



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY 6TH JANUARY 2016 AT 6.00 P.M.

PARKSIDE SUITE - PARKSIDE

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

AGENDA

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

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. To confirm the accuracy of the minutes of the meeting of the Cabinet held on 2nd December 2015 (Pages 1 - 4)
4. Minutes of the meeting of the Overview and Scrutiny Board held on 23rd November 2015 (minutes attached) and 14th December 2015 (minutes to follow) (Pages 5 - 16)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes
5. Minutes of the meeting of the Audit, Standards and Governance Committee held on 10th December 2015 (Pages 17 - 34)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes
6. Dolphin Centre Replacement - Sport England Grant Funding and Project Update (Pages 35 - 42)

7. Council Tax Base 2016/17 (Pages 43 - 48)
8. Medium Term Financial Plan Update 2016/17 - 2018/19 (presentation)
9. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

Bromsgrove District Council
Parkside,
Market Street,
Bromsgrove,
Worcestershire B61 8DA

23rd December 2015

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.

Agenda Item 3

Cabinet
2nd December 2015

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 OVERVIEW AND SCRUTINY BOARD

23RD NOVEMBER 2015 AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), C. Allen-Jones, S. J. Baxter, C. J. Bloore, S. R. Colella, B. T. Cooper, M. Glass, R. D. Smith, P.L. Thomas and R. J. Deeming (Substitute)

Observers: Councillors G. Denaro, C. B. Taylor and P. Whittaker.

Officers: Ms. J. Pickering, Mr. G. Revans, Mr. D. Allen, Mr. K. Hiron, Mrs. H. L. Plant, Ms. A. Scarce and Ms. J. Bayley

66/15 **APOLOGIES FOR ABSENCE AND NAMES SUBSTITUTES**

Apologies for absence were received on behalf of Councillors J. M. L. A. Griffiths and K. J. May. Councillor R. Deeming confirmed that he was attending as a substitute for Councillor May.

67/15 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

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

68/15 **MINUTES**

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

RESOLVED that the minutes of the Overview and Scrutiny Board meeting held on 26th October 2015 be approved as a correct record.

69/15 **EVENING CAR PARKING TASK GROUP - VERBAL UPDATE**

In the absence of the Chairman of the Evening Car Parking Task Group Councillor M. Glass, a member of the group, provided a verbal update on the progress of the review.

Since the previous meeting of the Board Members had interviewed a number of expert witnesses. A survey had also been issued, to which the group had received 5 responses from local traders who operated during the day and 10 responses from the public. Though it was difficult to reach any conclusion based on such a small sample, a significant number had called for free parking mid-week or on Sundays.

Councillor Glass explained that, based on the evidence that Members had gathered to date, it had become clear that it was difficult to measure the impact of the introduction of free evening car parking. Any recommendations that might be brought forward by the group on this subject would be based on assumptions and anecdotal evidence. However, the group was mindful of the impact that parking could have on economic development and regeneration in the town centre. In this context Members had reached the conclusion that it would be helpful to extend the terms of reference for the review in order to assess whether car parking provision in the town centre was adequate to meet the needs of visitors and traders. This would also require an extension of the group's deadline to March 2016.

Following the provision of this update Members discussed a number of issues in further detail:

- The value of a more detailed review into car parking provision in the town following regeneration of the town centre, recent development proposals for the former market hall site and forthcoming works on the new leisure centre.
- The risk that the terms of reference could become too wide to address by the proposed new deadline of March 2016.
- The need for the group to have focus in order to make a constructive contribution to the Council's approach to managing car parks in the town.
- The potential for the review to make a constructive contribution in terms of economic development in the town and the need to involve the Economic Development Unit in the group's work.
- The option for the group to consider external research.
- Previous scrutiny reviews of car parking and the need for the group to avoid duplicating work that had already been undertaken.
- The need for an interim report, outlining the group's findings in relation to evening car parking, to be produced in advance of the Council's budget setting process.

In summary the Chairman noted that the Board was willing to let the group extend the timeframes for their review if they focused on economic regeneration. In particular, if the group discovered that free evening car parking was not the best option to enable economic regeneration within the town centre Members would be expected to identify alternative options that would have a more positive impact.

RESOLVED that

- 1) The title of the investigation be changed to Evening and Weekend Car Parking Task Group in order for the Task Group to complete its key objectives – in particular bullet point 3 “what alternative options are available and how do these compare to free evening parking for both customers and the traders in Bromsgrove?”;
- 2) The timescale for completion of the final report be extended to March 2016 in order for the Task Group to complete its in depth investigation;
- 3) An interim report be presented to the Board at its meeting on 18th January 2016; and

- 4) The report be noted.

70/15

CHURCHFIELDS MULTI STOREY CAR PARK IMPROVEMENT REPORT

The Environmental Services Manager presented a report detailing the proposed improvement works for Churchfields Multi-Storey Car Park. During the delivery of this presentation he highlighted a number of points for Members' consideration:

- Officers were requesting improvement works to address problems with vandalism and anti-social behaviour in the car park. It was proposed that these works should be funded from balances.
- Criminal damage and anti-social behaviour had been reported at the site since December 2014.
- In June 2015 West Mercia Police, in consultation with the Community Safety team, had produced a report assessing design features at the car park, with a focus on aspects that placed the venue at risk of vandalism and anti-social behaviour. This report had identified various security weaknesses which were being exploited by people accessing the car park after hours.
- The report proposed that additional fencing be installed to help prevent access outside normal opening hours.
- Officers were proposing that the doors which provided access to the stairwells should be replaced to enhance security. This work needed to be undertaken before any attempts were made to redecorate the stairwells as otherwise there was a risk that new paintwork would be vandalised before it could be secured.
- There was an opportunity to upgrade the lighting at the same time which would improve feelings of customer safety in the car park.
- A recent fire risk assessment had found that the fire alarm system in the carpark needed to be upgraded and this could be completed as part of the improvement works.
- Since the report was originally published new locations had been identified where people were accessing the car park out of hours.
- There was a risk that if the Council postponed the improvement works that were being proposed in the report the financial costs required to complete the works would increase.

After the presentation of this report Members discussed the following points:

- The positive impact that the improvement works would have, in terms of a reduction in anti-social behaviour and criminal damage in the car park.
- The relatively recent emergence of the car park as a focus for vandalism and anti-social behaviour and the need to address this problem as soon as possible.
- The work of the police to address problems with anti-social behaviour and crime in the car park, including the use of Section 34 dispersal powers.
- The income from Churchfields car park and the potential impact that these improvement works might have on future income. Members were

advised that the Council received an income of £88,000 per year and that it was difficult to predict the impact of the works on future demand as this could also be influenced by other factors such as the availability of other parking spaces in the town.

- The potential for the improvement works to be paid for using existing Council budgets. Officers advised that it would be more appropriate to pay for these works using funding from balances as there was no designated budget for the works.
- The potential for at least part of the expenditure on these works to be covered by insurance. Members were advised that the costs involved fell below the insurance threshold.

RESOLVED that the following proposals from Officers concerning improvement works to Churchfields Multi-Storey Car Park be endorsed:

- 1) Cabinet agree the improvement works; and
- 2) Cabinet recommend to Council the approval of, including the works within the 2015/16 Capital Programme, of £80,500 and to approve the funding to be released from balances.

71/15

PLANNING APPLICATION BACKLOG DATA

The Planning Services Manager provided an update on the progress that had been made in addressing the backlog with planning applications. During consideration of this item the following matters were highlighted for Members' consideration:

- Officers had attempted to emphasise key trends in the report.
- The backlog had declined in August 2015, which had coincided with a time when the team had been fully staffed. A number of employees had since moved to new jobs and there had subsequently been a rise in the backlog.
- Information about planning applications and the numbers that staff were working on at any given time was being published on the dashboard.
- Members would be able to monitor the backlog on the dashboard once access had been provided.
- The backlog changed every day depending on the number of applications that were received by the Council and the caseload of officers.

Following this presentation the Board discussed a number of matters in detail.

- The amount of time spent by officers producing the planning application backlog data monitoring update reports and whether this time could be better used working on planning applications.
- The frequency of the monitoring update reports, and whether this could be reduced once Members had access to the dashboard.
- The Council's position with regard to the designation status of major applications handled by the planning team.

- The Council's performance in terms of considering major planning applications compared to other local authorities. Members were advised that the Council was now processing major applications at a comparative speed to the average local authority.
- The ongoing value of the quarterly monitoring reports whilst the Council's planning services retained a designation status. Members concurred that these reports would no longer be required once the designation status was withdrawn.
- The different ways in which Officers were handling major applications compared to other planning applications.
- The inclusion of planning application figures for both Bromsgrove District Council and Redditch Borough Council in the information published on the dashboard. The Board was advised that generally applications for Bromsgrove constituted 65 per cent of the total at any one time.
- The limited information that had been provided to Members about the dashboard and a forthcoming presentation on this subject in December which might help to provide clarification.

RESOLVED that the Board reconsider the appropriate frequency of the Planning Application Backlog Data Monitoring Update reports in December following consideration of a presentation on the dashboard.

72/15

BURCOT LODGE EMERGENCY HOMELESS UNIT - UPDATE

The Strategic Housing Manager presented a written report detailing the progress that had been made with regard to discussions about the future of Burcot Lodge Emergency Homeless Unit. During this presentation he highlighted the following:

- Officers were anticipating that it would take 12 months to complete the sale of the Council House site, following the Council's move to Parkside. This advice had been provided by developers, organisations that might market the site and other local authorities.
- During this time Burcot Lodge could continue to be used as a homeless unit.
- The Council and Bromsgrove District Housing Trust (BDHT) were keen to only start using a replacement for Burcot Lodge once this became necessary.
- There was broad agreement between the Council and BDHT that Burcot Lodge would be replaced with slightly different facilities. This was because whilst there were 8 units in the lodge these were not always fully in demand.
- There were plan to replace the lodge with a smaller, three bedroom property which could be converted into a homeless unit. BDHT were estimating that it would take 8 – 12 weeks to convert this property.

The Board thanked Officers for the report and noted that in particular it had helped to clarify the timeframes available to resolve this issue.

RESOLVED that the report be noted.

73/15

FEES AND CHARGES

The Executive Director for Finance and Corporate Resources presented a report outlining the proposed fees and charges for 2016/17. Whilst delivering this presentation she emphasised the following points for Members' consideration.

- The Cabinet was proposing a zero increase on fees and charges in 2016/17.
- However, there were a small number of services where increases in fees and charges were being proposed.
- For timing reasons Members were being asked to increase the charge for the garden waste collection service for 2017 at this stage.
- Officers were proposing an increase in the charge for the Lifeline Service to reflect the cost of delivering that service. These costs had increased because the service was trying to more accurately assess an individual's health and well-being needs.
- Building Control was increasingly operating in competition with external service providers. Publishing the services' fees represented a risk from a competition perspective and increasingly customers were advised to phone the team for a quote.
- As a result of the zero increase in charges the Council would have an additional budgetary pressure of £150,000 which would be recorded in the Medium Term Financial Plan.

Once the presentation had been delivered Members discussed a number of points in further detail:

- The potential for information about the hourly rate for prohibition and enforcement work delivered by the Strategic Housing team to be recorded in the report.
- The possibility of providing clarification in the report that the smoke alarm hire charges applied in cases where they were monitored by Officers.
- The extent to which the £150,000 additional budgetary pressure took into account the small number of fees and charges where it was proposed there should be an increase.
- The number of lifeline installations carried out every year.
- Recent increases that had been made earlier in the year to the fees for the garden waste collection and whether a further increase could be justified at a time when it was proposed that there should be a zero increase for other services.
- The potential impact that an increase in garden waste collection charges might have on rates of fly tipping locally.
- Payment methods available for garden waste collection and the increasing emphasis on payment by direct debit. Officers advised that payment using direct debit was not obligatory.
- The extent to which charges for cemetery services compared to other Councils.

- The proportion of the local market held by the Building Control team and the potential to increase that market share.

RESOLVED that the report be noted.

74/15

MEDIUM TERM FINANCIAL PLAN 2016/17 TO 2018/19

The Executive Director of Finance and Corporate Resources presented the Medium Term Financial Plan 2016/17 to 2018/19. During the delivery of this presentation she highlighted the following points:

- Officers had taken into account the Board's suggestions regarding the content of the report and separate columns had been included detailing both Council income and expenditure.
- Heads of Service had been asked to reflect on savings for future years as well as expenditure in 2014/15. In cases where there had been underspends in 2014/15 senior Officers had been asked to consider whether they needed to increase their budgets in 2016/17.
- The Comprehensive Spending Review on 25th November 2015 would potentially contain proposals with implications for local government finances.
- The Government grant settlement for the Council was unlikely to be confirmed until late in December.
- Officers had concerns that there might be changes to the funding of the New Homes Bonus which could have a significant impact on the Council's finances.
- Officers were aiming to provide an update to the Board on the subject of capital bids and unavoidable pressures at the following meeting.

The Board discussed a number of points in detail once the presentation had been delivered:

- The potential for further information to be provided in future reports where there was a variance of 10 per cent in the figures provided.
- The value of attendance by specific Heads of Service at future meetings of the Board in cases where a significant number of their services had budget variances of 10 per cent or more.
- The potential for the Chairman and Vice Chairman to meet in advance of the next meeting of the Board to discuss any variances over 10 per cent and to determine which were unusual enough to warrant the attendance of a Head of Service.
- The Council's expenditure on utility bills and potential savings that would arise in this respect following the closure of the Council House site.
- The anticipated decline in the Council Tax Support Grant and the potential impact that this might have on the Council's budget.
- Potential increases to pension contributions by the Council. Officers explained that all of the Councils in the county had challenged the actuaries for the local government pension scheme in Worcestershire about how these increases should be phased in.

RESOLVED that the report be noted.

75/15

WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - VERBAL UPDATE

Councillor B. T. Cooper, the Council's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC), provided an update on the latest meeting of the Committee which took place on 4th November 2015. The following issues were addressed during this update:

a) 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.

b) Worcester Cancer Services

The new cancer service had been collectively commissioned by the three Clinical Commissioning Groups (CCGs) in Worcestershire. The performance of the new Oncology Unit was improving and it was becoming a useful facility for local residents.

c) Alexandra Hospital – Maternity Services

The recent developments with provision of Maternity Services at the Alexandra Hospital in Redditch had not yet been discussed by the Committee. However, the Chairman of the Committee had met with representatives of the trust to discuss the matter further and the Committee was shortly due to discuss the matter.

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.

76/15

INCREASING PHYSICAL ACTIVITY JOINT SCRUTINY TASK GROUP - VERBAL UPDATE

In the absence of the Council's representative on the Increasing Physical Activity Joint Scrutiny Task Group, Councillor J. M. L. A. Griffiths, Members were advised that there were no updates on this subject for the Board.

The Board noted that at their previous meeting Members had been advised that the Task Group had consulted with representatives of local sports clubs. It was suggested that, if Members had not already done so, it might be useful to consult with the group that had launched a petition about the facility mix at the new leisure centre.

Members agreed that for all Task Group updates it would be useful for the Board to receive written updates if the Council's lead representative was unavailable to attend the meeting.

77/15 **ACTION LIST**

Officers advised that the briefing paper requested in respect of the Churchfields Car Park had been resolved so would be removed from the Actions List. The Planning Application Backlog item would be updated following the next meeting of the Board once Members had determined the appropriate frequency of the reports.

78/15 **QUARTERLY RECOMMENDATION TRACKER**

Officers provided updates on progress made implementing scrutiny recommendations:

a) Leisure Provision Task Group

The Board was advised that a number of the recommendations that had been made by the Leisure Provision Task Group remained to be implemented. Further, more detailed information about progress that had been achieved with implementing the group's recommendations would be provided during the 12 month review of this exercise in January 2016.

b) Youth Provision Task Group

A number of the recommendations proposed by the Youth Provision Task Group also remained to be implemented. Three of these recommendations required action from Worcestershire County Council and a response was awaited from the lead Officer at the County Council. A further recommendation involved the delivery of a presentation by the Chairman of the Task Group, Councillor J. M. L. A. Griffiths, for consideration at a CALC meeting.

Councillor S. J. Baxter, as the Chairman of CALC, was asked to raise the proposed presentation for the consideration of CALC at a future meeting in order to identify a suitable date for this action to take place. Members also agreed that in order to progress the other three outstanding

recommendations Councillor J. M. L. A. Griffiths, in her capacity both as a County Councillor and as the former Chairman on the Task Group, should be asked to raise this issue with the relevant Officer at Worcestershire County Council and to encourage him to take action in respect of these points.

c) Finance Monitoring

Officers explained that part of the recommendation from the Board, concerning the inclusion of income and expenditure details within the quarterly update reports, had been implemented. However, Members were advised that it would be more difficult to include all of the comparable data in the tables as requested. This made the tables very complicated and it would be difficult to present the information within the space available. For these reasons the board agreed that a summary could be provided for comparative purposes within the report.

79/15

CABINET WORK PROGRAMME

The Board considered the content of the latest version of the Cabinet Work Programme and noted the following key points:

a) High Street Refurbishment Phase 2

The Chairman explained that the High Street Refurbishment Phase 2: Consideration of Options report was no longer due to be considered by Cabinet in December 2015. However, the Chairman had been assured that the Board would have an opportunity to pre-scrutinise the contents of this report before any decisions were made on the subject by Cabinet.

b) New Leisure Centre Update

Members commented that it would be useful to have further information about the outcomes of the Council's negotiations with BAM regarding the position in relation to sporting facilities at the new leisure centre. This was a subject that the Board had previously made suggestions about and, given recent public interest in the matter, Members agreed that it would be suitable for further information on this subject to be provided for the Board's consideration.

RESOLVED that the Head of Leisure and Cultural Services deliver a presentation on the subject of the new Leisure Centre, to include information about the outcomes of negotiations with BAM.

80/15

OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME

The Board discussed the content of the Overview and Scrutiny Work Programme:

a) Dashboard presentation

Agenda Item 4

Overview and Scrutiny Board
23rd November 2015

All Councillors would be invited to attend the meeting on 14th December to view the presentation on the subject of the dashboard.

b) Parkside

It was possible that this would be the first meeting to be held in Parkside, though the location remained to be decided. Members had an opportunity to look around Parkside in advance of this meeting on 9th December and also needed to provide Officers with their car registration details before the move to Parkside to ensure that they could park for Committee meetings.

c) March and April meetings

The Chairman noted that whilst numerous items were scheduled to be considered during the meetings of the Board in December and January very little had been programmed for consideration in March and April 2016. Members were therefore asked to reflect on the items listed on the work programme which had not been allocated a date and to prioritise issues for consideration during those months.

The meeting closed at 7.45 p.m.

Chairman

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE AUDIT, STANDARDS AND GOVERNANCE COMMITTEE

DECEMBER 2015 AT 6.00 P.M.

PRESENT: Councillors R. D. Smith (Chairman), P.L. Thomas (Vice-Chairman), S. R. Colella (from Minute No. 33/15 to 44/15), M. Glass, P. M. McDonald, S. R. Peters, M. Thompson and S. A. Webb

Parish Councillors: Mr. C. Scurrell and Mr. J. Ellis

Officers: Mr. A. Bromage, Ms. S. Morgan, Ms S. Knight and Ms. J. Bayley

33/15 **APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES**

An apology for absence was received on behalf of Councillor H. J. Jones.

34/15 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest or any whipping arrangements.

35/15 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE AUDIT, STANDARDS AND GOVERNANCE COMMITTEE MEETING HELD ON 17TH SEPTEMBER 2015**

The minutes of the meeting of the Audit, Standards and Governance Committee held on 17th September 2015 were submitted.

RESOLVED that the minutes of the meeting of the Audit, Standards and Governance Committee held on 17th September 2015 be approved as a correct record.

36/15 **STANDARDS REGIME - MONITORING OFFICERS' REPORT**

The Head of Legal, Equalities and Democratic Services presented the Monitoring Officer's report and in so doing highlighted the following:

- There had been one complaint about a Councillor since the last meeting of the Committee had taken place. The case had been investigated and it had been found that there had been no breach of the Council's Code of Conduct.
- A small amount of training had occurred since the previous meeting and there had been particularly positive feedback about the Chairing skills training.

- Members were encouraged to report any suggestions about training to their group leaders for further discussion at a future meeting of the Member Support Steering Group.
- The County Monitoring Officers' Group had recently agreed that it was no longer necessary for Members to seek dispensations to participate in the budget or Council Tax setting process.
- The Localism Act 2011 placed a requirement on Councils to promote and maintain high standards of conduct (at both District and Parish Councillor level). This included co-opted Members who had voting rights.
- It was confirmed that this did not apply to co-optees who did not have voting rights but Members were advised that there were currently no co-optees in that position.

RESOLVED that the report be noted.

37/15

STANDARDS REGIME - REVIEW OF THE ARRANGEMENTS FOR STANDARDS HEARINGS

The Head of Legal, Equalities and Democratic Services also presented a report concerning the Council's arrangements for Standards Hearings. During the delivery of this presentation the following points were raised for Members' consideration:

- Council had agreed that the Audit, Standards and Governance Committee should consider Standards Hearing arrangements following the merger of the Audit Board with the Standards Committee.
- There was a requirement for the Council to have a set process in place for Standards Hearings, though Members were advised that it was unlikely that a hearing would take place.
- Officers had reviewed Standards Hearing arrangements in place at other Councils where the Audit and Standards functions were fulfilled by a single Committee and had identified a number of options for the Council's Standards Hearing procedures from this research.
- Members were asked to consider both appropriate Standards Hearing arrangements and preferred membership appointment processes.
- A permanent Standards Sub-Committee was one option available. Membership appointments would need to be made on a politically proportional basis and this could impact on appointments to other Committees.
- Alternatively, the Audit, Standards and Governance Committee could establish Standards Hearings on an ad hoc basis as and when required. Ad hoc meeting arrangements would provide the Council with greater flexibility than a permanent Sub-Committee.
- Complaints would only reach a Standards Hearing in cases where the complaint had been made by the member of the public and no simple resolution could be identified or the councillor refused to comply with any sanctions that were imposed.
- A separate process, involving group leaders, had been introduced for handling complaints against Councillors made by another elected Member.

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

- The circumstances under which a complaint would be referred to a Standards Hearing. Members were advised that this was only likely to happen in exceptional circumstances.
- The potential for the Councillor who was the subject of the complaint to ignore sanctions imposed by both the Monitoring Officer and a standards Hearing. In these circumstances Members were advised that the case, and the sanctions imposed, would be referred to full Council for consideration in public.
- The need for complaints to be substantiated before they reached the stage of being referred to a Standards Hearing for further consideration.
- The extent to which complainants would be willing to make their complaints public and their identity known to the Councillor who was the subject of their complaint.
- The potential for political bias to occur in appointments to Standards Hearings if appointments were made in a politically proportionate manner and the legal requirements on this matter. The Committee was advised that Members had always recognised the gravity of the situation and had in the past carried out Standards Assessment Sub-Committee hearings in a professional manner without political bias.
- The mechanisms available to elected Members to enable them to defend themselves against any complaints that were made about them by the public.
- The need for robust training for Members serving on Standards Hearings in order to fulfil their roles fairly and effectively.

Following further discussions it was

RESOLVED that

- (a) Standards Hearings be established by the Audit, Standards and Governance Committee on an ad hoc basis as and when required; and
- (b) Appointments to Standards Hearings be determined on a case by case basis by the Audit, Standards and Governance Committee.

38/15 **STANDARDS - PARISH COUNCILS' REPRESENTATIVES' REPORTS (VERBAL UPDATES)**

There were no updates provided by the Parish Councils' representatives on the Committee.

39/15 **GRANT THORNTON ANNUAL AUDIT LETTER**

Ms Zoe Thomas, Manager, Grant Thornton, presented the external auditor's annual audit letter 2014/15 for Members' consideration. During the presentation of this item she highlighted the following for the Committee's consideration:

- The letter summarised the audit work undertaken by Grant Thornton during the year.
- Grant Thornton had given unqualified opinions in respect of the Council's accounts and the Value for Money judgement.
- A number of S11 recommendations had been made in relation to the accounts and an action plan had been developed to address these.
- Work would begin to address points raised in the Action Plan from January 2016 onwards.
- The Council's accounts had been presented late and lessons needed to be learned in order to make improvements in future.
- Grant Thornton had highlighted that the Council had a good level of balances but had raised some concerns about budget management arrangements.
- Work had been completed on the audit of benefit claims and this had been qualified as it did not meet certain criteria. Members were advised that this was fairly common and a letter had been sent to the Department of Work and Pensions (DWP).
- It was likely that Grant Thornton would be issuing a supplementary fee. This was required to address the costs of the additional work that had arisen following the late submission of the Council's accounts.

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

- A typographical error in the report concerning the fees for the service. It was confirmed that the main audit fee was £48,680.
- Discussions at the previous meeting of the Committee concerning the reasons why the accounts had been submitted late.
- The impact of staff vacancies on delays in submitting the accounts.
- The intention of Officers to present the S11 action plan at the following meeting of the Committee. In the meantime updates would be emailed to members of the Committee on a monthly basis.
- Progress made to date by the Financial Services team in terms of addressing the S11 recommendations.
- The extent to which the actions detailed in the plan and the deadlines provided were realistic. The Committee was informed that Officers were confident that the actions could be implemented in the timescales available.

RESOLVED that the report be noted.

40/15

GRANT THORNTON PROGRESS REPORT - COMMITTEE UPDATE

Ms Zoe Thomas, Manager, Grant Thornton, also presented the external auditor's Committee update for December 2015 and in so doing raised a number of points for Members' consideration:

- Interim reviews due to take place in January and February 2016 would pick up on some of the issues identified the previous year.

- The final accounts audit would start in July 2016, for completion in August and would be reported to Committee in September.
- Deadlines for auditing the accounts had been brought forward because, in 2017, there would be a legal requirement for this to be completed at an earlier date and it was felt prudent to attempt to apply similar arrangements in 2016 in preparation for this change.
- The National Audit Office (NAO) was responsible for setting the criteria for Value for Money conclusions. The criteria had changed and had more of a risk based focus than in previous years. This was unlikely to impact on findings but the external auditors had to be mindful of these developments.
- Grant Thornton had delivered a number of Member training sessions, including an event at Wychavon focusing on governance arrangements.
- Members were advised that Grant Thornton had also produced a number of reports including a guide to devolution and a review of effective Audit Committees.
- The Business Location Index had been developed by Grant Thornton to help local authorities address an unequal balance in terms of inward investment across England.
- Grant Thornton could provide further briefings to Members on any subject where required.

RESOLVED that the report be noted.

41/15

BENEFIT FRAUD - QUARTER 2 MONITORING REPORT

The Assistant Benefits Manager presented the Benefits Fraud update for the second quarter of 2015/16. Members were advised that information had been provided about the background to the cases covered during the period and some of the demographic details underpinning these cases.

Responsibility for investigations concerning housing benefit fraud would be transferring to the DWP under the Single Fraud Investigation Service in February 2016. The Council had been asked by the DWP to take on no new cases from December 2015, though staff continued to work on old cases identified prior to this date. Consequently, whilst a further Benefit Fraud update report would be available to report to the Committee for Quarter 3 it would not be possible for officers to report to the Committee in subsequent quarters.

RESOLVED that the report be noted.

42/15

INTERNAL AUDIT MONITORING REPORT

The Worcestershire Internal Audit Shared Service Manager presented the Internal Audit Monitoring report. During the delivery of this presentation he highlighted the following matters for the Committee's consideration:

- A couple of Internal Audit reports had been finalised since the previous meeting of the Committee.

- The report contained more contextual information in relation to each Internal Audit investigation to enable the Committee to reach a balanced view of the outcomes.
- The audits that had been completed had concluded there was either moderate or significant assurance which was considered to be acceptable.
- The key focus of the Committee needed to be on internal audits that concluded there was limited or no assurance, which had not occurred in this quarter.
- Information had been provided regarding progress in respect of the Internal Audit plan for 2015/16. This indicated that the team was making good progress.
- No high priority recommendations remained outstanding and a small number of medium priority recommendations were in the process of being implemented.
- The Internal Audit team also monitored progress with the implementation of recommendations made in previous years. Only one priority from 2014/15, concerning equalities and diversity, needed to be followed up further.

The Committee subsequently proceeded to discuss a number of specific points in further detail:

- The rent guarantee bond and the fact that the Council held this bond. Members requested further information about the collective level of funding accruing from such bonds and the extent to which the Council earned interest from them.
- The Internal Audit team's findings in respect of the bond, which had concluded that there were reasonable practices in place though these could be strengthened.
- The extent to which the terminology within the report could be amended to provide greater clarity. In particular, positive references to "significant assurance" could be confusing as "significant risk" had more negative connotations as a term.
- Debt recovery delays in respect of sundry debts. The Committee was advised that this was a separate matter to the Write off of Debts report which focused on benefit repayments.
- The impact of system issues on debt recovery and the action that had been taken to resolve these issues.

RESOLVED that the report be noted.

43/15

OUTLINE INTERNAL AUDIT PLAN 2016/17

The Manager of the Worcestershire Internal Audit Shared Service also presented an outline of the Internal Audit Plan Report 2016/17. The report had been provided at this stage because the Audit Board had previously requested that the draft Internal Audit Plan 2016/17 be presented to the Committee to enable Members to comment on the content and to suggest amendments. Also, as previously requested by Members, information had

been provided in the plan about the anticipated quarter in which specific Internal Audits would be completed. It was possible that dates would change during the year, though it was unlikely that any changes would be significant.

It was proposed that the overall number of audit days for 2016/17 be reduced to 230 from 250 in 2015/16. The Committee was informed that Officers were confident, in light of shared services and other close working relationships with partner organisations, that this number of days would enable the Internal Audit team to undertake their work in a robust fashion.

Members expressed concerns about the possible financial risks arising from the withdrawal of Worcestershire County Council from Worcestershire Regulatory Services (WRS). The Committee was advised that there were financial risks associated with this decision and these would need to be addressed as part of a robust risk assessment. The Internal Audit team would also address this issue as part of their proposed Internal Audit of WRS.

The proposed Key Performance Indicators (KPIs) for Internal Audit and the suitability of these KPIs for the service was also considered. Members questioned the suitability of the first 2 KPIs listed in the report, which focused on decreasing the number of high priority recommendations and decreasing the number of moderate and low assurances. Instead, it was suggested that these KPIs appeared to be more appropriate as targets for the services that were subject to an Internal Audit.

RESOLVED that

- (a) The content of the outline Audit Plan 2016/17 be noted; and
- (b) Subject to the Committee's comments as detailed in the preamble above the Key Performance Indicators be noted.

44/15

QUARTER 2 FINANCIAL MONITORING REPORT

The Financial Services Manager presented the Financial Monitoring Report for the second quarter of 2015/16. The report detailed the Council's progress mid-year in terms of achieving the savings predicted in the Medium Term Financial Plan 2015/16 – 2017/18. The data provided reflected the Council's revenue position mid-way through the financial year so could only be regarded as an estimate. However, information provided by the Heads of Service indicated that the Council was performing well with only one projected overspend anticipated for the end of the year.

Following the presentation of the report the Committee discussed a number of matters in detail:

- The impact that the overspend at Parkside might have on expected variances at the end of the year and anticipated revenue from the sale of the Council House site.
- The extent to which Heads of Service could accurately predict whether savings would be achieved mid-way through the financial year.

- The type of works that were classified as essential maintenance at the Council House site.
- The source of the reserves that had been used to offset the additional expenditure on Parkside.
- The need for contingency planning in cases where significant expenditure was required.

RESOLVED that the report be noted.

45/15

CORPORATE RISK REGISTER - PRESENTATION

The Financial Services Manager delivered a presentation on the subject of the Corporate Risk Register (Appendix 1).

The Committee debated a number of issues arising from the presentation:

- The reasons why the risks in relation to financial constraints were considered to be high. Members were advised that this rating was considered appropriate because there was uncertainty about the eventual government grant settlement.
- The deadline for the announcement of the Government grant settlement, which was likely to take place on 17th December 2015.
- The action that was being taken by the Council to mitigate the risks arising from the financial constraints impacting on the Council.
- The potential for future reports and presentations about the Corporate Risk Register to stipulate that the content was accurate as of a particular date.
- The need to ensure that the Council complied with data protection requirements. Members suggested that this should be included on the Corporate Risk Register due to the significant amount of data collected and maintained by the Council.

RESOLVED that the presentation be noted.

46/15

RISK CHAMPION - VERBAL UPDATE REPORT (COUNCILLOR MICHAEL THOMPSON)

Councillor M. Thompson provided a verbal update on his work as the Council's Risk Champion and highlighted a number of key points for Members' consideration.

a) **Customer Access and Financial Support**

Councillor Thompson had met with the Head of Customer Access and Financial Support to discuss the various risks within her service areas.

In terms of Customer Access there were risks arising from the relocation to Parkside.

There were a number of risks associated with services provided by the Benefits team. This included the potential impact of the introduction of

Universal Credit on people living in the district, such as on demand for hardship schemes.

In respect of the work of the Revenues team there were risks in relation to business rates. These risks related both to the collection of the business rates and the distribution of funds amongst partner organisations.

b) Leisure and Cultural Services

Councillor Thompson had also met with the Head of Leisure and Cultural Services to discuss risks within his service areas.

There were a number of general risks associated with maintaining leisure facilities, including slippery surfaces and falls. Risks in respect of specific services had also been discussed.

The potential financial risks in relation to the new Dolphin Centre were discussed by the Committee. Concerns were expressed that, following a recent petition to Council about the absence of a sports hall from the new Dolphin Centre, there might be a decline in public support for use of the centre and this could impact on income. It was proposed that the Head of Leisure and Cultural Services could be invited to attend the following meeting of the Committee to discuss the financial risks involved and the extent to which these might have changed since the original plans were discussed by Cabinet.

However, it was suggested that this subject would be more suitable for the Overview and Scrutiny Board to discuss. As the Board was already scheduled to receive a presentation on the subject of the Dolphin Centre from the Head of Leisure and Cultural Services it was suggested that this would provide an opportunity to discuss financial risks.

RESOLVED that the Chairman of the Audit, Standards and Governance Committee should raise the subject of financial risks arising from the new Dolphin Centre during the meeting of the Overview and Scrutiny Board on 14th December 2015.

47/15

AUDIT, STANDARDS AND GOVERNANCE COMMITTEE WORK PROGRAMME

The Committee was advised about the opportunity for Members to participate in Effective Risk Management Training in Birmingham on 4th February 2016. The training would be provided by PricewaterhouseCoopers and would provide useful guidance to elected Members. The Council had been offered 3 free places on the training session, 1 of which had already been reserved. Members were encouraged to approach the Democratic Services team as soon as possible if they wanted to participate.

Members considered the other training needs of the Committee whilst discussing this item. As part of this discussion further information was

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requested about the financial costs involved in arranging for an academic expert to deliver training on the Committee's audit function.

RESOLVED that the Work Programme be noted.

The meeting closed at 8.10 p.m.

Chairman

CORPORATE RISK REGISTER

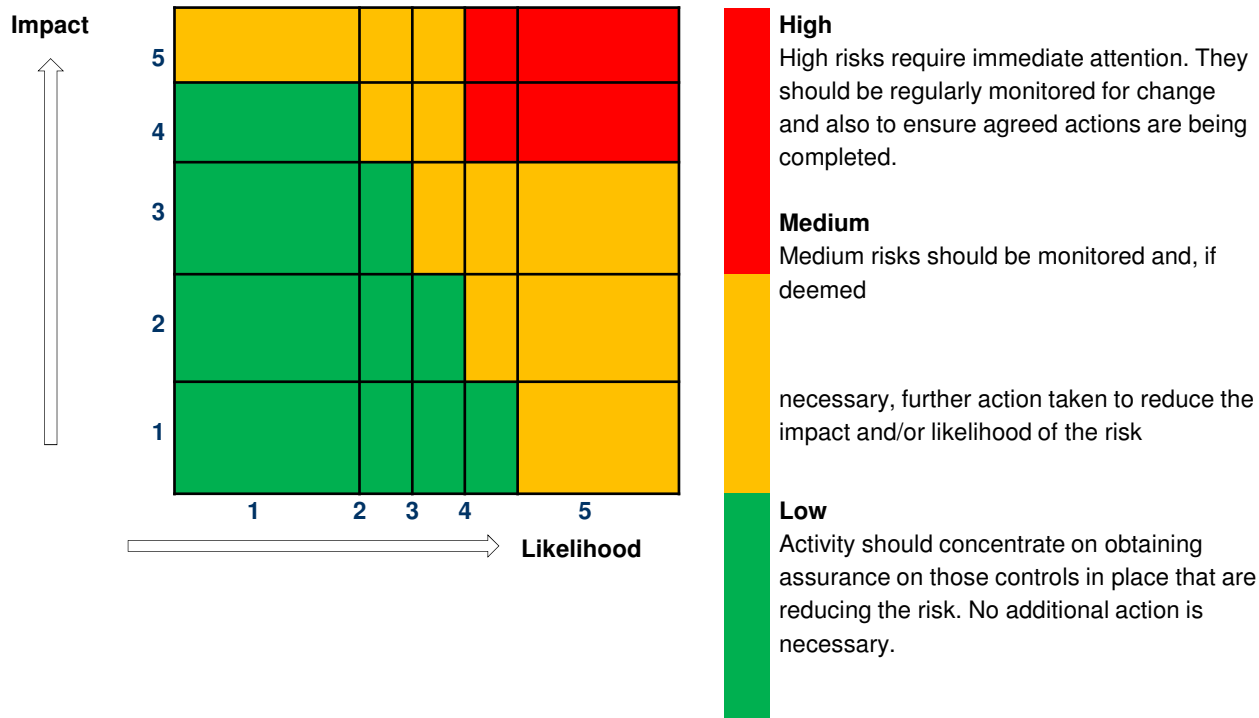


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Risk Scoring Matrix

The risk scoring matrix reflects both Councils' current **appetite / tolerance** to risk. This risk tolerance should be reviewed at least annually as part of the formal refresh of risk management. There are three risk classification (low, medium and high) and these are based on the impact and likelihood values that are given to each risk. The risk matrix below illustrates how risks are classified.



Risk	Cause / Effect	Current Mitigations	Inherent Risk	Actions Needed	Residual Risk	Risk Owner	Update
Fatality within service provision	<ul style="list-style-type: none"> Cause: Consequence of Council action Negligence by Council Actions beyond Council control Effect: Reputation affected Legal action against Council Financial impact 	<ul style="list-style-type: none"> Standard Operating Procedures - SOP (H&S etc) Training for staff Health-checks First Aid / Defibrillation provision Safeguarding Policy and Procedures Risk Assessments 	Impact – 4 Likelihood – 3 = 12	<ul style="list-style-type: none"> Review of SOPs, training provision and health-check processes Action plan re H&S Audit and Insurance Audits 	Impact – 4 Likelihood – 2 = 8	Deb Poole	<p><i>Full update report to H&S Ctte</i></p> <p><i>Mandatory Corporate Induction re H&S for new and existing staff</i></p> <p><i>Updated corporate H&S policy</i></p> <p><i>Insurance Audit undertaken with action plan and recommendations being actioned by managers</i></p>



<p>Snap / poorly informed decisions made on savings / cuts</p>	<ul style="list-style-type: none"> • Cause: • Requirement for savings to balance budget • Unanticipated cost pressures / demand on services • Pressure from other partners • Effect: • Longer term improvement / innovation / efficiency is hindered • Impact on organisation, staff and residents • Impact on Transformation Programme 	<ul style="list-style-type: none"> • Robust budget-setting process in place • Good awareness of Transformation Programme 	<p>Impact – 4 Likelihood – 3 =12</p>	<ul style="list-style-type: none"> • Establish "whole-life" or "end to end" approach to assessment of savings proposals • Develop/improve support for Leadership and decision-making roles of Members • On line access for managers for budgets and actual spend • Performance Dashboard to be developed for members • Data to drive and inform decision making based on evidence of community need 	<p>Impact – 4 Likelihood -2 = 8</p>	<p>Jayne Pickering</p>	<p><i>Detailed budget schedules being developed with managers</i></p> <p>Financial implications detailed in liaison with Managers to ensure Members have relevant information to make considered decision</p>
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<p>Financial constraints (from external sources reducing funding) have a negative impact on service delivery and/or quality</p>	<ul style="list-style-type: none"> • Cause: • Reduced budget for staffing • Reduced spend on maintenance • Service cessation • Effect: • Reputation affected • Quality of life of residents affected • Financial impact 	<ul style="list-style-type: none"> • Medium Term Financial Plan in place with assumptions on levels of cuts • No unidentified savings in the finance plan • 	<p>Impact – 4 Likelihood – 4 = 16</p>	<ul style="list-style-type: none"> • Reviewing balances and reserves • Ensure updated with legislation and financial impact of changes • Reporting regularly to members 	<p>Impact – 4 Likelihood – 4 = 16</p>	<p>Jayne Pickering</p>	<p><i>Balances and Reserves under detailed review for 2016/17 budget with explanation for any reserves being kept</i></p> <p><i>Regular updates to members when information available from Members</i></p> <p><i>Legislative changes included in the budget plans</i></p>
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<p>Partners of the Councils fail to deliver on joint-working</p>	<ul style="list-style-type: none"> • Cause: • Sovereignty issues / fear of losing control • Pressures on partner organisation (financial or political) • Resources available from partners • Lack of understanding / buy in • Effect: • Service improvement hindered • Reputation affected • Financial impact 	<ul style="list-style-type: none"> • Robust governance structures in place • Funding mechanisms in place and legally enforceable • Partnership Boards (LEP etc) 	<p>Impact – 4 Likelihood -4 = 16</p>	<ul style="list-style-type: none"> • Ensure that key decision-makers are round the partnership table • Undertake Partnership health-check for all partnership initiatives • Connecting Families • Consideration of Combined Authorities 	<p>Impact – 4 Likelihood - 3 = 12</p>	<p>All</p>	<p>Regular Connecting Families meetings with all partners to assess service</p> <p>Worcestershire Partnership Group attended by Chief Executive</p> <p>Devolution agenda considered by officers with reporting when sufficient information to members</p>
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<p>Business Continuity Plans fail to operate effectively in a major emergency incident</p>	<ul style="list-style-type: none"> • Cause: • Plans still in draft and not tested • Plans not implemented or promoted (i.e. staff not made aware) • Effect: • Potential injury / loss of life • Damage to property / equipment • Service delivery affected • Councils' reputation harmed • Financial impact 	<ul style="list-style-type: none"> • Existing Business Continuity Plan is in place 	<p>Impact -5 Likelihood – 2 = 10</p>	<ul style="list-style-type: none"> • Refresh Business Continuity Plan • Plan the transition between the old and new plans • Ensure partners are fully aware and informed of their roles • Link Plans across H&S , Emergency Plan, Risk assessments • Work Programmes (testing etc) to be developed 	<p>Impact -5 Likelihood -2 = 10</p>	<p>Sue Hanley</p>	<p><i>Business Continuity Plans updated</i></p> <p><i>New Officer recruited to provide emergency planning support across the Council</i></p>
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<p>IT systems and infrastructure has a major failure</p>	<ul style="list-style-type: none"> • Cause: • Systems bugs / errors • Failure in power supply • Storage of data/servers affected • Effect: • Loss of key data • Service delivery affected • Councils' reputation harmed • Financial impact 	<ul style="list-style-type: none"> • Business Continuity Plans in place • Discrete and remote data storage in place • Back-up procedures in place and followed 	<p>Impact – 3 Likelihood – 3 = 9</p>	<ul style="list-style-type: none"> • Review current IT business continuity procedures • External validation of IT resilience 	<p>Impact – 3 Likelihood – 2 = 6</p>	<p>Deb Poole</p> <p><i>Continuity Plan updated</i></p> <p><i>Infrastructure updated to ensure resilience of systems</i></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

Name: John Godwin
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COUNCIL TAX BASE CALCULATION 2015-16

Relevant Portfolio Holder	Councillor Geoff Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	Jayne Pickering
Wards Affected	No
Ward Councillor Consulted	No
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 This reports sets out details of the calculation of the District's tax base for Council Tax setting purposes. The calculation of the Council Tax base is required as part of the determination of the level of Council Tax for 2016/17.

2. RECOMMENDATIONS

- 2.1 **Cabinet are asked to recommend that:**

The amount calculated by Bromsgrove District Council as the Council Tax Base for the whole area for 2016/17 is approved at **35,404.87** as detailed at **Appendix 1** to include the individual parish elements

3. KEY ISSUES

Financial Implications

- 3.1 The calculation of the Council Tax base forms the basis of the calculation of Council Tax for the new financial year. The Council Tax Base is calculated using a prescribed formula to generate the equivalent number of Band D properties in a District and also takes into account the number of Council Tax Support claimants within the area.

Legal Implications

- 3.4 The Local Authorities (Calculation of Council Tax Base) Regulations 1992, made under powers of the Local Government Finance Act 1992 specify the rules for the calculation of the Council Tax Base.

Customer / Equalities and Diversity Implications

3.7 There are no implications for the Councils Equalities and Diversity Policies.

4. RISK MANAGEMENT

4.1 There are no risk management issues.

5. APPENDICES

Appendix 1 - Council Tax Base Calculation for 2016/17

6. BACKGROUND PAPERS

Held with Revenue Services Section

AUTHOR OF REPORT

Name: Sam Morgan
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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 & Copley	366.45	362.79
130 Wythall	4,631.08	4,584.77
	35,762.50	35,404.87

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