based upon the increased funding available, as outlined in section 3.6 of this report.

2.1.3 That authority be delegated to the Heads of Legal & Democratic and Leisure & Cultural Services to enter into the required Lottery Funding Agreement (LFA) in order to draw down the funding from Sport England and that any performance criteria stipulated is passed on to the sites future operator.

3. KEY ISSUES

Background

3.1 As members will be aware in July 2014 the Council agreed to replace the ageing facilities at the Dolphin Centre with a new site to be built on School Drive.

3.2 The parameters for the project were agreed at the same time, including location, facility mix/design and overall cost envelope. The report to Cabinet and Council also requested that Officers investigate external funding sources that could be used to overcome the potential budget shortfall and the range and diversity of the agreed facility over and

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above the prudential borrowing position that could be achieved by the Council.

3.3 Over the past 12 months officers have completed a number of tasks associated with the project including procurement of the design team, purchase of the new site, demolition and remediation of the site and the re-grading and installation of retaining walls to make the site ready for development.

3.4 Officers have also as part of the Solicited Bid Process for Sport England been working with colleagues on the design of the new leisure centre for the past 12 months and submitted a funding bid in November 2015.

In order to achieve a successful funding bid, it has been necessary to design the replacement centre based on the key assumption that the funding would be available to provide an enhanced offer to residents.

As part of these discussions an indicative funding proposal of £1.5million was agreed to be realistic and the overall project planning has assumed a £13million budget based on a successful application.

3.5 Members will have seen through the recent consultation exercise (October 2015) and planning application process a set of drawings based upon the above principles and cost envelope.

These plans are enhanced and show additional facilities to those agreed by members in July 2014. Should the funding application have been unsuccessful these plans would have needed to be pared back to the original facility mix approved by members to meet the agreed budget.

3.6 The table below shows the agreed facility mix from July 2014 and the revised one that has been submitted to and supported by Sport England. :

Agreed Facility Mix - £11.5 million	Proposed Facility Mix - £13 million
Main Pool - 25 by 13 meter (6 lanes) with 100 spectator seats	Main Pool - 25 by 13 meter (6 lanes) with up to 110 spectator seats. Gala seating is designed at 132 seats based on the use of additional temporary seating.
Learner Pool - 12 by 8 meters with moveable floor	Learner Pool - 15 by 10 meters with moveable floor

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Dance studio – 2 spaces for up to 60 people	Dance studio – 2 spaces for up to 60 people
	Dance Studio/Multifunctional Space Inc. Holistic Classes – 22 people
Fitness Suite – 80 stations with functional training spaces	Fitness Suite – 100 stations with functional training spaces and dedicated changing accommodation.
Spinning studio - for up to 25 people	Group Cycling studio - for up to 25 people and virtual class system.
SPA facilities and treatment rooms - Sauna, Steam Room & Jacuzzi	SPA facilities and treatment rooms - Sauna, Steam Room & Jacuzzi and dedicated reception.
-	Click and Climb – Climbing facilities based on 16 climbing runs and auto belay system.
-	Access and Egress to North Bromsgrove High School.
Ancillary facilities includes car park at 200 spaces	Ancillary facilities includes car park at 198 spaces, dedicated motor cycle bays and coach drop off points.

- 3.7 It was confirmed to officers on the 15th December 2015 that our submission had been successful and that Sport England will be supporting our project with a grant of £1.5 million. The offer is conditional and is subject to member approval. The contract conditions are shown in sections 3.17 and 3.18 of this report.
- 3.8 Clearly the proposed facility mix is an improvement on what was previously affordable under the prudential borrowing route and includes some facilities that were previously precluded on the grounds of viability.

The inclusion of additional facilities will marginally improve the business case that was previously presented to members but not to an

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extent where additional facilities can be funded over and above those shown above.

The project team have also rerun the cost modelling as part of the RIBA Design Stage 2 gateway report to ensure that we had a robust cost model, a sustainable site and could be confident that the figures projected would meet with Sport England's approval following an in depth review and appraisal.

3.9 Furthermore, to ensure that the assumptions made within the business case were and remain robust, we undertook a consultation exercise to soft market test the model with 12 of the leading leisure providers in the country to take views on:

- The current layouts & designs.
- Cost projections and business plan assumptions.
- Lease Arrangements.
- Future model of delivery options.

This exercise has proved very useful and has confirmed that the proposed site, facility mix and business case assumptions are robust and will provide a long term sustainable leisure centre that meets prudential borrowing requirements and more importantly the needs of local residents in the majority of cases.

3.10 In line with the previous report's recommendations and those from the Overview and Scrutiny Committee approved by Cabinet in November 2014, officers have entered into detailed negotiations with BAM FM relating to the use of the Sports Hall, Gymnasium and ancillary facilities at North Bromsgrove High School.

Both the School and BAM have been very supportive of the proposal and the access/egress route to the adjoining site has been included within the new centres cost plan and within our planning application.

The current position with regard to these negotiations is that we have now agreed the Heads of Terms of the Agreement and are in the process of finalising the detailed clauses that will form the contract.

Officers are meeting again with BAM in late December and a verbal update will be provided at this meeting to overview the latest position.

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- 3.11 As members will be aware the application for the new Bromsgrove Sports and Leisure Centre was heard by the planning committee in December 2015 and approved with a limited number of conditions.
- 3.12 As part of the project the Council has undertaken a two stage open procurement process and is now working with our preferred contractor to agree a final contract sum for the construction works based on the final employers requirements being agreed.

This work commenced in December 2015 and it is anticipated that the final contracts will be completed in April 2016 with works commencing on site in May 2016.

At this point there are no concerns with regard to the available budget to complete the works as the contractor has confirmed that subject to final design that the building will delivered within the available budget.

With regard to the planning conditions imposed these are now being discharged whilst the detailed design is completed with our preferred contractor and they are not expected to increase the overall project costs.

As such no further scheduled reports will be required on this matter. However as per the original approval report the Portfolio Holder for Leisure and Cultural Services will provide verbal updates at key milestones through the project.

- 3.13 With regard to the overall programme the project is scheduled for completion in August 2017 with an indicative opening in September 2017.

Works will then continue on site relating to the demolition of the current Dolphin Centre, completion of the car parking works and marketing & sale of the enabling land.

The above phasing is in line with the original report and it is anticipated at this point that the demolition and car park work will be completed by December 2017. However the above dates are subject to final agreement with the preferred contractor and officers can confirm that all costs for this work are within the main contract sum.

Financial Implications

- 3.14 As members will be aware the budget set and included within the forward capital programme for the replacement of the Dolphin Centre was £11.4 million and it was proposed that the Head of Service

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continues to source external funding opportunities to deliver the £100k remaining from the total project cost of £11.5 million.

- 3.15 Through working with Sport England officers have successfully secured grant funding of £1.5million subject to signing the LFA to meet the requirement shown above and to secure additional facilities as highlighted in section 3.6.
- 3.16 As such the revised project costs for the new leisure centre are £13 million made up as per the July 2014 report and the extra funding from Sport England.

Legal Implications

- 3.17 In order to draw down the funding from Sport England (SE) the Council will be expected to enter into a standard Lottery Funding Agreement and to register a restriction on title for the leisure centre site in SE favour for a period of 25 years.

These matters will be addressed through the Council's legal team, however these are standard documents that are used across the country and they are not expected to cause any issues for BDC and/or prevent us from entering into them. However it should be noted that there is only limited ability to negotiate on these clauses as 95% of these are fixed within the agreement.

- 3.18 We will also be expected to enter into the Quest Quality Assurance model to ensure that a continuous improvement tool is used to enhance provision for residents, ensure facilities are well maintained and operated to a high standard.

There will also be a need to produce a set of key performance measures to demonstrate the benefit of the investment to the funding body the National Lottery and potentially enter into the National Benchmarking Service (NBS) process.

These requirements will be transferred to the new leisure operator when procured and built into the operating agreements. This will ensure that the new operator's performance is closely monitored and does not impact on the positive working relationship we have with Sport England.

Members should also note that all of these requirements are already in place for the current centre contract management structure with the exception of the NBS and as such are not considered to be onerous or unreasonable in any way.

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- 3.19 Finally, Members should be aware that as the project has developed we have revised the type of contract that was originally proposed in section 5.1 of the July 2014 report, for the construction elements of this scheme.

It had been stated previously that we would use an amended JCT contract however we will now be using NEC contract following a review with our legal advisors and project management team.

For a number of reasons this was felt to be more appropriate to the scheme as it would create a better fit with the Council's Objectives, allow greater control on cost and programme during the works and ensure that the practical completion and final account process is managed proactively, avoiding undue delays.

Service / Operational Implications

- 3.20 There are no direct service/operational implications contained within this report over and above those shown previously and the benefits that the additional funding will bring as per the back ground section above.

Customer / Equalities and Diversity Implications

- 3.21 There are no direct Customer, Equality or Diversity Implications contained within this report. However the examples provided in the initial report have all been designed into the final layouts to ensure the services on site are as diverse and user friendly as possible.

4. RISK MANAGEMENT

There are no direct risks associated with this report over and above those contained within the initial information provided to members. As the construction phase develops a construction risk register will be created to supersede the design risk register that is currently in use.

5. APPENDICES

None

6. BACKGROUND PAPERS

Dolphin Centre Replacement Report – 2nd July 2014

7. KEY

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AUTHOR OF REPORT

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