



BROMSGROVE DISTRICT COUNCIL

YOU ARE HEREBY SUMMONED to attend a MEETING of BROMSGROVE DISTRICT COUNCIL to be held in the Council Chamber at Parkside Suite - Parkside at 6.00 p.m. on Wednesday 23rd November 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 21st September 2016 and 13th October 2016 (Pages 1 - 14)

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

5. To receive any announcements from the Leader

6. 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. Each member of the public has up to 3 minutes to do this. A councillor may also present a petition on behalf of a member of the public.

7. To receive Recommendations from the Cabinet (Pages 15 - 18)

To consider the recommendations from the meeting of the Cabinet held on 2nd November 2016:

- Worcestershire Regulatory Services Board – WRS Enforcement Policy;
- Medium Term Financial Plan 2017/2018 – 2020/2021 Budget Assumptions;
- Council Tax Support Scheme 2017/2018;
- The Council Plan;
- ICT Infrastructure Resource;
- Development Management Shared Services Business Case

(the associated reports for these recommendations are included at the back of the Council Agenda)

8. **To receive the minutes of the meetings of the Cabinet held on 5th October 2013, 13th October 2013 and 2nd November 2013** (Pages 19 - 30)
9. **To receive and consider a report from the Portfolio Holder for Environmental Services, Regulatory Services and Community Safety** (Pages 31 - 44)

Up to 30 minutes is allowed for this item; no longer than 10 minutes for presentation of the report and then up to 3 minutes for each question to be put and answered.

10. **Membership of Committees**

To note the following change to Membership of the Licensing Committee:

Councillor J. M. L. A. Griffiths replaces Councillor P. Lammas on the Committee

11. **Questions on Notice (to be circulated at the meeting)**

A period of up to 15 minutes is allocated for the asking and answering of questions. This may be extended at the discretion of the Chairman with the agreement of the majority of those present.

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

12. **Motions on Notice (To follow if any)**

A period of up to one hour is allocated to consider the motions on notice. This may only be extended with the agreement of the Council.

Background Information on Recommendation from Cabinet on WRS Enforcement Policy_(Pages 45 - 66)

Background Information on Recommendation from Cabinet on Medium Term Financial Plan 2017/2018 - 2020/2021 Assumptions_(Pages 67 - 72)

Background Information on Recommendations from Cabinet on Council Tax Support Scheme 2017/2018_(Pages 73 - 78)

Background Information on Recommendation from Cabinet on The Council Plan_(Pages 79 - 116)

Background Information on Recommendations from Cabinet on ICT Infrastructure Resource_(Pages 117 - 122)

Background Information on Recommendation from Cabinet on Development Management Shared Services Business Case_(Pages 123 - 150)

K. DICKS
Chief Executive

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TO ALL MEMBERS OF THE BROMSGROVE DISTRICT COUNCIL

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

21ST SEPTEMBER 2016 AT 6.00 P.M.

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

40\16 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors R. L. Dent, P. Lammas and M. A. Sherrey.

Apologies for late arrival were received from Councillors C. Allen-Jones, L. C. R. Mallett and S. A. Webb.

41\16 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

42\16 **MINUTES**

The minutes of the meeting of the Council held on 20th July 2016 were submitted.

In relation to Minute 28/16 Councillor C. A. Hotham stated that he had not yet received an update from the Leader in relation to the acquisition of Parkside. Councillor Denaro indicated this would be dealt with later in the meeting.

In relation to Minute 30/16 relating to grant funding from the European Union, Councillor M. Thompson queried whether the Leader still understood that the Council received no such funding. Councillor Denaro undertook to check the position and provide a written answer.

In relation to Minute 32/16 Councillor Hotham referred to the budget provision for Neighbourhood Plans. Councillor C. B. Taylor confirmed there was no budget provision for Neighbourhood Plans.

RESOLVED that the minutes of the meeting of Council held on 20th July 2016 be approved as a correct record.

43\16

ANNOUNCEMENTS FROM THE CHAIRMAN

The Chairman reminded Members of her “Caribbean Night” which was to be held on Monday, 3rd October and stated there were still a small number of tickets remaining.

44\16

ANNOUNCEMENTS FROM THE LEADER

The Leader referred to the following :

The heating design for the Parkside Suite had now been agreed with the Conservation Officer and the design drawings would be completed at the beginning of October. This would enable the installation of the system to go ahead as soon as possible. Officers would be liaising with the County Council to ensure that disruption to meetings was kept to a minimum.

In response to queries from Members, the Leader undertook to provide information on the cost of the new heating system and the weekly cost of the temporary heating arrangements. In addition it was queried whether the new system would be funded by the County Council or by this Council and the Leader undertook to clarify this .

The Leader also referred to the absence of Councillor P. Lammas who was at present in hospital and passed on the thanks of Mrs Lammas for all cards and messages received. Members from all parties expressed their good wishes to Councillor Lammas.

45\16

QUESTIONS OR PETITIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

46\16

AUDIT FINDINGS REPORT 2015/16 AND STATEMENT OF ACCOUNTS 2015/16

The recommendations from the Audit, Standards and Governance Committee held on 15th September 2016 in relation to the Statement of Accounts and Audit Letter were proposed by Councillor B. T. Cooper and seconded by Councillor P. L. Thomas.

In proposing the recommendations Councillor Cooper reminded Council that the opportunity to attend the Audit Standards and Governance Committee and to ask questions of the Council’s Auditors had been available to all Members. Copies of the report had been made available.

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Councillor Cooper stated that the Council's Auditors had issued an unqualified opinion on the financial statements. They had reported that the process followed to issue the accounts had improved significantly when compared to the previous year, in line with Section 11 recommendations. Grant Thornton had identified key actions for the Council to take to improve further and to address the following recommendations:

- continued progress was needed in respect of financial statements production to ensure earlier closedown and audit timetables could be met in 2018;
- further improvement was required in the reporting of the annual budget and medium term financial plan to members including the impact on reserves and balances; and
- further improvements should be made to ensure that the reporting of the budget throughout the year is clearer to enable accurate forecasts to be made in year of the likely year end outturn.

In relation to Value for Money a qualified "except for" conclusion would be issued. Councillor Cooper referred to the following which had been identified as weaknesses in the Council's arrangements for :

- reliable and timely financial reporting that supports the delivery of strategic purposes;
- planning finances effectively to support the sustainable delivery of strategic purposes and maintain statutory functions;
- financial reporting and governance arrangements

Officers would continue to work with the Auditors to assess the Efficiency Plan and the delivery of savings and budget projections to support the recommendations in relation to Value for Money.

During the debate some Members referred to the issues identified by the External Auditors and commented that these had also been identified in previous years and had not been effectively addressed.

The Leader recognised that there was still some work to be done in terms of reviewing and improving processes. The Audit, Standards and Governance Committee would be involved in this work.

The Value for Money conclusions would also be addressed through the contents of the Efficiency Plan and the development of a detailed budget.

RESOLVED

- (a) that the draft letter of representation be approved;

- (b) that the Council's Medium Term Financial Plan be produced displaying the total deficit for the Authority; and
- (c) that the Statement of Accounts 2015/16 be approved.

47\16

RECOMMENDATIONS FROM THE CABINET

ICT Infrastructure Resource

Councillor G. N. Denaro proposed and Councillor P. L. Thomas seconded the recommendations from Cabinet in relation to the proposal to address issues in the recruitment and retention of staff with certain specialised technical skills relating to the ICT infrastructure.

The recommendations included a proposal that the functions provided by the ICT infrastructure roles be outsourced to an external provider. Councillor Denaro emphasised that this proposal related solely to this small area of the ICT department.

As an amendment it was proposed by Councillor L. C. R. Mallett and seconded by Councillor C. J. Bloore that consideration of the proposal be deferred to enable other options to address the issue to be fully explored.

During debate on the amendment some Members expressed the view that the proposal to outsource the infrastructure function may not be the most appropriate solution to the problem and may result in a higher cost for the function to the Authority than that referred to within the report. It was also suggested that it would prove to be difficult to separate this small section from the remainder of the ICT department and to enter into a contract with a private company which could provide a good quality service. There was a need to ensure that the Authority could achieve value for money.

The Leader indicated that on this occasion he was happy to support the spirit of the amendment and to support withdrawal of the recommendation at this stage in order to ensure all options had been considered.

The recommendation was therefore withdrawn.

Bromsgrove Energy Efficiency Fund and Scheme

The recommendation from Cabinet was proposed by Councillor C. B. Taylor and seconded by Councillor R. D. Smith.

In proposing the recommendation Councillor Taylor referred to the benefits of the proposed scheme which would assist local owner occupiers to heat their homes more efficiently and at a lower cost. This would have the effect of improving the health of residents through enabling the provision of warmer homes.

During the debate Members were in support of the proposals but queried whether the funding of £100,000 from the Disabled Facilities Grant Capital Budget would impact on the ability to undertake this work.

Councillor Taylor confirmed that additional funding had been received from central government in relation to DFG's and this meant funding could be released for the Energy Efficiency Scheme. The remaining funding of £109,000 would be rolled forward and consideration would be given at a later date to its utilisation for other projects falling within the criteria of the Better Care Fund.

RESOLVED that the capital budget of £100,000 previously allocated to Disabled Facilities Grants be transferred to a capital budget for funding the installation of energy efficiency measures and that this be split over 3 years as follows:

2016/2017 - £34,000
2017/2018 - £33,000
2018/2019 - £33,000

Efficiency Plan 2016/2017 – 2019/2020

The recommendation from Cabinet in relation to the proposed Efficiency Plan 2016/2017 – 2019/2020 was proposed by Councillor G. N. Denaro and seconded by Councillor P. L. Thomas.

In proposing the recommendation, Councillor Denaro referred to the proposed 4 year Efficiency Plan which would help to deliver the Council's strategic purposes. Acceptance by the Government of the Efficiency Plan would at least ensure some certainty over the level of central government funding settlement over the next 4 years.

Councillor Denaro reported that due to concerns about the Government's assumptions about the future funding and responsibilities of Local Government, there would be continued discussion with the Secretary of State for Communities and Local Government regarding the level of funding and the other Group Leaders were involved in these discussions. It was intended that the cross party Finance and Budget Working Group would be examining and developing further some of the information contained within the Plan.

Councillor Denaro referred to the importance of promoting growth and providing support to small businesses, making full use of council owned assets and increasing income. It was proposed to invite a Peer Review of the Council through the Local Government Association.

During the debate some Members expressed the view that the Efficiency Plan at present lacked sufficient detail and substantial content and should not be submitted to the Secretary of State until more work had

been undertaken on the document. There was concern that some of the content was based on estimates from officers of savings and increased income and there was reliance on the use of reserves which would be unsustainable in the long term. It was suggested that in order for the Efficiency Plan to be accepted by the Secretary of State there would need to be sufficient evidence of cross party working.

Councillor L. C. R. Mallett proposed and Councillor M. Thompson seconded an amendment that the consideration of the Efficiency Plan be deferred to allow the content to be reviewed and for a more detailed document to be produced.

The Chairman agreed to a short adjournment to allow discussion to take place with officers

When the meeting resumed the Leader stated that he was in agreement with the deferral of the recommendation at this stage to enable further consideration to be given to the information to be included within the Efficiency Plan.

Members thanked the Executive Director Corporate Resources and her team for the work undertaken to date.

48\16

MINUTES OF THE MEETINGS OF THE CABINET HELD ON 7TH SEPTEMBER 2016

The minutes of the meeting of the Cabinet held on 7th September 2016 were received for information.

In response to a question, the Leader undertook to circulate information to all Members on car parking income.

49\16

REPORT FROM THE PORTFOLIO HOLDER FOR FINANCE, ICT, HR AND ENABLING SERVICES

As Portfolio Holder for Finance, ICT, HR and Enabling Services, Councillor G. N. Denaro presented a report on the areas covered by his Portfolio.

Councillor Denaro referred in particular to recent initiatives to improve the service to residents requiring financial support, this included joint working with Bromsgrove District Housing Trust on benefits claims and extending the financial independence team to assist residents identified as being in financial hardship.

Reference was also made to the work undertaken within the Elections Team. It was noted that the Household Enquiry Form canvass return rate had now risen to 82%.

Councillor Denaro also referred to the development of cross party working through Overview and Scrutiny and the establishment of two Working Groups to look at Finance and Budget issues and the Performance Dashboard.

During discussion on the report Members highlighted a number of issues in respect of which Councillor Denaro undertook to circulate additional information to all Members.

- Roles of Staff within the Chief Executive's Unit;
- Discretionary Housing Payments – how many have been paid and have they been effective in keeping people in their homes;
- Housing Benefits Cap – how much will people lose per month and how can the Council give support;
- Sickness data and frequency of receipt;
- Staff Appraisal Programme;
- Society for IT Managers – the benefits to the Council of membership;
- Significant Redundancy Payment to a member of staff from WRS

50\16

APPOINTMENTS TO OUTSIDE BODIES

Council considered a report of the Head of Legal, Equalities and Democratic Services on a number of appointments to Outside Bodies.

RESOLVED that the following Members be appointed to the Outside Bodies as indicated:

Shared Services Board – Councillors S. J. Baxter and R. J. Deeming
West Mercia Police and Crime Panel – Councillor R. D. Smith
Bromsgrove Arts Development Trust – Councillor S. P. Shannon

51\16

MEMBERSHIP OF COMMITTEES

RESOLVED that the following changes to membership of Committees be noted:

- **Planning Committee** – Councillor K. J. May has replaced Councillor M. Glass;
- **Overview and Scrutiny Board** - Councillors R. J. Laight has replaced Councillor R. D. Smith and Councillor M. Thompson has replaced Councillor C. J. Bloore;
- **Audit, Standards and Governance Committee** – Councillor J. M. L. A. Griffiths has replaced Councillor Smith.

52\16

QUESTIONS ON NOTICE

Question submitted by Councillor P. M. McDonald

“Would the Chairman please inform me of the monies spent over the last two years on external legal advice and any retaining costs associated with legal advice?”

The Leader responded that in 2014/15 expenditure had been £36,658 and in 2015/16 the expenditure had been £53,744.

Question submitted by Councillor S. R. Colella

“Does the Leader agree with the independent Alliance Group that this Chamber and the people of Bromsgrove should never again be faced with the debacle that surrounded the 9th June 2016 agenda item on West Midlands Combined Authority and that the leader of the Council should be responsible for the accuracy of the Agenda and for the professional and competent discharge of Council matters.”

The Leader responded that he agreed.

Question submitted by Councillor C. A. Hotham

“In February 2013 this Council voted to acquire a 50% stake in Parkside for £230,000. It has always been known that Stamp Duty Land Tax (SDLT) would be payable and this liability is a straightforward percentage calculation. For reasons that are unclear the purchase was only completed on 29th July 2016. This delay could have serious consequences on the amount of SDLT due.

SDLT is payable on the value of the acquisition on completion date. As the value of our share of the building has been stated in the latest accounts as £3,584,000 it is possible that rather than BDC paying the budgeted figure of £2,300, it is liable for a figure closer to £170,000. Furthermore, BDC has yet again failed to abide by the law and is now late paying this tax incurring penalties and punitive interest. This is potentially a gross waste of BDC Council tax payer money.

Bearing in mind the qualified account opinion about BDC’s inability to provide value for money, could the Leader please explain why it has taken so long to acquire the freehold and what impact this has had on the SDLT liability and why BDC is in breach of HMRC rules over such a simple calculation?

The Leader stated that that the Stamp Duty Land Tax Return had been completed and submitted to the Tax Office together with the appropriate fee of £2,300. The Council had been obliged to make an additional payment of £200 as a penalty for late payment.

The late payment was a result of the delay between the Council's "de facto" acquisition of the building and the paperwork associated with the transfer. The County Council had confirmed that the delay was a result of competing priorities and it had been felt that because the transaction was between two Local Authorities and all elements involving third parties had been completed it was relatively low risk and was therefore not prioritised.

The Leader reported that the County Council had now been working closely with this Council's legal team to rectify the position. The application for registration had now been submitted by the County Council who had given an assurance that any further issues which may arise would be dealt with as a priority. The County Council had agreed to meet the cost of the £200 penalty for late payment.

53\16

NOTICE OF MOTION - PLANNING DELEGATED POWERS

Members considered the following notice of motion submitted by Councillor P. M. McDonald:

"We call upon the Council to create a Working Party to review Delegated Powers in relation to Planning matters."

The motion was moved by Councillor P. M. McDonald and seconded by Councillor M. T. Buxton.

In moving the motion Councillor McDonald referred to the need to review powers in relation to planning matters which had been delegated to officers over the years in order to understand whether the current arrangements were working well or required further change. Councillor McDonald referred to recent planning applications within his Ward which he felt may have been inappropriate to be dealt with by officers.

During the debate on the Motion reference was made to the cross party Constitution Working Group which had been set up to look at matters such as this. Some Members considered that this was an issue which would benefit from detailed consideration and it was suggested that it could be considered by the Overview and Scrutiny Board.

RESOLVED that the Overview and Scrutiny Board be requested to undertake a review of Delegated Powers in relation to Planning matters.

54\16

NOTICE OF MOTION - WCC HIGHWAYS AUTHORITY

Members considered the following amended notice of motion submitted by Councillor L. C. R. Mallett:

"Council Members continue to be concerned about the support and guidance provided to this Council and the District as a whole from

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Worcestershire County Council, as the Highways Authority, in relation to strategic matters, long term planning and major projects.

Council calls for the immediate reinstatement of the highways forum as an opportunity to raise local concerns and identify input into highways planning.

Council authorises that the Head of Planning may seek independent highways advice in relation to major applications where the opinion of the highways authority may need to be tested, confirmed or potentially challenged and/or in relation to strategic highways matters, the Head of Planning and Portfolio Holder feel this is required and that the costs of this advice be met from existing planning funding.

Council calls on the Leader, Planning Portfolio Holder and opposition leaders to continue their dialogue with Worcestershire County Council to seek to strengthen Member confidence in the service received”.

The motion was proposed by Councillor L. C. R. Mallett and seconded by Councillor G. N. Denaro.

In moving the motion Councillor Mallett referred to some of the long term difficulties which had arisen in respect of highway matters within the District and which were impacting on the Local Plan and on Planning Applications. There was some concern regarding the advice received from WCC Highways and their use of a new Transport model.

It was suggested that the reinstatement of the Highways Forum would increase effectiveness in addressing local matters. The opportunity to obtain independent highways advice under certain circumstances was also considered to be an important step forward.

Councillor Denaro welcomed the motion and referred to the importance of addressing issues along the A38 and the surrounding road network.

During discussion Members paid tribute to the service to the District received from the Highways Liaison Officer.

On being put to the vote the notice of motion was carried.

The meeting closed at 9.10 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

EXTRAORDINARY MEETING OF THE COUNCIL

13TH OCTOBER 2016 AT 6.00 P.M.

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

Officers: Mr. K. Dicks, Mrs. S Hanley, Ms J.Pickering, Mrs C. Felton, Mrs. S. Sellers, Mrs S. Jones.

55\16 **TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors R. Jenkins, P. Lammas and P. Thomas.

56\16 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

57\16 **RECOMMENDATIONS FROM THE CABINET - EFFICIENCY PLAN**

Councillor G. Denaro proposed, Councillor K. May seconded the recommendation from the Cabinet meeting held prior to the Council meeting relating to the Council's Efficiency Plan. This item had been deferred from the Council meeting on 21st September.

In introducing the recommendation, Councillor Denaro informed Councillors that the Department for Communities and Local Government had confirmed that it was seeking high level, strategic, efficiency plans from local authorities. There were a number of unknown elements such as the amount of New Homes Bonus in future and the outcome of reform of business rates, but he considered that submission of the Plan to central government gave some certainty to financial planning for the next 4 years.

Councillor Denaro thanked Councillors Colella, Hotham and Mallett and the Finance working group for their input since the last Council meeting. He outlined the changes to the Plan, including a revised format; short explanations for each of the proposed efficiencies and savings being set out for one year rather than cumulative.

Councillor L.C.R Mallett proposed, Councillor M. Thompson seconded an amendment that under the proposed efficiencies, the total amount set out for the organisational management review should be increased to £450k (savings to Bromsgrove) and that the commentary should be amended to indicate that external consultants would be used to carry out the review, not the Local Government Association.

During debate on the amendment some members suggested that it was desirable to outline the minimum savings which were achievable and then over-deliver against the target, instead of setting a target which may not be achievable. The LGA offered robust peer review at no extra cost to the subscription paid by the Council to the LGA and using external consultants was likely to involve additional expenditure.

On a requisition under Council procedure rule 18.3 the following details of the voting on the amendment were recorded:

For the amendment: Councillors C. Bloore, M. Buxton, L.C.M. Mallett, C. McDonald, P. McDonald, S. Shannon, M. Thompson (7)

Against the amendment: Councillors C. Allen-Jones, S. Baxter, S. Colella, B. Cooper, R. Deeming, G. Denaro, R. Dent, M. Glass, J. Griffiths, R. Laight, K. May, S. Peters, M. Sherrey, R. Smith, C. Spencer, C.B. Taylor, L. Turner, S. Webb and P Whittaker (19)

Abstention: Councillor C. Hotham (1)

The amendment was declared lost.

Councillor Mallett proposed a further amendment, seconded by Councillor M. Thompson, that there should be an addition to the narrative commentary that a full review should be carried out of the allocation of costs between Bromsgrove and Redditch Councils. In proposing the amendment Councillor Mallett suggested that each Council was receiving different service levels from the shared officer structure.

On a requisition under Council procedure rule 18.3 the following details of the voting on the amendment were recorded:

For the amendment: Councillors S. Baxter, C. Bloore, M. Buxton, S. Colella, C. Hotham, L.C.M Mallett, C. McDonald, P. McDonald, S. Peters, S. Shannon, M. Thompson and L. Turner (12).

Against the amendment: Councillors C. Allen-Jones, B. Cooper, R. Deeming, G. Denaro, R. Dent, M. Glass, J. Griffiths, R. Laight, K. May, M. Sherrey, R. Smith, C. Spencer, C. B Taylor, S. Webb, and P. Whittaker (15).

The amendment was declared lost.

A further amendment was proposed by Councillor C. Hotham, seconded by Councillor S. Colella, that officers should reconcile the efficiency plan to the medium term financial plan as agreed in February 2016 as there was a discrepancy of £8k over the 3 year period.

During discussion of the amendment Ms J Pickering, S151 Officer, clarified that the figure of £135k in 2017/18 for the Organisational management review would be the net figure required to be saved.

Following discussion, the amendment to the effect that the anomaly raised would be corrected for the final version of the Plan to be submitted to Central Government, was generally agreed

Councillor C. Hotham then proposed a further amendment, seconded by Councillor S. Colella, that a pressure of £100k in relation to unrealised savings should be included in the Efficiency Plan against the Parkside building. In proposing this, he suggested that the level of savings being achieved at £150k per year did not match those predicted in February 2014 of £250k per year.

During debate on this amendment, it was noted that the proposed savings for the current financial year were being achieved. However, the information was not available to confirm whether the level of savings for 2016-17 was £250k in a full year.

On being put to the vote the amendment was declared lost.

The Council then considered the substantive motion and the debate included:

- Whether details were available of the alternative models of service delivery proposed. It was noted that these had yet to be explored;
- The costs to Bromsgrove of staff travel between Parkside and the Town Hall in Redditch – Councillor Denaro undertook to check the figure for this;
- The potential to secure government funding for the next 4 years which meant that the Council needed to approve the Plan.

On being put to the vote the substantive motion was declared carried.

RESOLVED:

That the Efficiency Plan 2016/17 – 2019/20 as detailed at Appendix 1 to the report be approved for submission to Central Government to enable a 4 year financial settlement to be secured, subject to the anomaly identified between the plan and the Medium Term financial plan being corrected.

The meeting closed at 7.09 p.m.

Chairman

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CABINET

RECOMMENDATIONS TO THE COUNCIL

2ND NOVEMBER 2016

1. WORCESTERSHIRE REGULATORY SERVICES BOARD – ENFORCEMENT POLICY

The Cabinet has considered the recommendation from the WRS Board meeting held on 6th October 2016 (Minute 15/16 of that meeting) regarding a review of the WRS Enforcement Policy.

It is RECOMMENDED

that subject to the minor amendment detailed in Minute 15/16, the Worcestershire Regulatory Services Enforcement Policy be adopted.

2. MEDIUM TERM FINANCIAL PLAN 2017/2018 – 2020/2021 BUDGET ASSUMPTIONS

The Cabinet has considered a report on budget assumptions to be used in the preparation of the detailed 2017/2018 budget and the provisional budgets for 2018/2019.

It is RECOMMENDED

That the revenue assumptions as detailed in paragraph 3.4 of the Cabinet report be incorporated into the budget setting process.

3. COUNCIL TAX SUPPORT SCHEME 2017/2018

The Cabinet has considered a report on the final Council Tax Support Scheme (CTSS) to be implemented for 2017/2018.

It is RECOMMENDED:

- (a) that the Council Tax Support Scheme be implemented as amended, namely :
 - (i) that the backdating of Council Tax support be reduced in line with the changes in Housing Benefit announced by Central Government;
 - (ii) that claims be processed based on information provided by the Department of Work and Pensions without the need for further information;
 - (iii) the removal of the Family Premium on claims made from 1st April 2017 to bring Bromsgrove District Council's Council Tax Support Scheme in line with the changes in Housing Benefit announced by Central Government;

- (b) that future “uprating” of some of the figures be approved to take account of other national changes in benefits and allowances;
- (c) that authority be delegated to the Head of Customer Access and Financial Support to carry out statutory consultation on future draft CTSS in accordance with the legislative guidelines, in consultation with the Portfolio Holder; and
- (d) that the continuation of the Hardship Scheme be approved.

4. THE COUNCIL PLAN

The Cabinet has considered the proposed Council Plan which included actions to address the Strategic Purposes developed through the Transformation Programme. There had been an amendment to wording in relation to average wages for people working in Bromsgrove.

It is RECOMMENDED

That the Council Plan as amended be approved.

5. ICT INFRASTRUCTURE RESOURCE

The Cabinet has considered a further report on how on going difficulties in recruiting to the team dealing with ICT infrastructure could be addressed.

It is RECOMMENDED:

- (a) that authority be delegated to the Head of Transformation and organisational Development to undertake a tendering process to identify a potential supplier to undertake the ICT infrastructure functions; and
- (b) that a decision on any proposed contract be subject to a further report to Cabinet containing details of the proposals and their impact on the service and budget.

6. DEVELOPMENT MANAGEMENT SHARED SERVICES BUSINESS CASE

(Please note that the report, Business Case and Shared Service Board notes which were previously confidential, are now open to the public as members of staff have now been briefed on them)

The Cabinet has considered a report on the Business case for a Shared Development Management service between Bromsgrove District Council and Redditch Borough Council. The report and proposals had been considered by the Shared Services Board on 27th October 2016.

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It is RECOMMENDED

That the Business Case for the Development Management Shared Service be approved.

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

5TH OCTOBER 2016 AT 6.00 P.M.

PRESENT: Councillors G. N. Denaro (Leader), K.J. May, R. D. Smith and P. J. Whittaker

Observers: Councillor C. J. Bloore and Councillor L. C. R. Mallett

Officers: Mr. K. Dicks, Mrs. S. Hanley, Mrs. C. Felton, Ms. J. Bayley and Ms. A. Scarce

33/15 **APOLOGIES FOR ABSENCE**

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

34/15 **DECLARATIONS OF INTEREST**

Councillor R. D. Smith declared an other disclosable interest in respect of Minute Item no. 37/16 as a former Member of the Preventing Homelessness Task Group. Members were advised that, as detailed in the report, he had resigned from the group when he had been appointed to Cabinet and had not been involved in the group's discussions of their final recommendations.

35/15 **MINUTES**

The minutes of the meeting of the Cabinet held on 7th September 2016 were submitted.

RESOLVED that the minutes of the meeting of Cabinet held on 7th September 2016 be approved as a correct record.

36/15 **OVERVIEW AND SCRUTINY BOARD**

The Leader welcomed the Chairman of the Overview and Scrutiny Board, Councillor L. C. R. Mallett, to the meeting.

The minutes of the meeting of the Overview and Scrutiny Board held on 19th September 2016 were submitted.

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Board held on 19th September 2016 be noted.

37/15

REPORT OF THE TASK GROUP ON PREVENTING HOMELESSNESS IN BROMSGROVE

The Leader welcomed Councillor C. J. Bloore, Chairman of the Preventing Homelessness Task Group, to the meeting and invited him to deliver a presentation in respect of the review findings and the group's final recommendations.

Councillor Bloore explained that the review had been launched following the Overview and Scrutiny Board's consideration of a request from Councillor S. Shannon to investigate future changes to Burcot Lodge. Initially a Short, Sharp Review had been established to consider the levels of homelessness within Bromsgrove district but this had been extended into a Task Group investigation once it had been established that the subject was suitable for more detailed scrutiny.

During the course of the investigation Members had gathered evidence from a variety of sources. This included reviewing Council policies, interviews with Council staff and relevant Portfolio Holders, interviewing representatives of key organisations such as Bromsgrove District Housing Trust (BDHT), the CAB and Fry Housing Trust, and visiting Voluntary and Community Sector (VCS) bodies that supported young people at risk of homelessness, including St Basils and the Basement Project. The group had analysed a significant amount of information about welfare changes in the country and had discussed the potential impact of these changes on local residents as well as the ways in which Council services could be adapted to best meet the needs of residents who would be affected by these changes.

At the end of the investigation the group had proposed four recommendations. The first of these recommendations, in respect of the introduction of a local authority lettings scheme, addressed the increasing reliance of many people on accommodation within the private rented sector. Cabinet was informed that whilst many residents might be able to afford the monthly rent they could struggle to raise a deposit and meet additional costs required to secure a private tenancy. In some cases residents found it difficult to secure suitable accommodation within the private rented sector due to concerns amongst landlords about their circumstances. A local authority lettings agency could help residents to address these costs and secure accommodation. The group had concluded that further investigation was required from Officers into this matter to ensure that the most appropriate model was adopted in the district.

The second recommendation proposed that the Homelessness Grant should be used for purposes of priority homelessness support. The Cabinet was advised that the grant was not ring fenced. In the past unspent funding from the grant had been returned to balances and the group was keen to avoid this in future.

The third recommendation proposed that the Council should continue to prioritise funding from the Homelessness Grant for offender rehabilitation work and emergency accommodation for young people. Members had considered suggesting that funding should be allocated to particular VCS groups but had concluded that this would not be appropriate due to the challenges facing the sector moving forward.

The final recommendation referred to use of £15,000 which had been set aside at the start of the review in case the group identified any areas requiring funding that could help to address homelessness in the district. The group had concluded that it would be appropriate to allocate this funding to the Essential Living Fund (ELF) as it provided useful assistance to residents who were experiencing financial difficulties that could place them at risk of becoming homeless.

At the end of the presentation Cabinet discussed the content of the report and the group's recommendations. In response to questions from Cabinet Members Councillor Bloore confirmed that the group had considered information about a number of local authority lettings agencies in the country, including schemes managed by Ashford Borough Council and Birmingham City Council.

Cabinet noted that the review had been conducted by a cross party group of Councillors who had investigated the subject of homelessness in extensive detail. Members of the Task Group and the Democratic Services Officers who had supported the review were thanked for their hard work.

The Leader explained that an Executive Response to the report and recommendations would be produced, together with a timeline for the implementation of the recommendations, following consultation with the relevant lead Portfolio Holder. This would be reported for the consideration of the Overview and Scrutiny Board in due course.

RESOLVED that

- (1) Officers should investigate the introduction of a local authority lettings scheme that would help customers to access private rented accommodation. This investigation should take into account working in partnership with Redditch Borough Council. The outcomes of this investigation should be reported for the consideration of the Overview and Scrutiny Board and Cabinet;**
- (2) The Council should commit to use all of the Homeless Grant for the purposes of priority homelessness support;**
- (3) Subject to the Council continuing to receive the Homeless Grant, it should continue to prioritise funding in respect of offender rehabilitation and emergency accommodation for young people, in order for services to remain sustainable within the district; and**

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- (4) **The £15,000 of funding allocated by the Portfolio Holder be allocated to the Essential Living Fund (ELF) and any surplus be ring fenced for use in the next financial year.**

The meeting closed at 6.20 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

13TH OCTOBER 2016 AT 5.00 P.M.

PRESENT: Councillors G. N. Denaro (Leader), K.J. May, R. D. Smith and C. B. Taylor
Observers: Councillor S Colella
Officers: Mr K. Dicks, Ms J. Pickering and Mrs S. Sellers

38/16 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor P. Whittaker.

39/16 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

40/16 **EFFICIENCY PLAN**

Ms J. Pickering, Executive Director Finance and Resources, introduced the report which set out the proposed Efficiency Plan for the Council. The Plan had been deferred from the meeting of the Council on 21st September. The Council's approach had subsequently been discussed at a meeting of the Budget Scrutiny Task Group.

The Cabinet noted that the Government required a high level plan. However, since deferral of the item by Council and in response to Councillor feedback, the following changes had been made:

- the risk assumption had been reviewed;
- some details had been included for each proposed efficiency item;
- savings had been identified once rather than against each year of the Plan.

Councillor G Denaro proposed, Councillor R. Smith seconded and it was

RECOMMENDED

That the Efficiency Plan 2016/17 – 2019/20 as detailed in Appendix 1 to the report be approved for submission to Central Government to enable a 4 year financial settlement to be secured.

The meeting closed at 5.15 p.m.

Chairman

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

2ND NOVEMBER 2016 AT 6.00 P.M.

PRESENT: Councillors G. N. Denaro (Leader), K.J. May (Deputy Leader),
C. B. Taylor and R. D. Smith

Observers: Councillor L. C. R. Mallett

Officers: Mr K. Dicks, Ms J. Pickering, Ms. D. Poole, Ms. R. Bamford, Mrs
S. Sellers, Mr M. Hanwell, Mr D. Riley, Ms R. Dunne and Ms R. Cole

41/16 **APOLOGIES FOR ABSENCE**

An apology for absence were received from Councillor P. J. Whittaker.

42/16 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

43/16 **MINUTES**

The minutes of the meetings of the Cabinet held on 5th October 2016
and 13th October 2016 were submitted.

RESOLVED that the minutes of the meetings of the Cabinet held on 5th
October 2016 and 13th October 2016 be approved as a correct record in
each case.

44/16 **WORCESTERSHIRE REGULATORY SERVICES BOARD**

The minutes of the meeting of the Worcestershire Regulatory Services
Board held on 6th October 2016 were submitted.

It was noted there was a recommendation at Minute 15/16 relating to a
review of the WRS Enforcement Policy.

RECOMMENDED that subject to the minor amendment detailed in
Minute 15/16, the Worcestershire Regulatory Services Enforcement
Policy be adopted.

RESOLVED that the remainder of the minutes of the meeting of the
Worcester Regulatory Services Board held on 6th October 2016 be
noted.

45/16

NOMINATION OF AN ASSET OF COMMUNITY VALUE - THE GREYHOUND PUBLIC HOUSE, WORCESTER ROAD, BROMSGROVE

The Cabinet considered a report on an Application to list the Greyhound Public House, Worcester Road, Bromsgrove as an Asset of Community Value.

Members were aware of the background to this application in that the premises concerned were no longer in use and had ceased trading as a public house in April 2016. Members' attention was drawn to paragraph 3.4 of the report which set out how the test for listing as an Asset of Community Value would apply in these circumstances.

It was noted that under sub section 2 of Section 88 of the Localism Act 2011 it was stated that such land can be listed if in the Local Authority's opinion :-

- (a) there is a time in the recent past when an actual use of the building or other land that was not an ancillary use furthered the social well being or interests of the local community; and
- (b) it is realistic to think there is a time in the next five years when there could be a non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social well being or social interests of the local community

At the invitation of the Leader, Councillor L. C. R. Mallett as Ward Member addressed the Cabinet in support of the application for listing and expanded on his written comments which had been included in section 3.14 of the report. It was noted that Councillor M. Thompson was also in support of the application for listing.

Councillor Mallett drew attention to the fact that following the closure of the premises in April, they had initially been marketed as a public house. It was only shortly before the application from CAMRA had been submitted that it had become clear that the premises may be permanently lost.

Councillor Mallett confirmed that the premises had been used extensively in the recent past by the community as there was no other convenient meeting place in the vicinity. There was no reason to think they could not be a valuable asset in the future both commercially and as a meeting place for community groups and residents.

Members of the Cabinet considered the application in detail and considered in particular the test as set out in section 3.14 of the report.

Following discussion it was

RESOLVED that the listing of the Greyhound Public House, Worcester Road as an Asset of Community Value be supported.

46/16

MEDIUM TERM FINANCIAL PLAN 2017/2018 - 2020/2021 BUDGET ASSUMPTIONS

The Cabinet considered a report on the budget assumptions to be used by officers in the preparation of the detailed 2017/18 budget and the provisional budgets for 2018/19 - 2020/21.

The Executive Director Finance and Resources drew Members' attention to paragraph 3.4 of the report which set out proposed budget assumptions in respect of key elements of the Council's Revenue budget.

- Pay Award – there was an assumption of 1% over the time period;
- Inflation – assumption of 0% across the majority of the Council's "non-pay" expenditure
- Utilities costs assumed to be increased by 6%;
- Discretionary Fees and Charges - the increase for 2017/18 – 2019/20 would be 3%. Any increase above 3% would need to be justified and evidenced by officers;

In addition it was noted that in respect of Superannuation Rates, discussions were on going in with Worcestershire County Council and the Actuary. The outcome would be built into future budget reports.

It was noted that Heads of Service were currently undertaking a robust review of the Capital Programme and that a four year Capital Programme was due to be considered by Members in January 2017.

Following discussion it was

RECOMMENDED that the revenue assumptions as detailed in paragraph 3.4 of the report be incorporated into the budget setting process.

47/16

COUNCIL TAX SUPPORT SCHEME 2017/2018

Cabinet considered a report on the final Council Tax Support Scheme (CTSS) to be implemented for 2017/18.

Members were reminded that the Council had a duty to review its CTSS on an annual basis and must implement a scheme which protects people of pensionable age, incentivises work and has provisions to support vulnerable people in financial hardship as a result of the scheme.

Following the approval of the draft scheme for 2017/18 in July 2016 it was noted that consultation on this had been undertaken throughout

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August and September. The consultation had included a letter to all current claimants, preceptors and other stakeholders advising them of the draft scheme and the changes to the existing scheme. It was reported that only two responses had been received and neither of these commented either in support of or against the proposals.

It was noted that the proposals would not impact significantly on current claims. The main purpose of the changes was to reduce the administrative burden on the Authority where possible, to bring the scheme into line with national changes to welfare support and to ensure that the assessment of income in relation to claims remained in line with other benefits such as Housing Benefit. This would mean that claims could be assessed in tandem and costs to the Authority would be minimised.

The Executive Director Finance and Resources confirmed that the Financial Inclusion Team would be working with Council Tax Team and that officers would be looking at all avenues of support to help people to be financially independent. The proposed continuation of the Hardship Fund would provide an opportunity to ensure that vulnerable people who had been financially disadvantaged by the changes to CTSS could be provided with transitional support.

RECOMMENDED:

- (a) that the Council Tax Support Scheme be implemented as amended, namely :
 - (i) that the backdating of Council Tax support be reduced in line with the changes in Housing Benefit announced by Central Government;
 - (ii) that claims be processed based on information provided by the Department of Work and Pensions without the need for further information;
 - (iii) the removal of the Family Premium on claims made from 1st April 2017 to bring Bromsgrove District Council's Council Tax Support Scheme in line with the changes in Housing Benefit announced by Central Government;
- (b) that future "uprating" of some of the figures be approved to take account of other national changes in benefits and allowances;
- (c) that authority be delegated to the Head of Customer Access and Financial Support to carry out statutory consultation on future draft CTSS in accordance with the legislative guidelines, in consultation with the Portfolio Holder; and
- (d) that the continuation of the Hardship Scheme be approved.

48/16

THE COUNCIL PLAN

The Cabinet considered the proposed Council Plan which included actions to address the Council's strategic purposes developed through the transformation programme. The Plan had been slightly amended in line with suggestions to improve the "flow" of the Plan. An additional amendment had been proposed to wording on page 14 of the Plan relating to average wages for people working in Bromsgrove.

It was noted that the Council Plan and strategic purposes would help to set the direction for the Council and how it works with its partners. Service areas would be working towards these purposes and the priority actions, supported by operational purposes and measures to ensure that everything the Council does relates to demands and needs of customers.

RECOMMENDED that the Council Plan as amended be approved.

49/16

URGENT ITEM - ICT INFRASTRUCTURE RESOURCE

(The Chairman agreed to the consideration of this item as a matter of urgency to enable officers to explore options for the service without undue delay)

The Cabinet considered a further report on how on going difficulties in recruiting to the team dealing with ICT infrastructure could be addressed. This issue had been considered at Cabinet in September, but it had subsequently been agreed at the Council meeting on 21st September that the matter be referred back to Cabinet to ensure that all available options were explored.

The report drew attention to the difficulties in recruiting and retaining officers to the small ICT team dealing with ICT infrastructure. At present one of the posts within the team was filled and the resource to cover the other post was being purchased on an ad hoc basis which meant that maintaining continuity of service was difficult.

It was reported that following the withdrawal of the item from Council in September a further review had been undertaken and discussions with Members had taken place. These had lead to the current proposal that the service be put out to tender and that the results of this process be reported back to Cabinet to consider the outcome and implications of the tender exercise before any further commitment was entered into. .

It was noted that other public sector organisations would have the opportunity to bid for the contract as well as any private companies.

RECOMMENDED:

- (a) that authority be delegated to the Head of Transformation and organisational Development to undertake a tendering process

identify a potential supplier to undertake the ICT infrastructure functions; and

- (b) that a decision on any proposed contract be subject to a further report to Cabinet containing details of the proposals and their impact on the service and budget.

50/16

LOCAL GOVERNMENT ACT 1972

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 item of business the subject of the following minute on the grounds that it involves the disclosure of "Exempt Information" as defined in Part 1 of Schedule 12A to the Act, the relevant parts being as set out below and that it is in the public interest to do so.

Minute No
51/16

Paragraph
4

51/16

DEVELOPMENT MANAGEMENT SHARED SERVICES BUSINESS CASE

The Cabinet considered a report on the Business Case for a shared Development Management service between Bromsgrove District Council and Redditch Borough Council. The report and proposals had been considered by the Shared Services Board on 27th October 2016 and the meeting notes and recommendations of the Board had been circulated.

Officers outlined the details of the proposals and responded to queries from Members.

Following discussion it was

RECOMMENDED that the Business Case for the Development Management Shared Service be approved.

The meeting closed at 6.35 p.m.

Chairman

Bromsgrove District Council

Report of the Portfolio Holder for Environment and Worcestershire Regulatory Services

Aligned to Help me to Keep my Place Safe and Looking Good

I am pleased to present my report to councillors for the areas covered by my portfolio. In so doing I would like to look back over recent events and forward to emerging issues affecting our council and our residents.

BEREAVEMENT SERVICES

BROMSGROVE CEMETERY, CHURCH LANE

Badger issue:

The badgers occupying the main sett in a private garden adjacent to the cemetery have excavated two additional entrance holes in the grass verge near to their sett. They have also excavated three holes between the graves, which are separated from their sett by a path. Previous works carried out have been to install a badger fence between the path and the main sett which may mean that the three holes in question are small outlying setts, rather than entrance holes leading to the main sett.

Following a period of monitoring authorised by the first license application, it has been deduced that the holes are directly connected to the main sett and as such a further licence application has been made to approve a live dig to close down the holes and promote a change in behaviour to use a newly created bank to access the main sett in future.

The license application was submitted for the live dig to happen on the 15th November with Mid Warwickshire Wildlife Trust, Natural England and other approved contractors installing more underground fencing, excavation of current tunnels and filling with hardcore once agreed that it is appropriate. Finally production of a new 'mound' to provide extra areas within the cemetery that the badgers can use to tunnel back to the main sett.

BROMSGROVE NORTH CEMETERY, BARLEY MOW LANE, CATSHILL

Following a period of works which commenced on the 4th July 2016, the construction of the necessary infrastructure including the main access road, footpaths, fencing, surface water drainage with off-site infiltration soak away system and ancillary works is nearing completion. We will shortly be moving into the process of researching and consulting on the options that we will provide on the new site.

CORE ENVIRONMENTAL OPERATIONS

HIGHWAYS WORK

At the start of the year we worked with County and took on the grounds maintenance of Bromsgrove Highway from Slideslow Island in Bromsgrove to the boundary of Redditch, in addition to the street cleansing that we traditionally do. We have recently had the second closure where we carried out all the maintenance work using operatives from both Bromsgrove and Redditch Place and Core Teams. The results were excellent and the teams worked well from both authorities. The work carried out included: tree lifting and removal, spraying, mowing, strimming, flailing, cleansing and sweeping. The County Council pay us for this additional work.

VEHICLES

This year we have invested in our refuse service by ordering 5 new 26 tonne refuse collection vehicles. These vehicles comply with the latest Euro 6 Environmental Standards including 360 degree camera recording systems, lane departure warning systems, cycle safety, together with route optimisation and communication software. Due to the current high demand for these vehicles delivery times have been delayed and we should receive these vehicles during May next year.

WASTE COLLECTIONS

- New filming of recycling awareness is taking place in November 16 to be added to the council's You Tube profile and to be used elsewhere;
- New recycling awareness tags are to be launched from January 17 to assist in the education of residents regarding contamination. Leaflets have also been produced to be delivered to target areas, again in January 17;
- In Cab units are now fitted to all RCV's working on both domestic and recycling collections. This is currently being trialled to assess coverage areas and should be live from late November to early December 16. These units allow the crews to report issues such as bins going in the backs of trucks, or bins not out, in real time and they also allow us to see where the vehicles are on their rounds.
- Trade waste is now making a small surplus as officers continue to promote the service;
- Officers have managed to retrieve around 20 customers who had previously left the Trade Waste Service, resulting in an increase in revenue and extra positive publicity;
- Trade Waste leaflets are continuing to be used in the business rates details for 17/18 financial year;
- A Trade waste recycling service is to be introduced in 17/18;
- Officers are currently exploring options to work with neighbouring authorities.

Garden Waste:

- Garden waste fees are to increase to £42.00 from February 17.

Sweepers:

- Route optimisation software has been recently purchased (September 16) and is currently being worked on and reviewed by officers.

BDC PLACE TEAMS

Place working is now in its second year and is still evolving as the staff and teams develop greater awareness of their areas and adjust their work to meet that demand. Prioritisation has improved across the three teams, allowing us to use our time more efficiently and achieve the following without additional staff and resources:

- A higher number of cuts on our grass verges and open spaces than was achieved in 2015, despite the challenge of exceptional growth rates this year. Further improvements are expected to increase this further in 2017.
- An increasing number of Bulky Waste collections, which generate additional income for the council, with over 1600 collections carried out since April.

Unfortunately, fly tipping is on the increase with over 1,100 fly tips collected so far this financial year. These have ranged from small single items through to significant lorry loads requiring our HIAB to remove using large skips and the hydraulic grab.

Our relationship with BDHT has continued to develop, and we are now carrying out a wide range of paid clearance jobs on their behalf whilst working to reduce the impact of fly tipping on their bin stores. Working closely with our refuse team, we have now agreed a more streamlined approach with BDHT to address the problems at the remaining trouble spots where residents are fly tipping and causing other problems, so that issues can be escalated and resolved rather than creating additional work and cost for both BDHT and BDC.

We are still working closely with WCC as part of Project Optimise, and have completed projects on the Bromsgrove Highway, A38, and the Oakalls estate to share resources and increase the standard of maintenance in line with our strategic purpose, but with minimal cost impact on either BDC or WCC. This has been highly successful to date and it is hoped that we will do more joint projects with WCC over the coming year to continue improving the maintenance of our District.

Ongoing partnership working with BDHT has helped manage issues in their bin stores due to fly tipping and misuse. This benefits their residents, and generates additional income for BDC. Recent discussions have set out a more joined up

approach to these issues so that BDHT can focus on resolving the causes of the problems, with support from BDC Officers.

BDC Enforcement Highlights

- April 2016 – Joint stop and search project took place with the police in the Wythall area to tackle illegal transporting of waste and fly tipping. No breaches found.
- Three fly tips currently under investigation and awaiting PACE interviews.
- One fly tip prosecution being prepared with Legal Team for court process.
- April 2016 - £300 FPN paid for breach of 'Duty of Care' for disposal of waste after local resident identified fly tipping. Covered in local press.
- Joint working with Co-ordinators to gather evidence on fly tips and issue warning letters where prosecution not appropriate.
- October 2016 - Fly Posting Project started across the District to remove posters and warn organisations of the penalties if they erect any in the future.
- Routine patrols in Bromsgrove Town Centre to address issues arising from local businesses and work with them to resolve them:
 - Fast food outlets in Bromsgrove now starting to carry out additional litter picking as part of their closing routine after being spoken to by our enforcement officer. Still working well 6 months on.
 - Pubs have been spoken to about smoking related litter and are continuing to support us on this in Bromsgrove Town Centre.
 - New Market organisers working with us to address market waste being disposed of in our litter bins. Issue reduced, but now involving the Town Centre Manager in this process to address few remaining issues.
- Closer working with Parish Councils regarding littering, fly tipping and dog fouling – letter dropped warning letters regarding known issues.
- 135 Abandoned Vehicles investigated and dealt with since 1st April 2016.
- On-going partnership with Enforcement teams from Wychavon, Wyre Forest and Worcester City to share best practice in tackling environmental crime.

BROMSGROVER AREA NORTH WORCESTERSHIRE WATER MANAGEMENT

Lead on specific location Flood Investigations and works by land owners, Highways, STW and NWWM to reduce flood risk at:

1. Wast Hills Lane;
2. Dagnell End Road;
3. Lea End Lane;
4. Cherry Pit Lane;
5. Bentley Pauncefoot work with Parish Lengthsman on ditches and hotspots;
6. Sidemoor School culvert removal;
7. Wythall gypsy site clearance of dumped rubbish to reinstate flow in the watercourse, working with Rooftop Housing and BDC Environmental Services;
8. Cross Boundary working with Solihull on highway flooding issues;
9. Belbroughton - advising the Parish Council following defects appearing in a pool dam.

Major Schemes achieved or ongoing:

10. Hagley Infrastructure Scheme working with STW, Environment Agency and Highways to reduce Hagley flood risk and increase capacity and resilience on watercourses, highway network and STW surface water sewers;
11. Callowbrook - completed the flood storage pools in November and have since undertaken planting and recently some earth moving and finishing touches. EA grant was £50k and contributions of over £20k from County and Local Councillor;
12. Bournheath - flood risk modelling undertaken and scoping options for a scheme to reduce flood risk to the village, properties and highways. Likely total scheme cost of around £200k. Preliminary Grant bid with E.A. and hope to get approval before January to link up with significant STW works at same time to reduce foul sewer flooding issues;
13. Bromsgrove Town Surface Water Management Plan Group - Membership includes NWWM, EA, BDC Environmental Services, Highways. Multiple locations have had flood risk issues resolved in and around town. Ongoing E.A. flood risk modelling at present and investigations over next year on whether a major flood defence scheme is warranted and feasible;
14. A38 Charford flooding issues - Work to investigate opportunities for funding and works with STW, Highways, Economic Development, EA. Early stages at present of understanding infrastructure and building a working group.

General activities:

15. Flooding Hotspot guide produced to aid the PLACE teams working in lead up to and response to flood events. Including a health and safety review for each;

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16. Recording assets (e.g. culverts, trash screens etc) onto a countywide web mapping system;
17. Revising the sandbag policy;
18. Reviewing the Multi-Agency Flood Plans and putting together Flood Response plans to guide actions in flood events;
19. Part of 'Love Your River Bromsgrove' working group helping to improve water quality and wildlife;
20. Response to Government consultation regarding proposed planning changes.

Planning work:

21. 15 Major applications consulted on from April 2016.
22. Very large site, Perryfields pre-planning advice role. Aiming to improve drainage across the wider area.

WORCESTERSHIRE REGULATORY SERVICES

Environmental Health

The service now boasts several Primary Authority agreements whereby a business enters into a contractual agreement with us on a full cost-recovery basis to receive assured advice. One of these is a major food warehouse in Stoke Prior. Further, several Bromsgrove businesses have signed up to the Healthy Eating award (which again is a paid for business support process) and work continues with the Local Enterprise Partnership (LEP) to develop a scheme aimed at helping small producers and manufacturers to access new markets.

82 food hygiene inspections were carried out in Bromsgrove District between April and August 2016 which is down on the same period last year. This reflects the high demand on resources involved in addressing the summer spike in reactive work and the fact that the service is currently involved in some complex enforcement activities including high profile prosecutions. Members should note the similar pattern of work in 2014/15 where the majority of food inspection work was done in the second half of the year. We expect 2016/17 to be similar in work pattern due to the volume of reactive work being undertaken and we will continue to monitor closely progress against the full inspection programme for the year so as to ensure that it is achieved. Compliance in Bromsgrove remains high at 97.4% with only 12 premises currently rated level 2 or below in the Food Standards Agency's Food Hygiene Rating Scheme (which rates business from levels 0-5). These businesses which are deemed not to be "broadly compliant" are subject to further intervention to ensure that hygiene requirements are met.

Environmental Health complaints, enquiries and notifications recorded by WRS are set to exceed previous years, with noise nuisance cases between June and September up on the previous year. The service has conducted an extensive investigation relating to an alleged odour nuisance arising from animal by-product operations in the District and Environmental Health Practitioners have continued to work with Network Rail and their contractors to minimise noise impacts of on-going track upgrade and electrification works through Bromsgrove.

Air Quality

The update of the Air Quality Action Plan has been published on the WRS website that details action taken to resolve air quality by all over the last 12 months. This is to be followed by the annual assessment report (known as Annual Status Report) which reports on air quality monitoring and considers all changes and their effects on air quality over the last 12 months. Ahead of LTP4's publication, WRS have been liaising with the County Council's Project Manager for the A38 Corridor improvements to ensure that improving the air quality situation around Redditch Road and Lickey End are priorities and incorporated in the proposals.

Permitted Processes

The Pollution Control regulations are there to protect human health by ensuring emissions to air, land and water are controlled. Certain industrial processes such as car resprayers and flexible packaging printers use large volumes of Volatile Organic Compounds (VOCs) which would be emitted to atmosphere if not controlled. There are other industrial processes that are regulated also, which means firms have to apply for a permit. In granting the permit WRS work with the business so that they know what they need to do to comply by using our wealth of experience of dealing with similar companies. Our aim is to support the businesses in navigating the red tape and protecting health and in Bromsgrove we believe most are compliant.

There are those companies that seek a competitive advantage by not controlling their emissions and operating without a permit. WRS have launched a campaign across the County to identify anyone who is operating illegally. You can check the WRS website for a list of all businesses that operate with the appropriate permit: <http://www.worcsregservices.gov.uk/media/1928600/May-2016-Public-Register-word-format.pdf> . If you suspect that a business is operating without a permit, please do not hesitate to call or check with our Permitting team on 01905 822799.

Licensing

Licensing Officers continue to monitor and respond to changes in national guidance and licensing legislation; the bi-annual data exchange for the National Fraud Initiative for taxi drivers, personal licence holders and street traders has just been completed successfully across the county and licensing is preparing for the implementation of the Immigration Act 2016, parts of which come into force for taxi licensing from 1st December 2016. Licensing Authorities will have to check that new and renewal applicants have the right to live and work in the United Kingdom prior to the issuing of a licence; licensing authorities will have to issue shorter licences if an applicant has limited leave to remain in the United Kingdom but can work while they are here so that the licence expires when the applicant's right to work expires.

Licensing has also completed this year's data exchange/match with each districts finance teams to aid reconciliation processes for those licences that each district invoices for – Premises licences/ Gambling Premises and Small Lotteries.

Licensing Officers are also participating in the "Safer Bromsgrove Licensed Sector Tasking Group" which is looking at issues in the Night Time Economy in and around the High Street/ Worcester Road Bromsgrove; and discussions are taking place with regards to whether or not things can be improved with joint working and the multi agency approach.

Licensing Officers are presenting new policies to the Licensing Committee in the areas of “Scrap Metal Licensing Policy” and on whether or not Members want to consider the introduction of a Hackney Carriage and Private Hire Penalty Points Scheme for taxi operators, vehicle owners and drivers.

APSE Award

We are very pleased to report that WRS were finalists in the “Best UK Environmental Health Team” category at this year’s Association for Public Service Excellence awards against very impressive competition. The awards exist to showcase the ability of Local Authorities to “pursue innovation within service delivery and implement new approaches aimed at improving the level of service to local communities and people”. The award submission focussed heavily on innovation and transformation work within your Community Environmental Health, Technical Services, Duty Officer and Intel Teams, including:

- The self-help package for nuisances
- Trying to resolve problems at the first point of contact through the Duty Officer system
- LEP work on schemes such as earned recognition
- The Healthy Choices Food award
- Working closely with legitimate businesses and their relevant trade bodies including business seminars
- Self-help for Planning Officers
- The creation of an EH Intel Team and tasking
- And carrying out contract work for other authorities.

COMMUNITY SAFETY

North Worcestershire Community Safety Partnership

North Worcestershire CSP (NWCSP) was created in May 2013. The Partnership provides a strategic and co-ordinated approach to addressing local community safety issues, working with a variety of public agencies and voluntary groups. Its vision is to keep North Worcestershire a safe place to live, work and visit. Local representation on the NWCSP is fulfilled through myself as Portfolio Holder for Community Safety.

At district level there is an operational community safety group called Safer Bromsgrove. There are also a number of sub-groups to the CSP, namely North Worcestershire Hate Incident Partnership, the Bromsgrove and Redditch Safeguarding Adults Group and a newly established Bromsgrove and Redditch ASB forum.

Alongside the Council's status as a Responsible Authority in the CSP, there is also a direct role in holding the Police and Crime Commissioner (PCC) to account through the established West Mercia Police and Crime Panel. Again as Portfolio Holder for Community Safety, I am Bromsgrove District Council's representative on the panel.

North Worcestershire Community Safety Plan

NWCSP has a statutory duty to produce a three-year rolling plan outlining how it intends to address key crime and community safety priorities, as identified through its annual Strategic Assessment report.

The Strategic Assessment gathers research, evidence and intelligence from national and regional sources, as well as drawing on the professional expertise of those working locally. It is designed to be a point of reference and guidance to resource community safety initiatives among partner agencies across the area.

The latest Strategic Assessment is currently being produced and its findings will be used to draft a new Community Safety Partnership Plan for 2017-20.

The current North Worcestershire CSP priorities are:

- **Anti-Social Behaviour:** Work to reduce the number of anti-social behaviour incidents and bring perceptions in line with the downward trend in reported incidents
- **Burglary and Home Security:** Work to promote home security, reduce incidences of dwelling and non-dwelling burglary and improve residents' feelings of safety in their homes
- **Business and Rural Crime:** Support local delivery of the West Mercia PCC's Business and Rural Crime Strategies

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- **Reducing Re-offending:** Work to increase our understanding of the reasons for re-offending in North Worcestershire and reduce the offending behaviour of targeted individuals through continued support of the Integrated Offender Management approach
- **Violence and Abuse:** Work to ensure residents are safe in their local neighbourhoods and at home without having to suffer violence, domestic abuse or hate crime.

CSP Funding 2016/17

NWCSP was awarded £149,250 in funding from the West Mercia Police and Crime Commissioner in April 2016, with funding amounts again based on previous year's allocations. £29,595 of the total amount is allocated specifically to project delivery in Bromsgrove District and this funding directed by the Safer Bromsgrove group.

CSP Priority	Project/Initiative	Amount
All	NW Analytical and Research Support	£24,000
Anti-Social Behaviour	Youth Diversionary Projects – Bromsgrove and Redditch	£10,000
Violence & Abuse	NW Hate Incident Partnership	£3,000
Reducing Reoffending	NW Integrated Offender Management Projects	£5,000
Multiple	Safer Bromsgrove	£24,595
Multiple	Safer Redditch	£38,406
Multiple	Safer Wyre Forest	£44,249
	TOTAL	£149,250

The West Mercia Police and Crime Commissioner also allocated 2016/17 funding amounts for the following countywide projects. Delivery of these projects also directly benefits local communities in Bromsgrove.

Hate Crime Awareness Week/Safe Places Scheme	£10,000
Integrated Offender Management Strategic Development	£40,700

NWCSP Work Programme

Crime and ASB Data - The Partnership receives a regular crime and ASB update provided by the NWCSP Research and Information Officer. The performance report is compiled using various sources of partner data and provides information on current crime and ASB trends across the 3 districts. The update highlights geographical areas of concern, increases or decreases in crime types and areas where additional resources may be required.

CSP Sub Groups – The partnership receives regular updates from its various sub-groups regarding current project activity, specific successes and any areas where there may be barriers or concerns that require escalation to Strategic Managers and Senior Officers.

Safer Communities Board (SCB) – The Partnership receives updates from the countywide SCB which provides the upper-tier strategic management for community safety activity taking place across Worcestershire. The SCB has responsibility for monitoring and directing activity around Integrated Offender Management, the Domestic Abuse and Sexual Violence Forums, Alcohol/Substance Misuse and Preventing Violent Extremism. The SCB was also instrumental in implementing the recent review of Community Safety Arrangements in Worcestershire.

Community Safety Review – The findings of the SCB review were presented to NWCSF in March 2016 and suggestions included consideration of a CSP self-assessment process; improvements to the reporting arrangements between the CSP and the SCB to develop stronger, more consistent formalised reporting lines between the two groups; and development of an annual induction programme for CSP members to ensure that partners statutory responsibilities are fully understood.

NWCSF acknowledged the findings of the review and quickly began to implement the suggestions, conducting a self-assessment process and holding a partnership induction session at the following meeting in the June 2016.

Safer Bromsgrove Group

Safer Bromsgrove is the district operational group responsible for delivery of the local action plan on behalf of the CSP. The group receives a district specific version of the crime and ASB update at each meeting and partners work together to develop and implement projects to address local community safety issues across Bromsgrove District.

As well as receiving support from the Council's Community Safety Team and other partners, Safer Bromsgrove has funded a dedicated Bromsgrove Community Safety Project officer as well. The Project Officer liaises with local residents and partners, carries out community safety assessments and site surveys and co-ordinates crime reduction activity on behalf of the group. Currently the Project Officer is working on crime reduction projects in Rock Hill, Aston Fields, Charford, Catshill, and Romsley.

Safer Bromsgrove has agreed to be a consultation forum and provide crime & ASB data to support the review of CCTV provision across the district, in accordance with the requirements of the Surveillance Camera Code of Practice.

A Bromsgrove Town Centres sub-group has been established following identification of a number of crime and ASB issues linked to the Night Time Economy in the High Street/Market Street area. The group was initially set up to look at licensing issues but has since widened its remit to look at other areas such as business crime and wider environmental issues in the Town Centres. The group includes local business owners and other stakeholders and is chaired by Cheryl Welsh, Bromsgrove Centres Manager. As a Community Safety sub-group, it will be able to tap into crime reduction expertise, prevention information and funding in order to support any interventions or solutions identified by members.

Activities to raise awareness of Hate Crime reporting took place in Bromsgrove on Friday the 14th October as part of national Hate Crime Awareness week. The Community Safety team organised a pop-up stall on the high street with street theatre performances to raise awareness of the issue and how to report incidents. The stall received a steady stream of visits from local residents and shoppers and also a surprise visit from Bromsgrove MP, Sajid Javid who tweeted his support for the event and posted a video of the activities during the day from his social media account

The Community Safety Schools programme is active in all middle and high schools in Bromsgrove offering a wide range of community safety workshops around subjects such as Hate Crime, Domestic Abuse, Substance Misuse and the impact of ASB on Communities. Alongside workshops and whole school activity days, the programme also offers one to one mentoring sessions for young people identified as being at risk of entering the criminal justice system or at risk of becoming victims of crime. Between Sept 2015 and June 2016 over 40 young people from Bromsgrove had received mentoring support through the programme, to reduce their risk of harm.

In Spring, Safer Bromsgrove provided funding for a youth work diversionary project at Churchfields in an attempt to engage with and divert young people gathering and causing disorder in the ASDA multi-storey car park. The project was devised by the YMCA Positive Activities worker, in partnership with the Community Safety Team, the local SNT and ASDA's Management team. The project provided detached youth workers to engage with young people through multi-sports and launched in June 2016 to coincide with half-term. There was a significant drop in the number of young people hanging around the site throughout the summer holidays and, together with the additional security measures at the car park, the project appears to have reduced the number of ASB incidents reported at the site. The project is now on hold as we go into the colder weather and partners are constantly reviewing ASB reports to ensure that the problem has not been displaced to other areas.

Finally, Safer Bromsgrove has provided funding to support an intergenerational project idea put forward by students at North Bromsgrove High School. The project began in September 2016 and pairs a group of students with a group of older residents from BDHT Supported Housing accommodation and together they are

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working on a photography project with a community safety theme. This project will be showcased at a school event at the end of the programme in March.

Appendix

WORCESTERSHIRE DISTRICT COUNCILS

MEETING OF THE WORCESTERSHIRE REGULATORY SERVICES BOARD

THURSDAY, 6TH OCTOBER 2016 AT 4.35 P.M.

PRESENT: Councillors K.J. May (Substituting for R. J. Laight), B. Behan (Chairman), B. Clayton, Y. Smith (Substituting for J. Fisher, during Minute No's 13/16 to 17/16), S. Chambers, L. Denham, J. Riaz, E. Stokes (Vice-Chairman) and M. King (During Minute No's part of 13/16 to 17/16)

Partner Officers: Mr. D. Sutton, Worcester City Council, Mr. V. Allison, Wychavon District Council, Mr. M. Parker, Wyre Forest District Council and Ms. J. Pickering, Bromsgrove District Council and Redditch Borough Council

Officers: Ms. J. Pickering, Mr. S. Wilkes, Mrs. C. Flanagan, Mr. M. Cox, Mrs. S. Garratt, Ms. K. Lahel and Mrs. P. Ross

10/16 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors R. J. Laight and P. Whittaker, Bromsgrove District Council, D. Chambers, Malvern Hills District Council, J. Fisher, Redditch Borough Council, and J. Hart, Wyre Forest District Council.

It was noted that Councillors K. May, Bromsgrove District Council was in attendance as substitute Member for R. J. Laight, and Y. Smith, Redditch Borough Council substitute Member for J. Fisher.

Apologies for absence were also received from Mr. P. Merrick, Malvern Hills District Council.

11/16 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

12/16 **MINUTES**

The minutes of the meeting of the Worcestershire Regulatory Services Board held on 22nd June 2016 were submitted.

RESOLVED that the minutes be approved as a correct record.

13/16

AIR QUALITY - UPDATE

The Board were asked to consider a report that provided an update summary for each partner authority on Local Air Quality Management work undertaken by Worcestershire Regulatory Services (WRS) for each district.

The Technical Services Manager, WRS, introduced the report and in doing so informed Members that, the monitoring of Nitrogen Dioxide was undertaken using diffusion tubes to establish an annual average in many locations across the County.

The purpose of Local Air Quality Management was to establish if there were any breaches of National Objectives for specified pollutants and to declare an Air Quality Management Area (AQMA) if identified.

Members were informed that recently the Department for Environment, Food and Rural Affairs (Defra) guidance had changed the emphasis from monitoring and identification to resolution of air quality concerns. In response, WRS have identified priority actions for all established AQMAs and were working with steering group members to resolve any issues.

In addition WRS has produced an Air Quality Action Plan Update for 2016 on the work undertaken. The Action Plan Update formed part of each District Council's reporting requirements on air quality and provided an update on progress made with actions to address poor air quality in AQMAs. Members were asked to note that there was not a requirement to produce such a plan for Redditch Borough Council and Malvern Hills District Council as they currently had no AQMAs in their areas.

The Technical Services Manager, WRS, drew Members' attention to each of the partner authorities updates as detailed on pages 10, 11 and 12 in the report. The updates also detailed the areas, that due to improved conditions, WRS would be recommending to those partner authorities that the AQMAs be revoked. The Technical Services Manager, WRS, stressed that no AQMAs would be revoked prematurely.

At this stage in the meeting, the Head of WRS explained that one of the reasons the report had been brought before the Board was in order to provide Members with detailed information on what WRS as a service delivered on behalf of each partner authority. The Technical Services Manager's Team, WRS, were a highly skilled team and undertook work to liaise, push forward and deliver a high standard of work on behalf of WRS and each partner authority.

The Technical Services Manager, WRS, responded to several questions from Board Members and in doing so, informed Members that Defra had recognised that their previous guidance was report heavy. The revised format required an annual status report, an action plan and progress

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report. The action plan concentrated on 'priority' actions and things that could be achieved in order to progress these particular 'priority' actions.

With regard to engaging with local Ward Members, the Technical Services Manager, WRS, explained that there was a County wide steering group with local Members involved where there were AQMAs. Moving forward there would be one steering group with sub-groups formed for particular AQMAs.

WRS officers had a good dialogue with Worcestershire County Council (WCC), strategic highways. There were a lot of different schemes being undertaken and those who had to deliver the projects were somewhat removed, but WRS continued to work towards achieving further dialogue with WCC, Highways.

Members congratulated the Technical Services Manager, WRS and his team on producing an informative and comprehensive report. Members realised the benefits of the work carried out by WRS and that even the smallest of actions taken by WRS could make a difference.

Members asked for it to be noted that the Technical Services Manager, WRS and his team ensured that they kept themselves updated with regard to local Ward Members, to ensure that the correct local Ward Members were updated with regard to progress or any issues in respect of AQMAs in their ward area.

The Chairman thanked the Technical Services Manager, WRS, for a worthwhile report.

RESOLVED:

- (a) that the Local Air Quality update report for each District be noted; and
- (b) that the Technical Services Manager, Worcestershire Regulatory Services (WRS) to provide Board Members with the website link to the WRS Air Quality Action Plan Progress Report for Worcestershire April 2015 to March 2016.

14/16

WRS REVENUE MONITORING 2015/2016 - QUARTER 1

The Board were asked to consider a report which detailed the financial position for Quarter 1, 1st April 2016 to 30th June 2016.

The Executive Director, Finance and Corporate Resources, Bromsgrove District Council (BDC), introduced the report and in doing so informed the Board that the report presented the final financial position for Worcestershire Regulatory Services (WRS) for Quarter 1, 1st April 2016 to 30th June 2016.

The robust financial management arrangements ensured that the priorities of the service could be delivered effectively.

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The Executive Director, Finance and Corporate Resources, BDC, drew Members' attention to the detailed revenue report as attached at Appendix 1 to the report. This showed a projected outturn overspend of £7,000, it was appreciated that this was estimation to the yearend based on the current level of expenditure.

The Executive Director, Finance and Corporate Resources, BDC, informed the Board, that with regard to the underspend as detailed at Appendix 1 to the report, part of the underspend was offset by the costs associated with additional agency staff being used to cover vacancies. During the next three to six months officers would look to reduce the reliance on agency staff to ensure that the projected outturn was as minimal as possible.

Based on the spend from April to June 2016 with regard to Pest Control, there would be an estimated overspend of £34,000. Appendix 1 to the report detailed the costs recovered from each partner authority. Officers would continue to monitor and analyse the impact on each partner authority.

Two months of costs which related to Trading Standards and Animal Health and Welfare were included in the expenditure. Trading Standards and Animal Health and Welfare services were transferred back to Worcestershire County Council (WCC) as of 1st June 2016. WCC paid WRS £110,000 to run these services for the two months and this income has been included in the income projected outturn of £312,000 as detailed at Appendix 1 to the report.

The Executive Director, Finance and Corporate Resources, BDC, further drew Members' attention to page 16 of the report and in doing so, highlighted that the requirement for pension back funding for 2016/2017 would need to be funded by each partner authority. This was allocated on the 2015/2016 percentage split. Worcestershire County Council would continue to pay for the pension deficit. The cost to each Council was detailed on page 16 in the report. The agreed percentages would be used for the IAS19 / Pensions adjustment for the statement of accounts for 2016/2017.

RESOLVED:

- (a) that the final financial position for the period 1st April to 30th June 2016, Quarter 1 be noted; and
- (b) that at the Treasurers Meeting to be held on 7th October 2016, the Section 151 discuss the costs associated with the pension backfunding for 2016/2017 and the implications for 2017/2018 in light of the transfer of staff back to Worcestershire County Council. This will then be informed to partner councils.

15/16

ENFORCEMENT POLICY

The Board was asked to consider a report which detailed the amendments to the Worcestershire Regulatory Services Enforcement Policy.

The Head of Regulatory Services (WRS) reminded Members of the background to the introduction of a single WRS Enforcement Policy, as agreed and adopted in 2011 by the Worcestershire Shared Services Joint Committee and each partner authority.

Local authorities were encouraged to produce Enforcement Policies for many years so that those they regulated knew and understood what to expect with regard to enforcement. The first thing to be challenged by any company undergoing enforcement would be the enforcement policy.

The initial WRS Enforcement Policy was based on the requirements of the then Regulator's Compliance Code, the policy would not have contradicted any approach taken by each partner authority in other areas of enforcement.

With the recent changes to the partnership, the replacement of the supporting Regulator's Compliance Code and the time that had elapsed since the original policy was adopted in 2011, the Head of Regulatory Services, WRS, thought it was timely to have the policy revised and re-ratified by the newly formed Worcestershire Regulatory Services Board.

Members were informed that the Regulator's Compliance Code had been replaced with the Regulator's Code, which remained under the control of the Department for Business, Energy and Industrial Policy. There had been little change to the core of the new Regulator's Code, but some aspects had been clarified and tidied up, which therefore required some minor amendments to be incorporated into the existing WRS Enforcement Policy. The amended WRS Enforcement Policy was detailed at Appendix 1 to the report.

Members were advised that the amended WRS Enforcement Policy would be a useful adjunct to other enforcement policies that each partner authority had for its remaining enforcement activities.

In response to Councillor L. Denham, Worcester City Council, the Head of Regulatory Services, WRS, agreed to amend the 'Factors which would mitigate against the need for a prosecution' and remove the word 'elderly'.

Members agreed that the document was well drafted.

RECOMMENDATION: that, subject to the minor amendment, as detailed in the preamble above, the Worcestershire Regulatory Services Enforcement Policy, be adopted by each Member Authority.

16/16

ACTIVITY AND PERFORMANCE DATA QUARTER 1

The Board were asked to consider a report that detailed the Activity and Performance Data for Quarter 1, 2016/2017. Members were asked to note that due to the departure of the Trading Standards team on 1st June 2016, back to direct control by Worcestershire County Council, the usual tables for Trading Standards and Animal Health and Welfare activity were no longer included.

The Technical Services Manager, Worcestershire Regulatory Services (WRS) introduced the report and in doing so informed Members that, the report detailed Worcestershire Regulatory Services Activity and Performance Data for Quarter 1, but the presentation of the data enabled comparison with previous quarters and previous years. The layout of the report had been changed to line graphs. Officers had hoped that the new layout would assist in showing some of the trends in workload for the different activities undertaken by WRS.

The Technical Services Manager, WRS, highlighted that, as usual licensing and environmental health nuisances continued to make the most impact in terms of demand, which was understandable given their direct impact on the public.

Food inspections were slightly down on the same quarter last year but up on the previous year. This reflected in the resources involved in conducting the complex enforcement activities being carried out, with two premises formally closed during the period and several prosecutions pending. Officers would continue to closely monitor progress against the full inspection programme for the year to ensure that it remained on track.

The number of stray dogs had fallen for many years as owners realised that it was not acceptable to allow their dog to stray and that there were financial consequences to retrieving their dog from kennels. It was expected that the benefits of this would be felt across the three Gloucestershire Districts that WRS covered, due to the consistent approach taken by WRS. WRS expected the overall number of reported stray, lost and found dogs to fall.

In response to questions from Members, the Technical Services Manager, WRS, informed the Board that with regard to "The Microchipping of Dogs (England) Regulations 2014", which became a legal requirement from April 2016, for all dogs to be microchipped and contact details kept up-to-date; he was of the opinion that it was too early to say if this had had an impact. WRS were still picking up dogs that had not been microchipped and microchipped dogs where the contact details were not up-to-date. The keeper of a dog which was not microchipped would be served with a notice that required them to have

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the dog microchipped within 21 days. It would involve a lot of work for WRS to follow up all notices served.

With regard to performance, Members were informed that the proportion of people who feel better equipped to deal with problems for themselves in future was slightly up on last year's outturn at 81.4%, but was still in line with previous performance.

The Technical Services Manager, WRS, further responded to questions from Members with regard to the increase in requests related to gull queries. Members were informed that WRS had commissioned a recent survey on gull activity. The details of the survey would be presented to a future meeting of the Board.

The Licensing and Support Manager, WRS, responded to questions from Members in respect of Scrap Metal Collectors and Dealers. Members were informed that the number of noise nuisance complaints with regard to Scrap Metal Collectors was lower. Since the introduction of the Scrap Metal Dealers Act 2013, and the requirement to be licensed, WRS had noticed a downtrend. Also the price of scrap metal had dropped. The first year renewal process was about to commence and it would be interesting to see the responses received for renewal applications.

The Chairman drew Members' attention to the Healthier Choices Food Award scheme and details of those in receipt of the award, as detailed on page 48 in the report. The Chairman asked Board Members to consider referring any potential companies or premises they may be aware of to WRS to be considered for the award.

17/16

ANY OTHER BUSINESS

CHAIRMAN'S ANNOUNCEMENTS

The Chairman took the opportunity to inform the Board that she had recently had the pleasure of being invited to attend the APSE (Association for Public Service Excellence) awards in Londonderry. These prestigious awards were designed to recognise excellence in local government frontline services.

Worcestershire Regulatory Services (WRS) were nominated for the Best Service Team: Environmental Health Service award. The award was won by Derby City Council with WRS as runners up. The Chairman stated that this showed commitment from WRS towards the work they undertook for each local authority.

The Chairman asked the Board to be mindful of promoting WRS on both Twitter and Facebook.

The Chairman also took the opportunity to inform Members that she would have to submit her apologies for the WRS Board meeting

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scheduled for Thursday 24th November 2016 and to clarify with the Vice-Chairman if she would be in a position to attend and chair the meeting. The Vice-Chairman confirmed that she would be available to chair the meeting.

The meeting closed at 5.40 p.m.

Chairman

Worcestershire Regulatory Services

Supporting and protecting you

WRS Joint Board: 6th October 2016

Title: Enforcement Policy 2016

Recommendation

That members recommend the adoption of this amended policy by the individual partner authorities.

Background

In 2011, the then Joint Committee agreed to support the adoption of a single WRS Enforcement Policy that the service would use in relation to all of its activities. This policy would be an adjunct to other enforcement policies that each partner authority had for its remaining enforcement activities. Being based on the requirements of the then Regulator's Compliance Code, the policy would not have contradicted any approach being taken by partners in other areas of enforcement. With the amendments made recently to the partnership, the changes to the supporting Code and the time elapsed since the original policy was approved by members, the Head of Regulatory Services felt it was timely to have this policy revised and re-ratified by the new Joint Board. It is appended to the report as a separate document.

Report

Local authorities have been encouraged to produce Enforcement Policies for many years so that those they regulate know and understand what to expect. This was originally driven by the introduction of the Enforcement Concordat, created by LACORS, the Local Government Association's Regulatory Policy support framework for member authorities, and built upon by the Regulator's Compliance Code, issued by the Better Regulation Executive, under the Legislative and Regulatory Reform Act 2006, and maintained by the Local Better Regulation Office. The concordat and the code provided businesses with a clear framework within which regulation would take place and provided this community with an outline of the kind of responses they might face should they be identified as being non-compliant.

This Regulators Compliance Code has itself now been replaced with the Regulator's Code, which remains under the control of the the Department for Business, Energy and Industrial Policy. The core of the new Code has changed little from the original Regulators Compliance Code, but some aspects were clarified and tidied up, requiring some minor amendments to the WRS policy document, which have very limited impact. The Head of

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Service feels that the changes to the partnership probably warrant a further request for ratification of the policy by members to ensure its standing.

Before putting a case before the Courts, local authorities also need to have regard to the Code for Crown Prosecutors, which lays down the very basic provisions for evidential sufficiency and public interest before a case can be considered a sound candidate to be taken to Court. The attached policy meets the criteria of both of these documents, which should allow it to easily integrate with existing policies within the partner authorities and it will allow the service to operate in a consistent way across the county in relation to all enforcement matters.

Improved consistency is something that businesses crave, so there is a level playing field for all of those in competition. Businesses have complained for a number of years about the alleged inconsistencies in enforcement between local authorities, although the LGA has always challenged this and the responses containing real evidence have been limited. By adopting a common approach to enforcing the functions discharged by WRS, partners will directly address these concerns of the business community and show that WRS remains a tool that local authorities can use to support their economies in a positive way.

Contact

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Background Papers

Enforcement Policy document attached as Appendix 1

Worcestershire Regulatory Services **Enforcement Policy**

1. Introduction

In June 2010, the seven Local Authorities in Worcestershire set up a Joint Committee under Section 101 of the Local Government Act 1972, comprising Members of all of the Authorities, to oversee the delivery of regulatory services across the County on their behalf, by a single body called “Worcestershire Regulatory Services” (WRS.) Between April and June 2016, Worcestershire County Council changed its relationship with the partnership, initially by moving from a partner to a customer of WRS, and then by taking back control of its functions to discharge them directly. Hence WRS no longer delivers Trading Standards and Animal Health functions for this authority.

WRS continues to deliver Environmental Health functions, including Food Safety, Health and Safety, many aspects of Pollution Control, and Licensing administration on behalf of Bromsgrove District Council, Malvern Hills District Council, Redditch Borough Council, Worcester City Council, Wychavon District Council and Wyre Forest District Council

This Enforcement Policy will be applied by Worcestershire Regulatory Services in relation to the functions it discharges on behalf of these Authorities and it has been adopted by each of them. It is distinct from the general Enforcement Policy of the individual Local Authorities, which apply to any other regulatory function provided by them, for example planning.

The primary aim of Worcestershire Regulatory Services is to ensure businesses comply with the legislative framework within which they operate so that, consumers, businesses, employees, individuals and the environment are protected, and transactions are fair and equitable. Fair proportionate and effective enforcement is essential to protecting the health, safety and economic interests of all concerned, and there is a range of tools available to the Service to achieve this.

Generally we will provide advice and support those seeking to comply and at the same time tackle those who choose not to comply, using proportionate action. The detail on how and when action may be taken is outlined in the body of this policy.

The Service must also have regard to the various general duties imposed on the partner authorities e.g. section 17 of the Crime and Disorder Act, and the general powers given to local government for the promotion of well being under the Local Government Acts. We are obliged to comply with the Human Rights Act 1998, so we will take its provisions into account when taking decisions relating to enforcement action.

This enforcement policy is a statement of how the Service will carry out its enforcement duties and, in addition, what business and citizens in Worcestershire can expect from our enforcement staff.

2. Policy Scope

We are committed to providing an effective service with officers carrying out their duties in an equitable, practical and consistent manner. To achieve this we have adopted the principles of the following:

- The Regulators Code (BIS)
- Local Government Regulation's Home Authority Principle,
- Better Regulation Delivery Office's Primary Authority Principle
- The Crown Prosecution Service Code for Crown Prosecutors (as amended.)
- The Food Safety Act 1990 Code of Practice
- Human Rights Act 1998 and the European Convention on Human Rights.

We will also comply with any statutory requirement placed upon us and seek to align our procedures with best practice.

The Policy applies to actions in relation to all of the legislation enforced by the Service. Enforcement action includes any action taken by officers aimed at ensuring that individuals or businesses comply with the law and goes beyond just formal enforcement action such as prosecution.

3. General Principles

Prevention is better than cure and our role therefore involves actively working with businesses to advise on and assist with compliance. Where we consider that formal action is necessary, each case will be considered on its own merits. However, there are general principles that apply to the way each case must be approached. These are set out in this Policy.

The majority of cases involving regulatory matters will relate to businesses, however, there will be some cases put before the Courts that relate to individuals, particularly those involving noise nuisance. These cases will be treated in the same way as those involving businesses and the general principles outlined around proportionality of action, for example trying informal approaches before resorting to formal action and the Courts, will be followed.

Enforcement decisions will be fair, independent and objective and will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs, political views or the sexual orientation of the suspect, victim, witness or offender. Such decisions will not be affected by improper or undue pressure from any source. We will take into account the views of any victim, injured party or relevant person to establish the nature and extent of any harm or loss, and its significance, in making the decision to take formal action.

This enforcement policy helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing

unnecessary burdens on business. We recognise the positive impact that the service can have on economic progress and growth in the local economy and see it as part of our role to encourage and support the growth of legitimate business activity within the legal framework provided by central government.

4. **Risk**

We will ensure that our resources are targeted where they will be most effective. We will ensure that intelligence and risk assessment inform all aspects of our approach to regulatory activity, including:

- Data collection and other information requirements;
- Inspection programmes;
- Advice and support programmes;
- Enforcement activity and sanctions.

We will normally use the appropriate Government risk assessment scheme to inform any inspection programme, but, where these do not exist, we will consult and involve businesses and other interested parties in designing any risk methodologies that are created within the Authority, and publish the details. In the absence of other factors, when determining risk, we will consider:

- Compliance history and potential future risks
- The existence of effective management systems
- Evidence of recognised external accreditation
- Management competence and willingness to comply

We will also use intelligence to direct inspection based projects, targeting goods or business where there are known issues. Obviously, a complaint may also trigger a visit if that is the most appropriate response. We will review our approach to regulatory activities from time to time, in order to remove any unnecessary burdens from businesses.

5. **Advice and Guidance**

We will provide general information, advice and guidance to make it easier for businesses to understand and meet their obligations. This will be provided promptly, in clear, concise and accessible language, using a range of appropriate formats and media. Information will cover all legal requirements relating to our regulatory activities, as well as changes to legal requirements. Where changes are of great significance, we will look at the best ways of informing businesses of the changes e.g. through newsletters, mail-shots or seminars.

We will provide targeted and practical advice through personal visits, telephone and promote self service via our website. We will try to maximise the accessibility and effectiveness of advice to ensure efficient use of resources and we will involve businesses in developing both the content and style of regulatory guidance to help ensure that it meets their needs.

When offering advice, we will clearly distinguish between statutory requirements and advice or guidance aimed at improvements above minimum legal standards. We seek to

provide proportionate advice, the content of which will help achieve compliance but impose the minimum burden required on the business concerned. Advice will be confirmed in writing, if requested.

Where a business knows it has a problem and seeks advice to remedy the situation, it will not normally trigger enforcement action. Where appropriate we will seek to support the remedial action to prevent future problems, however, we must reserve the right to take enforcement action in serious cases.

We provide most of our advisory services free of charge; however we reserve the right to charge a reasonable fee for services beyond the basic advice and guidance necessary to help ensure compliance. We would take account of the needs and circumstances of smaller businesses and others in need of help and support in deciding whether or not to charge. Charging will be in line with any guidance issued by the Better Regulation Delivery Office in relation to the Primary Authority principle.

We will engage with local businesses to assess the effectiveness of our information and advice services by asking them how effective our work is in raising businesses' awareness and helping them to understand legal requirements, including the extent to which they incur additional costs from obtaining external advice in order to understand and comply with legal requirements.

6. Inspection

We will ensure inspections and other visits to businesses only occur in accordance with a risk assessment methodology, except where visits are requested by businesses, or where we act on relevant intelligence. We will focus our efforts on businesses where intelligence and risk assessment shows there is a higher likelihood of non-compliance or which pose a more serious risk to regulatory outcomes. Some processes by their nature present a greater risk to health or the environment, or due to their complexity, may make it more difficult to ensure compliance. These are the areas where we will focus our inspection resources.

Where appropriate, and where required by legislation, including the Protection of Freedoms Act, we will give a minimum of 48 hours notice prior to a routine inspection unless to do so would undermine the purpose of the visit. It should be noted, however, that there is a general requirement in some Codes of Practice e.g. Food Law Code of Practice, that notice is not provided prior to a routine inspection. Where this is the case, notice will not be given unless it is necessary to achieve the services ends, for example, if the presence of a particular manager is essential.

When we visit or carry out inspections, we will give feedback to businesses to encourage and reinforce good practice. We will also share information about good practice amongst businesses, and with other regulators.

Where we and another regulator have a shared interest in a business we will work together to ensure that our activities can be rationalised to minimise the burden on the business, where such action is both of benefit to the business and does not harm the standard of enforcement for either regulator.

We will also take account of the circumstances of small, businesses, including any difficulties they may have in achieving compliance.

7. Information Requirements

Worcestershire Regulatory Services do not require large quantities of information from businesses on a routine basis. When determining what data we may require, we will consider the costs and benefits of data requests to businesses and,

- Limit the data that we request to that which is either appropriate, or required by statute e.g. food registration, licensing applications, etc,
- Minimise the frequency of collection and seek the information from other sources where relevant and possible.

We will work with our fellow local regulators to minimise the information we request from businesses, and we will seek to maximise our data sharing within the provisions of the Data Protection Act. We will seek to use compatible collection methods to give consistency.

We will involve businesses in vetting data requirements and form design for clarity and simplification. We will also ensure that, where possible, data can be returned electronically.

8.0 Enforcement Action

In accordance with good practice, we will:

- Publish our Enforcement Policy;
- Report on our enforcement activities year on year to interested parties through an Annual Report;
- Follow-up enforcement actions where appropriate;
- Be transparent in the way in which we enforce requirements and, apply and determine penalties (when such powers are made available.)

When considering what action should be taken, we will look to:

- Be proportionate to the nature of the offence and the harm caused,
- Change the behaviour of the offender;
- Eliminate any financial gain or benefit from non-compliance;
- Address the harm caused by regulatory non-compliance, where appropriate;
- Deter future non-compliance,
- Be responsive and consider what is appropriate for the particular offender and regulatory issue, and

- Avoid perverse incentives that might influence the choice of sanctioning response.

When considering formal enforcement action, we will, when appropriate, discuss the circumstances with those suspected of a breach (usually by way of formal interview,) and take these comments into account when deciding on the best approach, (unless immediate action is required to prevent or respond to a serious breach or where to do so would be likely to defeat the purpose of the proposed enforcement action.)

We will ensure that clear reasons for any formal enforcement action are given to the person or entity at the time the action is taken. These reasons will be confirmed in writing at the earliest opportunity. Complaints and relevant appeals procedures for redress will also be explained at the same time.

8.1 Deciding what enforcement action is appropriate

In assessing what enforcement action is necessary and proportionate, consideration will be given to:

- The seriousness of compliance failure;
- The business's past performance and its current practice;
- The risks being controlled;
- Legal, official or professional guidance;

There are a large number of potential enforcement options. The level of the action taken varies from no action through to proceedings in Court. Examples of the main types of action that can be considered are shown below:

- No action/ verbal advice or assistance;
- Informal Action and Advice;
- Fixed penalty Notices;
- Penalty Charge Notices;
- Statutory Notice;
- Formal closure
- Seizure of goods/equipment;
- Injunctive Actions;
- Refusal/revocation of a licence;
- Simple Caution;
- Prosecution.

8.2 No Action/ Verbal Advice or assistance

There will be circumstances where a contravention may not warrant action, or it may be inappropriate. Many minor contraventions can be dealt with via advice and/ or assistance. Domestic nuisance issues may be best resolved by the neighbours entering into dialogue without the direct intervention of officers. Where this is not appropriate, due to the behaviour of one party or where the complainant is from a vulnerable group, the service will consider the best option for intervention depending on the circumstances.

8.3 Informal Action and Advice

For minor breaches of the law we will give advice on how to put them right, including a deadline by which this must be done. The time allowed will be reasonable, and take into account the seriousness of the contravention and the implications of the non-compliance. Where the advice required is detailed, or there are potentially serious implications from the failure, the advice will be provided in writing. Failure to comply could result in an escalation of enforcement action.

Where ever possible we will advise offenders about 'good practice', but we will clearly distinguish between what they *must do* to comply with the law and what is recommended best practice.

8.4 Statutory Notices

Officers of the Service have the power under various pieces of legislation to issue notices that:

- Prohibit the sale or distribution of goods where relevant provisions may have been breached,
- Require a business to take specific actions to remedy an identified problem,
- Require a business to desist from particular activities that may not comply with legal requirements.
- Require any person to take action to ameliorate or stop nuisances being caused by their actions

Notices may require immediate action where, for example, there are risks to public health or safety, or an immediate risk of environmental damage or serious nuisance. In other circumstances, a reasonable amount of time will be given, depending on the circumstances, to rectify the problem.

Certain types of notice allow works to be carried out in default. This means that if a notice is not complied with (a breach of the notice) we may carry out any necessary works to satisfy the requirements of the notice ourselves. Where the law allows, we may then charge the person/business served with the notice for any cost we incur in carrying out the work.

In certain limited circumstances e.g. under the provisions of food safety legislation, where an authorised officer is satisfied that there is an imminent risk of injury to health from the condition of the premises, the officer may serve notice to close the premises. This would be immediately followed by an application to a Magistrates Court to confirm the closure.

All notices issued will contain details of any Appeals process that may be available to the recipient.

8.5 Fixed Penalty Notices

Certain offences are subject to fixed penalty notices where prescribed by legislation. These notices are recognised as a low-level enforcement tool and avoid the defendant obtaining a criminal record. Where legislation permits an offence to be dealt with by way of a Fixed Penalty Notice (FPN), we may choose to administer a FPN on a first occasion, without issuing a warning. They will be used in appropriate circumstances to give a fast and measured response to the situation.

8.6 Penalty Charge Notices

Penalty Charge Notices (PCNs) are prescribed by certain legislation as a method of enforcement by which the offender pays an amount of money in recognition of the breach. Failure to pay the PCN will result in the offender being pursued in the County Court for non-payment of the debt. A PCN does not create a criminal record and we may choose to issue a PCN without first issuing a warning in appropriate circumstances.

8.7 Institution of Legal Proceedings

Once an officer has completed his/ her enquiries, they will submit a case report to a senior officer, independent of the investigation, who will decide, using the criteria below, the most appropriate course of action.

Where the law has been broken, there is a range of enforcement options available to seek compliance with the law. Under normal circumstances, a process of escalation will be used until either compliance is reached or there is no option other than to instigate proceedings. Exceptions would be where there is a serious risk to public safety or the environment, or the offences have been committed deliberately or negligently or involve deception, or where there is significant economic detriment. Each case is unique and will be considered on its own facts and merits.

The senior officer will take into consideration the requirements of the Code for Crown Prosecutors and other relevant codes before deciding whether or not to pass the file to the relevant legal officer to authorise the institution of legal proceedings.

Firstly the senior officer will have to be satisfied that there is sufficient evidence to provide a realistic prospect of conviction against each defendant on each charge (i.e. that a jury or bench of Magistrates, properly directed in accordance with the law, is more likely than not to convict the defendant of the charge alleged). To this end, the senior officer will look at all the available evidence, reliability of witnesses, supporting documentation and any other matters relating to the investigation. Only when this evidential test has been satisfied will the public interest to proceed with the prosecution be considered.

In deciding whether a prosecution will serve the public interest, the senior officer will balance factors for and against the prosecution carefully, fairly and impartially. Some factors may increase the justification to prosecute whereas others may militate against. Below are some of the matters to be taken into consideration for and against criminal proceedings. This is not an exhaustive list and, as such, each case is taken strictly on its own individual merits:

Factors in Favour of Prosecution

- The offender was in a position of control within the business,
- The offender acted dishonestly, wilfully or negligently.
- The product or service was aimed at a vulnerable group or person.
- The product or service has caused or had the potential to cause physical or mental injury or suffering, significant harm or loss.
- The offender has received advice or a warning concerning the circumstances of the offence or similar matters.
- The offender has previous convictions that are relevant.
- The offence, though not serious in its self, is widespread in the area where it was committed.
- There are grounds to believe that the offence is likely to be continued or repeated, for example by a history of recurring conduct.
- The outcome of a prosecution might serve an important, informative purpose or establish a legal precedent.

Factors which would mitigate against the need for a prosecution

- The offence was minor in nature and as a result of a genuine mistake or misunderstanding, which did not involve significant negligence.
- The offender is vulnerable, for example through age-related issues, or was at the time of the offence suffering from significant mental or physical ill health, which contributed to the commission of the offence, and the offence was neither serious nor likely to be repeated.
- The loss or harm could be described as minor and was as a result of a single incident, particularly if it was caused by a failure of judgment.
- The offender put right the loss or harm caused prior to the intervention of the Service.
- Prior to the Service's intervention, the offender had introduced adequate steps to prevent further similar offences.
- The defendant was a youth at the time of the offence.
- There has been a long delay between the offence and any potential court action, unless either:
 - (i) The offence is serious,
 - (ii) The delay has been caused by the defendant or his/ her legal representatives,
 - (iii) The offence has only recently come to light, or
 - (iv) The complexity of the offence meant that there has been a long investigation.

8.8 Proceeds of Crime Applications

Some cases taken by the service can lead to applications being made under the Proceeds of Crime Act 2002 (POCA) for confiscation of assets. These are the most serious cases or where there is persistence of offending over a long period of time or where the offences are deemed to be "lifestyle crime" under POCA. Their purpose is to recover the financial benefit that the offender has obtained from his criminal conduct. WRS will look to use these provisions in an appropriate manner.

8.9 The use of Simple Cautions

Where the public interest justifies it, we will consider offering a Simple Caution (or Reprimand/ Final Written Warning if the offender is below the age of 18.) In offering a Simple Caution, we will take account of the Home Office Guidelines in relation to the cautioning of offenders, and the Code for Crown Prosecutors. Where the offender is under 18 and a formal approach is being considered, appropriate bodies such as the Youth Offending Team will be consulted.

A Simple Caution requires an admission of guilt on behalf of the offender, however there is no sentence and there is no recorded conviction. A caution will remain on record for a period of 2 years and may be cited in Court should a further offence be committed and prosecuted during that time.

8.10 Injunctions

Injunctive action is a civil law process that may be used to ensure that person or business desists from a particular pattern of behaviour or action. Whilst these are not the norm in dealing with regulatory matters, seeking an injunction may be the most appropriate method of disposal for an issue. We will work with the relevant partner legal team to develop such cases and support them being taken through the Court process.

8.11 Other Orders available

There are a range of orders available in law under various provisions that can be used to tackle what is widely described as “anti-social behaviour.” Where these provisions offer a suitable way of dealing with an issue, the service will take them forward with the support of the relevant partner legal service.

8.12 Refusal, Suspension and Revocation of Licence

Where there is a requirement for a business to be licensed by the local authority, the licence may be granted unless representations or objections are received against the application. In such cases the Licensing Committee or Sub-Committee will hear the case and decide to grant, grant with conditions, or refuse the licence application. In addition, in relation to the Gambling Act 2005, applications for premises Licence, the Licensing Committee can exclude a condition of licence.

In most circumstances, a licence may be considered for suspension, revocation, or the application of further conditions, where officers become aware of either the commission of offences relating to the conduct of the business, or breaches of existing conditions or similar controls. These matters will be heard before the Licensing Committee (or a Sub-Committee,) of the relevant partner Authority, and the elected members will determine what action should be taken.

9.0 Additional Information

The Senior Managers involved in making the more serious decisions will also have regard to legal advice from the relevant partner Head of Legal Services. Once the Regulatory Service reaches a decision to prosecute, or to instigate civil proceedings, the relevant Partner Authority's Legal Services Department must authorise the action before implementation.

9.1 Standards and Accountability

We will, in consultation with businesses and other interested parties, set and publish clear standards and targets for our service and performance. These will include:

- Regulatory outcomes (e.g. proportions of businesses that comply,)
- Performance standards for contact with businesses;
- A commitment to ensuring costs to businesses of regulatory interventions are proportionate; and
- A commitment to dealing with any negative perceptions of businesses and other interested parties relating to these issues.

We will create effective consultation and feedback opportunities to ensure we have continuing cooperative relationships with businesses and other interested parties. We will ensure our officers provide courteous and efficient services to businesses. We will enable them to interpret and apply relevant legal requirements and ensure that they enforce requirements fairly and consistently between like-businesses in similar situations. We will take account of comments from businesses and other interested parties regarding the behaviour and activity of our staff.

9.2 Liaison with other regulatory bodies and enforcement agencies

Where appropriate, enforcement activities within Worcestershire Regulatory Services will be coordinated with other regulatory bodies and enforcement agencies to maximise the effectiveness of any enforcement.

Where an enforcement matter affects a wide geographical area beyond the County boundaries, or involves enforcement by one or more other local authorities or organisations; where appropriate all relevant authorities and organisations will be informed of the matter as soon as possible and all enforcement activity coordinated with them.

Worcestershire Regulatory Services will share intelligence relating to wider regulatory matters with other regulatory bodies and enforcement agencies, and examples include:

- Government Agencies
- Police Forces
- Fire Authorities
- Other Statutory Bodies
- Local Authorities

9.3 Further Information

Anyone requiring further information on this policy should contact Worcestershire Regulatory Services by writing to:

Worcestershire Regulatory Services
Wyre Forest House
Finepoint Way,
Kidderminster,
Worcestershire
DY11 7WF

Or by e-mail to:

wrsenquiries@worcsregservices.gov.uk



Worcestershire
Local Enterprise Partnership

BACKGROUNND

CABINET

2nd November 2016**MEDIUM TERM FINANCIAL PLAN 2017/18-2020/21 – BUDGET ASSUMPTIONS**

Relevant Portfolio Holder	Geoff Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	Jayne Pickering (Exec Director)
Wards Affected	All
Ward Councillor Consulted	None specific

1. SUMMARY OF PROPOSALS

- 1.1 To recommend the budget assumptions to be used in preparing the detailed 2017/18 budget and provisional budgets for 2018/19-2020/21.

2. RECOMMENDATIONS

- 2.1 **That Cabinet recommend to Council that the revenue assumptions detailed in 3.7 be incorporated into the budget setting process.**

3. KEY ISSUES**Financial Implications**

- 3.1 The Council is legally obliged to set a balanced budget. The budget setting process is complex and must be undertaken in a planned way. It is equally important that assumptions used in the preparation of the budget are agreed, reasonable and consistently applied by all services. A number of recommendations from the Councils External Auditors, Grant Thornton, are addressed by ensuring robust assumptions and a transparent planned approach is undertaken when agreeing the budget. It is proposed that a 4 year financial model is prepared for the Medium Term Financial Plan.
- 3.2 The budget forecasts will be based on a number of assumptions, known levels of expenditure and anticipated levels of resources. It is anticipated that the Autumn Statement on 23rd November may confirm the assumptions relating to external funding and financial pressures that the Council may face over the next 4 years. In addition the Council will receive confirmation on the approval of the submitted efficiency statement. There are a number of areas of the Council's budget where risks to the projections contained in this report have been identified. The most significant of these are:-

- The Autumn Statement and associated implications.

- The lack of clarity around the New Homes Bonus following the consultation period earlier this year. This accounts for a significant level of funding and any reductions in allocation would have a detrimental impact on the Councils financial position
- The Finance Settlement for Bromsgrove District Council – approval by Government of the submitted efficiency plan should give a level of certainty around Grant funding
- Monitoring of the 2016/17 budget will provide Cabinet with regular updates on any pressures/savings for the Council. Any associated on going implications will be incorporated into the budget projections for 2017/18 and future years.
- Savings – The detailed plans to deliver the level of savings required for 2017/18- 2020/21 are currently being considered in line with the submitted efficiency plan. It is accepted that the savings require clear monitoring to ensure they are being delivered.
- Specific Grants and Contributions – The number and amount of specific grants received by the Council may be lower/higher than anticipated. The budget assumes no increase or reduction in specific grants. If the grant decreases, the associated expenditure must also be reduced to reflect the reduction in the grant received.
- Council Tax – Central Government provided a cap on the amount of Council Tax increase a Local Authority could make before a referendum of the local residents was required. The budget assumes a 1.9% increase in 2017/18-2020/21
- Council Services- The impact of the economic climate on the residents of Bromsgrove and the increased demand this may have for Council Services could impact on cost of services as could general demographic changes.
- Inflation - Impact of changes in the price of goods and services used by the Council compared to the percentage assumed in the budget projections.
- Fees and charges income – Impact of any economic slowdown on levels of usage of charged for Council services could lead to income levels not being achieved.

- 3.3 The timing of the Autumn Statement means that this report is based on the available information at this point in time. Future reports will make Cabinet aware of any changes that impact on the current budget assumptions.
- 3.4 As part of the budget setting process the Council makes a number of assumptions in respect of the key elements of the Council's revenue budget. The following paragraphs in this section outline the areas where these assumptions are made.

Council Tax

The budget assumes an increase in Council Tax for 2017/18-2020/21 of 1.9%.

Pay Inflation

The budget assumes that the pay award will be 1% for 2017/18-2020/21

Superannuation Rates

The 3 year actuarial valuation was received in Mid October. This reflects the current revaluation of the pension liabilities to include both backfunding and forward funding rates.

Officers are continuing to negotiate with the Actuary and the County on the phasing of the pension liability as there are options available around profiling of the deficit contribution. The rate that is proposed in relation to forward funding is 14.4% which is an increase from 12.1%. The backfunding contribution has reduced to £929k from the budgeted figure of £1.095m. It is anticipated that there may be an overall saving to the Council over the 3 year period of phasing.

Price Inflation

The budget assumes 0% inflation across the majority of the Council's non-pay expenditure budgets including grants that the Council gives out. Contractual arrangements and other significant inflation issues will be considered on a case by case basis. It is proposed that utilities are increased by 6%.

Discretionary Fees and Charges

Fees and Charges are reviewed on an annual basis and officers assess the impact of increases in income charges on the demand on the services. It is recommended that, in line with the current Medium Term Financial Plan the increase for 2017/18-2019/20 be 3%. The total additional income generated from the 3% increase is approximately £150k and therefore any reduction on 3% would have to be included as

a budget pressure for 2017/18-2019/20. Any increase above 3% will be explained by officers within the fees and charges report in December.

3.5 **Capital**

Heads of Service are currently undertaking a full review of the capital programme which will provide a four year capital programme for 2017/18-2020/21 taking into consideration the estimated reduction in capital resources and the limited revenue funding available for Capital Schemes in these years. A report to Cabinet in January will recommend the 4 year programme.

- 3.6 This is an initial report on the budget process which identifies the decision making, assumptions and principles. The forecasts will be refined over the coming months and further reports will be presented to Cabinet leading up to the approval of the budget and Council Tax in February 2017.

Legal Implications

- 3.7 The Council is under a duty to calculate the budget in accordance with Section 32 of the Local Government Finance Act 1992 and must make three calculations namely:
- An estimate of the Council's gross revenue expenditure; an estimate of anticipated income and a calculation of the difference between the two. The amount of the budget requirement must be sufficient to meet the Council's budget commitments and ensure a balanced budget. The amount of the budget requirement must leave the Council with adequate financial reserves. The level of budget requirement must not be unreasonable having regard to the Council's fiduciary duty to its Council Tax payers and non-domestic rate payers.

Service / Operational Implications

- 3.8 Budget Holders will prepare budgets to enable services to be delivered to meet the Councils Strategic Purposes. It is expected that officers will work across the organisation to establish financial projections that best meet the wider community needs and identify any savings or additional income to fund any budget shortfalls.

Customer / Equalities and Diversity Implications

3.9 Clarity on budget assumptions will ensure services are delivered to meet customer needs and expectations

4. RISK MANAGEMENT

4.1 The risks associated with the budget process and calculations mainly relate to the uncertainties around external funding and the resulting pressures on the budget. To mitigate this risk officer's will work on a number of scenarios to ensure all options can be reported to members in a timely fashion.

AUTHOR OF REPORT

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COUNCIL TAX SUPPORT SCHEME 2017/18

Relevant Portfolio Holder	Cllr Geoff Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	Amanda Singleton
Ward(s) Affected	All
Ward Councillor(s) Consulted	None Specific
Key Decision / Non-Key Decision	Key Decision

1. SUMMARY OF PROPOSALS

- 1.1 The Council is required to review its Council Tax Support Scheme (CTSS) annually and must implement a scheme which protects people of pensionable age, incentivises work and has provisions to support vulnerable person in financial hardship as a result of the scheme.
- 1.2 A draft scheme was agreed by Cabinet on 6th July 2016, which set out amendments to the CTSS 2017/18.
- 1.3 Following consultation on the draft scheme Members are now asked to consider the final scheme and to make recommendations to Council on the scheme to be implemented for 2017/18.
- 1.4 The proposed scheme will reduce the administrative burden wherever possible, bring the scheme in line with national changes to welfare support and will ensure that the assessment of income in relation to claims remain in line with other benefits.
- 1.5 The proposed changes to the scheme will not make any significant financial difference to current claimants unless their circumstances change.
- 1.6 The report also sets out proposals for future consultations to reduce the administrative burden of managing the CTSS and ensure a more flexible approach to making changes to the CTSS.
- 1.7 Members are also asked to agree the continuation of a Hardship Fund to ensure that there is provision for supporting those most in need, and who experience financial hardship as a result of any changes to Council Tax Support.

2. RECOMMENDATIONS**The Cabinet is asked to RECOMMEND:**

- 2.1 to implement the Scheme, as amended, namely:

- 2.2.1 Reduce backdating of Council Tax Support to in line with the changes in Housing Benefit announced by Central Government.
- 2.2.2 Enable claims to be processed based on information provided by the DWP without the need for further information.
- 2.2.3 Removal the Family Premium on claims made from 1st April 2017 to bring the BDC Council Tax Support Scheme in line with the changes in Housing Benefit announced by Central Government.
- 2.2 the future 'uprating' of some of the figures to take account of other national changes in benefits and allowances.
- 2.3 that authority be delegated to the Head of Customer Access and Financial Support to carry out statutory consultation on future draft CTS Schemes in accordance with the legislative guidelines, in consultation with the portfolio holder.
- 2.4 to agree the continuation of the Hardship Scheme.

3. **KEY ISSUES**

Financial Implications

- 3.1 As Members are aware, changes were made to the Council's CTSS with affect from April 2015, which resulted in support being capped at 80% of Council Tax liability for all working age claimants.
- 3.2 Changes to the support scheme in April 2015 offset an estimated funding gap in 2015/16 of £45k for Bromsgrove District Council.
- 3.3 It is no longer possible to know how much funding is received towards the CTSS via the Revenue Support Grant (RSG), and we know that from 2017/18 there will be no government funding for this scheme. The total cost of the CTSS in Bromsgrove District is in the region of £4.5 million, with the major preceptors sharing the financial burden in line with their share of the Council Tax base.
- 3.4 The District Council will continue to carry the full costs of the administration of the Council Tax support scheme. The incentive for Bromsgrove District Council is therefore to lower the administration costs of the scheme.
- 3.5 The proposals for the scheme are not intended to reduce the overall cost of support provided to residents but to reduce the administrative burden wherever possible, and bring the scheme in line with national changes to welfare support.
- 3.6 As previously agreed the various allowances that are taken into account when assessing support will be uprated in line with the Secretary of State's annual

announcement. This will ensure that the assessment of income in relation to claims remain in line with other benefits.

- 3.7 The current provision for 'hardship' of £25k per annum remains sufficient and it is not anticipated that the changes to the 2017/18 scheme will create a significant increase in hardship claims.

Legal Implications

- 3.8 On 1 April 2013 Council Tax Benefit was abolished and replaced by a new scheme of Council Tax support called "Council Tax Support Schemes". Under s13A and Schedule 1A of the Local Government Finance Act 1992 (inserted by s10 Local Government Act 2012), each local authority was required to make and adopt a Council Tax Support Scheme specifying the reductions which are to apply to the amounts of council tax payable within their districts
- 3.9 Statutory Instrument 2012/2885, "The Council Tax Reduction Schemes (Prescribed Requirements)(England) Regulations 2012" ensured that certain requirements prescribed by the Government were included in each Scheme (subsequently amended by S.I. 2012/3085)
- 3.10 As the billing authority the Council is required by the Local Government Finance Act 2012 to consider whether to revise its scheme or to replace it with another scheme, for each financial year.
- 3.11 The Authority must adopt its scheme, and make any revisions, no later than 31 January in the financial year preceeding the one when it will take effect, so that it will be necessary for the Council's 2017/18 scheme to be in place by 31st January 2017.
- 3.12 Paragraph 3 to Schedule 1A into The Local Government Finance Act 1992 set out the preparation that must be undertaken prior to the adoption or revision of a scheme, including prescribed consultation requirements.
- 3.13 Instruction is received from the Department of Work and Pensions on an annual basis, of changes to benefits rates and personal allowances. These must be taken into account for housing benefit calculations and it is good practice to apply them to the Local Council Tax Support Scheme

Service / Operational Implications

- 3.14 Consultation on the draft scheme took place throughout August and September 2016.
- 3.15 All current claimants, the preceptors and other stakeholders were written to to advise them of the draft scheme and the changes to the existing scheme.

- 3.16 Only two responses were received and neither of these gave comment either in support or dispute of the proposals.
- 3.17 The results of the initial consultation showed support for the options to reduce backdating and the administrative process for those claims where DWP information is obtained.
- 3.18 There was lower support for the option in respect of the family premium, but the majority of responders didn't answer the question in respect of this. This is a complex element of the welfare schemes and not easy for anyone to understand.
- 3.19 Officers are of the view that failure to maintain alignment of the CTSS and Housing Benefits processes will make the administration of the scheme in future considerably more expensive. This is because it will not be possible to assess claims in tandem thus doubling the work where a claim for both Housing Benefit and CTSS is made. The costs associated with this would fall to this Council at a time where we are also seeing the administrative subsidy for housing benefit reduce significantly.
- 3.21 To date officers have carried out a preliminary consultation to inform the draft scheme. This extends the timeframe for agreeing the CTSS and reduces the ability to react to national changes which are often made late in the day.
- 3.22 Given the very low levels of response to the consultations it is recommended that consultation is streamlined. The proposal will still meet the legislative requirements which state:
- that, before adopting a scheme, the billing authority must in the following order:
- a. consult any major precepting authority which has power to issue a precept to it,
 - b. publish a draft scheme in such manner as it thinks fit, and
 - c. consult such other persons as it considers are likely to have an interest in the operation of the scheme.
- 3.23 Therefore it is proposed that public consultation would only take place in respect of the draft scheme, rather than to also inform the draft scheme. This would be published as now and existing working age claimants written to. Feedback from this would then be used to inform any changes to the draft scheme before a final scheme is presented to Cabinet, and then the Council before the end of November.
- 3.24 Officers would liaise with preceptors and develop proposals to amend the draft scheme. This would be reported to Cabinet, prior to the statutory consultation with stakeholders, i.e. current claimants and the general tax payers.
- 3.25 As previously mentioned a CTSS which does not, in the main, mirror Housing Benefit in respect of eligibility, assessment and income disregards creates a

local administrative burden. This will continue to be a significant challenge until such time as all working age claimants are on Universal Credit. At that time our CTSS will need to be reconsidered to ensure it is as simple as possible and that administration is cost effective for the authority. However, this is not anticipated to be fully rolled out for some years to come.

- 3.26 It is suggested that future national changes to welfare support for working age persons in respect of eligibility, entitlement, qualification, deduction, applicable amounts and/or any other changes which impact on the Housing Benefit scheme, be reflected in the draft CTSS scheme and automatically consulted upon as a result.

Customer / Equalities and Diversity Implications

- 3.27 The changes proposed in the scheme for 2017/18 will not disproportionately impact on those with special protected characteristics under the equality duty and the discretionary hardship fund will minimise any adverse impact caused.
- 3.28 The 'uprating' of the benefits rates and personal allowances to be taken into account, in line with the Secretary of States announcement on those that must be taken into account for other benefits, will potentially result in small changes to the amounts of support provided. These will vary according to circumstances.
- 3.29 The local CTSS only affects those of working age. People who have reached the age for state pension credit are assessed under a national scheme which maintains 100% support.
- 3.30 There is no impact of these proposals on current claims.
- 3.31 The Hardship Fund provides an opportunity to ensure that vulnerable people, who have been financially disadvantaged by the changes to the CTSS, can be provided with transitional support.
- 3.32 Our purpose is to 'help people to be financially independent' and officers look at all possible avenues to provide support to individuals or families identified as needing greater support.

4. RISK MANAGEMENT

- 4.1 Any changes to council tax support whilst increasing council tax income to the Council and our major preceptors has financial implications for our residents and therefore officers ensure that support on managing finances and advice on other potential benefits is made available.
- 4.2 Council Tax collection rates may reduce and officers will closely monitor the arrears position and ensure that Members are made aware of the impact on the

percentage of the debt collected. To date there has been no significant reduction in the overall collection rate.

- 4.3 Recovery action has increased as a result of the introduction of changes in Council Tax support. Officers ensure that recovery action does not result in escalating costs for any individual impacted by this change unless all other avenues have been exhausted.
- 4.4 A Local Council Tax Support Scheme for 2017/18 must be agreed by Council and published by January 2017 to be effective from April 2017. If no changes to the existing scheme are agreed the current scheme will be amended to take account of 'uprating' of other national benefits but otherwise will be unchanged. This will result in increased costs both for administration and IT software.

5. APPENDICES

6. BACKGROUND PAPERS

Held in Revenues Service

AUTHOR OF REPORT

Name: Amanda Singleton, Head of Customer Access and Financial Support
email: a.singleton@bromsgroveandredditch.gov.uk
Tel.: 01527 881241

COUNCIL PLAN

Relevant Portfolio Holder	Councillor G. N. Denaro – Leader of the Council and Portfolio Holder for Finance, ICT, HR and Enabling Services
Portfolio Holder Consulted	Yes
Relevant Head of Service	Deb Poole, Head of Business Transformation
Ward(s) Affected	All
Ward Councillor(s) Consulted	
Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To agree the Council Plan, including actions relating to the Council's strategic purposes.

2. RECOMMENDATIONS

- 2.1 **Cabinet is asked to RECOMMEND to the Council**

that the Council Plan attached at Appendix 1 be approved.

3. KEY ISSUES

Financial Implications

- 3.1 The transformation programme that the Council has embarked upon led to the development of the strategic purposes documented in the Council Plan. As the programme continues, finances will start to become aligned with these purposes and the priority actions contained within the Council Plan, allowing the Council to be more responsive to our customers' needs.

Legal Implications

- 3.3 There are no legal implications arising directly from this report.

Service / Operational Implications

- 3.5 The Council Plan and the strategic purposes contained within it will help to set the direction for the Council and how it works with its partners. Service areas will be working towards these purposes and the priority actions, supported by operational purposes and measures to ensure that everything we do relates to the demands and needs of our customers. The Council Plan will be supported by

an implementation plan, including measures, barriers and ownership, to ensure that the actions within the Council Plan are delivered.

Customer / Equalities and Diversity Implications

- 3.7 The strategic purposes set out in the Council Plan are all designed to be from our customers perspective, in order for their needs to be the driver for all that we do. The corporate principles also highlight the importance of understanding and listening to our customers, whilst providing excellent customer care at all times. When approved, the Council Plan will be published on the Council's website and the ORB.
- 3.8 There are no equality and diversity implications arising directly from this report; however, the customer focus referred to above is designed to understand the individual needs of our customers and as such empower officers to meet those needs, which would include specific issues relating to equality and diversity.

4. RISK MANAGEMENT

- 4.1 By publishing a Council Plan the strategic direction of the Council will be clear to employees, Members and the public and as such will support the management of risks identified around the delivery of the strategic purposes, robust decision making and the accuracy/effectiveness of performance data.

5. APPENDICES

Appendix 1 - Council Plan

AUTHOR OF REPORT

Name: Rebecca Dunne, Policy Manager
email: r.dunne@bromsgroveandredditch.gov.uk
Tel.: 01527 881616



Council Plan

2017-2020



Bromsgrove
District Council

www.bromsgrove.gov.uk

Welcome to the Bromsgrove District Council Plan.

It sets out our strategic purposes, what matters to our residents and our priorities for 2017-2020.

This is a practical document which sets out what we are aiming to focus on for the next four years to deliver the things which our residents have told us matter to them.

As newly appointed leader for the Council I am keen that while our priorities remain realistic and achievable, they also embrace a new and effective way of approaching the challenges which local government faces. We are all aware of the financial pressures impacting on local Councils. Therefore, we need to generate income to increase our longevity and so we can reinvest this money in the areas which will benefit our residents the most, especially those who are on limited incomes.

We are committed to being innovative in reducing costs and generating income. We have looked at the needs of our

residents to understand what we should be focussing on and we are working more efficiently to do so.

This plan is split into strategic purposes to guide us and includes priority actions for each of our strategic areas, providing us with a clear focus for addressing issues and allocating funding for the next four years. It looks at how we can work together with our partners for the benefit of all of our communities and indeed to create a Better Bromsgrove for everyone.

However we will not be complacent and, with my Cabinet Members, who are responsible for their own strategic purposes, we will revisit this plan to make sure it is still relevant to the needs of our customers and the strategic purposes we have set out.

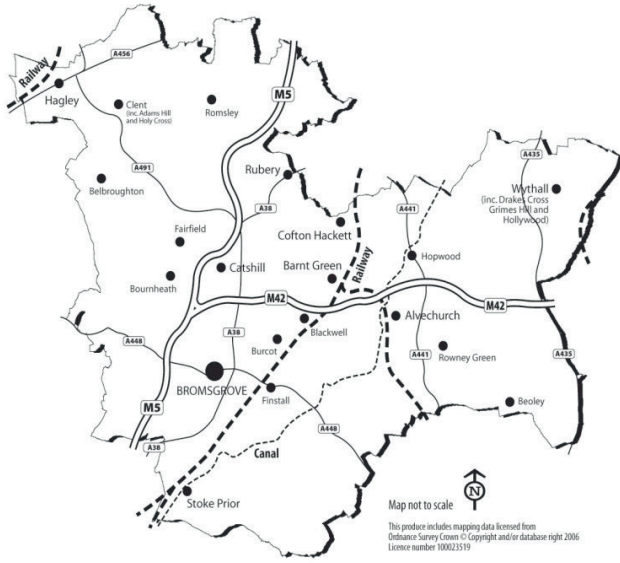


Bromsgrove District Council Cabinet

Council Vision:

“Working together to build a district where people are proud to live and work, through community leadership and excellent services”

Bromsgrove District



- Bromsgrove District Council moved to its new facilities at Parkside in 2015; this
- heritage site, in the heart of Bromsgrove Town Centre, houses not only the District
- Council but also Job Centre Plus, a new library and several other Worcestershire
- County Council functions, providing a range of services for residents and customers
- and increased footfall into the town centre.



Bromsgrove District is in the north of Worcestershire and over 90% of its 217 square kilometres is greenbelt. With 95,768* residents, there are population clusters including Hagley, Rubery and Wythall, with the town of Bromsgrove accounting for just over a third of the total population of the District. Approximately 20% of the population are children and 21% are over 65 years old.

Issues such as an ageing population, affordable housing and developing the local economy all impact on the District.

*ONS mid-year population estimate 2015

Context

The **economic** picture for Bromsgrove District is positive, with consistently low unemployment. However, the Indices of Multiple Deprivation 2015 (specifically income, employment and education indicators) show there were issues, particularly in parts of Charford and Sidemoor. Our Financial Inclusion Team (FIT) is working with residents to help them manage their finances and debt. We have also been working with Bromsgrove District Housing Trust (BDHT) and other partners through the Bromsgrove Sunrise Project, which supports residents in the areas of highest need.

Supporting **business** is incredibly important for the District; Bromsgrove entrepreneurs recorded the highest number of business start-ups outside London in the first six months of 2016.

Through North Worcestershire Economic Development and Regeneration we will continue to support these businesses and established companies within the District to grow.



Bromsgrove town centre is a major area of focus and extensive redevelopment is under way. Recent improvements to the town centre include enhancement of the High Street, a new retail park and planning permission for an exciting development on the Market Hall Site.

The Bromsgrove Town Centre Townscape Heritage Initiative has allocated £1.6 million of funding from Heritage Lottery Fund and Worcestershire County Council, and is set to be completed in October 2017. The scheme has and continues to provide grant assistance for the repair of historic buildings including the iconic Tudor House on New Road. The scheme is also working to assist small independent retailers who are establishing themselves in the town, with support towards projects such as traditional hand painted signage.



The **local centres** are also key to improving facilities and opportunities for all of our residents and improvement projects are underway across the district.

Bromsgrove has the highest level of **home** ownership in Worcestershire, and the smallest private rented sector in the county; demand for housing within the district has had a significant impact on property prices which are higher than the Worcestershire average. With affordability and suitable housing for the elderly both important issues, the Council's Local Plan is the driver that we are using to work closely with partners and developers to ensure that the housing mix in the district meets the needs of our residents.

Whilst the **health** of people in Bromsgrove District is generally good, health priorities include improving mental wellbeing, increasing physical activity and ageing well. Through the Bromsgrove Partnership various local agencies, including Bromsgrove District Council, have been playing their part to address these issues.

Mental Health has been a focus for the Council, with public commitment to the 'Time to Talk' initiative, providing support to our employees around wellbeing. Bromsgrove is also working towards becoming a Dementia Friendly Community, with officers and community members being supported to become 'Dementia Friends'.

The district is rich with biodiversity, geodiversity and attractive landscapes. The Council is committed to protecting our **environment** and has undertaken partnership work such as the 'Love Your Rivers Project' to improve ecology and biodiversity in Sanders Park with the creation of a wet grassland area. This improvement work not only provides further habitat opportunities for the



endangered water vole but will help by slowing the flow of the water in the brook reducing potential for downstream flooding as well as help tackling pollution.

It is important for the Council to ensure that Bromsgrove District remains attractive for everyone, and our Place Teams provide a strong environmental service across the District based on local needs and priorities. This focus gives our staff greater ownership and develops important local knowledge to support our communities, from picking up litter to cutting the grass. It also means that environmental crimes and hazards such as fly tipping can be removed and investigated in the quickest possible timescales to protect the public and our environment, with partnerships across the Worcestershire Authorities and the Police to ensure those responsible are stopped.

Bromsgrove District is a low **crime** area; however the North Worcestershire



Community Safety Partnership has been working hard across the district to address causes of crime and to support victims. A new website, Worcestershireruralwatch.co.uk, has been launched offering extensive rural crime prevention advice, links and resources to the rural community, with a new officer addressing rural, business and cyber crime issues in Bromsgrove. The Bromsgrove and Redditch Community Safety schools programme has provided one to one mentoring sessions for 81 young people across both districts since September 2015.

There has been continued investment in providing **activities** and facilities for all ages, such as an outdoor gym at Lickey End, inclusive play facilities at the ASDA Recreation Ground and a new skate park and risky play facilities in Hagley. There were over 55,000 attendances at Bromsgrove Council events during 2014 and 2015 with the international highlight "Mobile Homme" by Transe Express. The Council has also been committed to partnership working, leading to 10th Birthday celebrations at Artrix and a bigger and better Bromsgrove Festival and International Music Competition.

Finances

The December 2015 Government Spending Review announced an indicative four year funding settlement for local authorities. For Bromsgrove the settlement gives a much lower than anticipated level of revenue support grant from the Government with a potential unexpected repayment to Government in 2019/20 of £750k. Consultation has also started on planned changes to New Homes Bonus, which will see a reduction in the amount we receive towards the end of the five year period. The Council currently receives £1.7m of this grant and allocates £100k for community funding to support projects in those areas affected by housing growth. Government grant funding will be some £5m per year less in real terms by the end of this plan than it was in 2010/11. This equates to losing funding for just under half of the Council's net budget.



The Council has a proven track record in delivering cost and efficiency savings. Since 2010/11 the Council has made savings from sharing services with other Councils of £4.3m and generated other savings of approximately £2.648m from additional income and increasing efficiencies. With the continued cuts to our funding we will have to find more innovative ways to meet the on-going financial pressures that the Council faces. We are working with partners to achieve savings across the public purse which will ensure that valuable front line services continue to be delivered to our communities. The financial funding available will be aligned to our priorities as detailed in this document to ensure we meet customer and community need. In order to address the financial

challenges, over the financial planning period the Council will look at generating growth in our services to increase income, redesigning services to make them as flexible and efficient as possible and to work with others to maximise the value of Council services with the limited funding we have available.



What matters

Bromsgrove District Council is committed to providing residents with effective and efficient services that not only meet their needs but understand them too. We have listened to demand from our customers in order to understand what goes on in our communities and considered how we work with partners to support the issues within those communities. Through considering what really matters to our residents we produced a set of six strategic purposes to guide us; they are based on customer demands and data and evidence about the needs of and issues affecting the people of Bromsgrove District. Working to these purposes will help us to understand the needs of the District and how, together with our partners, we can improve the lives of our residents and the prospects for Bromsgrove District as a whole.



Help me run a successful business

Page 88



Appendix

“I want to expand my business, is there any support or advice available?”

Page 89

“I want to start a new business, is there any information about vacant premises, please?”

“I want to set up my own business, can I get a grant?”





What matters

Encourage local business and inward investment

- Develop the 'Business begins in Bromsgrove' brand
- Identify potential sites, funding and delivery partners
- Encourage businesses to come to Bromsgrove
- Introduce a package of support mechanisms to help new businesses and inward investment
- Promote key employment sites
- Promote Bromsgrove Enterprise Park
- Organise events to promote grants and access to national finance schemes



Create a more vibrant Bromsgrove Town Centre and flourishing local centres

- Further develop the outdoor market in Bromsgrove
- Continue to support local centres across the district
- Develop and manage an events programme
- Continue the town centre regeneration programme
- Develop a car parking strategy for the Town Centre

Between January and June '16 the highest number of business start-ups outside of London were in Bromsgrove – 29 for every 1,000 residents



Improve connectivity within Bromsgrove (Digital and Transport)

- Ensure Bromsgrove's public transport needs are integrated into Local Transport Plans and delivered
- Work with WCC to identify a long term solution to tackling congestion along the A38
- Continue to work with WCC to rollout superfast broadband, including to rural areas.

Invest in our local workforce by supporting training and apprenticeships

- Organise a programme of local Apprenticeships events and fairs
- Ensure SMEs can access Apprenticeship grant support
- Understand employer needs by carrying out a local skills audit
- Work with Heart of Worcestershire (HoW) College and other providers to deliver training that matches employer needs
- Work with local employers to promote career opportunities for young people in Bromsgrove
- Work with schools and other partners to understand the barriers to employability
- Undertake a fundamental review of our economic strategies and priorities

*In the last 9 years, there has been a **3 fold increase** in the number of apprenticeships completed*

*Almost **700** apprenticeships were started in 2014/15*



Help me to be financially independent



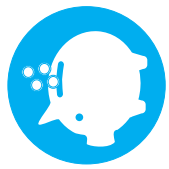
“I need to speak to someone about my housing benefit because my wages have changed.”

Page 93

“I am struggling to live on my money - what help can I get?”

“I care for my mother and I want to check if we can get any benefits.”





What matters

Develop education and skills to sustain financial independence

- Work with schools and colleges to deliver life skills in money and debt management
- Work with businesses to identify the skills that are required to enable local people to secure employment in their community
- Engage businesses to develop and grow in the area to continue to provide local jobs
- Support people in getting back to work

Support communities during changes to welfare and benefits

- Provide advice and guidance through the Financial Inclusion Team (FIT) to help residents maximise their income and reduce debt



People who live in Bromsgrove have the **highest average wage in the West Midlands**, however average wages for people who work in Bromsgrove are the **6th lowest in the region**



Support residents to reduce levels of individual debt

- Support residents to understand and manage all of their debts
- Work with voluntary sector and other partners to provide debt advice and support
- Promote schemes that encourage savings & financial independence

Support reductions in winter deaths and fuel poverty

- Work with stakeholders to ensure homes are energy efficient
- Provide funding to improve homes to reduce fuel poverty

Support the provision of affordable housing in the District to meet the needs of the community

- Work with partners to develop different options for housing provision
- Support older people who wish to realise the value of their homes
- Understand affordability through a rents audit

Fuel poverty in Worcestershire has reduced from 12.6% in 2011 to 9.1% in 2014



*Help me to live my
life independently*

Page 96



Appendix

“Are there any classes to help me get fit please?”

Page 97

“I am interested in having lifeline fitted, can you help?”

“I am retired and looking for something to do...”

Appendix





What matters

Help and support the vulnerable

- Work with health and other partners to reduce hospital admissions and keep people in their own homes
- Work with partners to support victims of domestic abuse
- Access to appropriate housing

Promote independence and reduce social isolation

- Work with partners to deliver adaptations/ improvements to homes (Disabled Facilities Grants)
- Access to (or support to find) appropriate transport
- Promote volunteering opportunities to reduce social isolation, particularly within rural communities



Over the last 2 years **nearly 300 people have been helped to continue to live at home** through disabled facilities grants

Over 1600 vulnerable or elderly residents have been supported by a Lifeline unit in their homes

Help people to be fit and well

- Work with partners to deliver appropriate mental wellbeing support
- Support in the Five Ways to Wellbeing
- Access to quality open space and facilities

Strengthening and supporting families and individuals

- Work with partners and the Bromsgrove Partnership to deliver appropriate family support through the 'Connecting Families' and 'Sunrise' programmes
- Access to work and employability skills

Page 99

More than 400 residents have received activity and falls prevention referrals in the last 2 years

Five ways to well-being



1

Connect with the people around you. With family, friends, colleagues and neighbours. At home, work, school or in your local community. Think of these as the cornerstones of your life and invest time in developing them. Building these connections will support and enrich you every day.



Be active Step outside. Go for a walk or run. Cycle. Play a game. Garden. Dance. Exercising makes you feel good. Most importantly, discover a physical activity you enjoy and that suits your level of mobility and fitness.

2

3

Take notice Be curious. Catch sight of the beautiful. Remark on the unusual. Notice the changing seasons. Savour the moment whether you are walking to work, eating lunch or talking to friends. Be aware of the world around you and what you are feeling. Reflecting on your experiences will help you appreciate what matters to you.



Keep learning Try something new. Rediscover an old interest. Sign up for that course. Take on a different responsibility at work. Fix a bike. Learn to play an instrument or how to cook your favourite food. Set a challenge you will enjoy achieving. Learning new things will make you more confident as well as being fun.

4

5

Give Do something nice for a friend, or a stranger. Thank someone. Smile. Volunteer your time. Join a community group. Look out, as well as in. Seeing yourself, and your happiness linked to the wider community can be incredibly rewarding and creates connections with the people around you.



Help me to find somewhere to live in my locality

Page 100



Appendix

*“I have lost my job
and can't pay my rent
any more - can you
help me?”*

Page 101

*“I would like to
move... I am having
problems where
I live...”*

*“Can you help
me, I am about to
be homeless.”*





What matters

Support the development of appropriate and affordable housing in the district

- Understand community housing needs through a strategic assessment
- Use the Local Plan and Green Belt Review to drive development
- Encourage developers to adopt Safe by Design standards
- Work with developers to increase the number of eco/energy efficient properties

Assist in making the best use of all housing across the district

- Work with Bromsgrove District Housing Trust (BDHT) to review the housing waiting list
- Work with partners to ensure appropriate level of occupancy
- Support people to downsize where appropriate
- Ensure the Disabled Facilities Grants (DFG) process is meeting the needs of our communities
- Work with stakeholders in the private rented sector



In 2015/16
483 homes
were **built** in
the district
(net)

Prevent and respond to homelessness

- Review current housing and homelessness delivery arrangements
- Work with BDHT and partners to resolve issues that can lead to homelessness
- Work with partners and providers to deliver accommodation appropriate to need

Between
July '15 and
June '16 **over 220**
households have been
prevented from
becoming
homeless



Keep my place safe and looking good

Page 104



Appendix

“Can I arrange to have my garden waste collected?”

“I am worried about crime in the area.”

“Can you help me improve my home security please?”





What matters

Help support and create communities where people feel safe

- Work with partners, schools and our communities to reduce crime, nuisance and anti-social behaviour
- Encourage developers to adopt Safe by Design standards
- Ensure that premises and vehicles licensed for various activities are safe
- Work with local businesses to deliver safe products and services

Look after our district to provide clean and tidy streets and open spaces

- Ensure our resources are aligned to the different needs of our local areas
- Work to reduce litter, fly tipping, dog fouling, fly posting and chewing gum in the district
- Develop our commercial services to better support local businesses and residents
- Work in partnership with our communities



Over 1100
bulky waste
collections
undertaken in
2015/16



Protect and enhance the environment spaces

- Work with communities to enhance the environment
- Monitor air quality and encourage our communities to reduce emissions where possible to limit the effect of climate change
- Endeavour to reduce our emissions
- Change the way we maintain the environment to improve biodiversity
- Work with partners to achieve proactive tree management
- Work with stakeholders to improve the infrastructure for cycling and walking
- Promote the ethos of 'reduce, reuse, recycle' within the community and our organisation

*On average
**4275 tonnes
of waste was
recycled***



*17.5%
**reduction in
carbon
emissions***

*19,000
customers are
**benefitting from
garden waste
collection
service***

*Provide good things for
me to see, do and visit*

Page 108



Appendix

“Can I book a swimming lesson for my child?”

“My doctor said I need to lose some weight, can you help me?”

“What is there to do in Bromsgrove this weekend?”





What matters

Provide a leisure, cultural and arts programme for the whole district

- Engage with communities to develop an events programme
- Develop new Leisure facilities to provide a range of activities for the community
- Ensure play areas and parks meet the needs of all ages of the community
- Work with partners to develop a diverse range of arts and cultural activities

Create a more vibrant Bromsgrove Town Centre and flourishing local centres

- Progress regeneration of Bromsgrove Town Centre and local centre sites across the district
- Further develop the outdoor market in Bromsgrove
- Develop and manage a Bromsgrove Town Centre events programme
- Develop an action plan for the local centres



Approximately
10,000 people
attended the **street**
theatre events



Help people to be fit and well and reduce social isolation

- Develop a programme to raise awareness of social isolation
- Work with partners to explore opportunities for Council facilities to improve health across the District
- Continue to support '5 ways to wellbeing'

Five ways to well-being

Connect...
Be active...
Take notice...
Keep learning...
Give...

140+
weekly
attended the
junior park
run course

*We allocated
£188,000 from
the New Homes
Bonus to community
projects during
2015/16 &
2016/17*



“We will lead the way for the future of reshaped public services, enriching the lives of our citizens by providing high quality services to all, as well as radically improving outcomes for those most in need, by removing barriers and solving their underlying problems.

We will meet our challenging goals by designing all of our services from a customer perspective accepting that they differ from area to area, community to community. This approach will enable us to work with partners and towards organisational change. This includes posing questions around whether we are the right people to do what we determine is necessary.

We will treat our workforce fairly, with respect and honesty, engaging their passion and talent and growing leaders””.



We will ensure that we:

- Provide excellent customer care at all times
- Listen to our residents to understand their needs
- Deliver our core services efficiently and effectively
- Make the best use of our resources, with residents at the heart of all we do
- As a community leader, work with partners in the public, voluntary and private sectors to ensure residents of Bromsgrove District get the services and support they need
- As a good employer, support our employees to provide services that meet the needs of our residents

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As issues within the District can change we are committed to understanding whether we are delivering our strategic purposes; we do this by using measures to capture data which Officers, Managers and Members use to understand the services we provide. This data will be used to allocate resources and to help us gain a true picture of the District. We also need to recognise the continuing changes in national agendas and the impact they could have on our outcomes

As the strategic purposes cover issues fundamental to our customers' lives, we are working differently with our partners. The Bromsgrove Partnership, the local strategic partnership for Bromsgrove District, is a key stakeholder in developing and supporting these new ways of working. We are also continuing to work in a more local and place driven way, which helps the Council to understand the differing needs of communities within our district and how public services can support them.



The Council Plan is central to the strategic direction of Bromsgrove District Council and links to other corporate documents, including the Local Plan, the Medium Term Financial Plan and the Corporate Performance Strategy.

- 1. Design all our services from the customer's perspective to ensure we respond to the needs of our communities*
- 2. Help people to help themselves where appropriate*
- 3. Be corporately responsible by ensuring we meet our ethical, environmental and social responsibilities, and that services support our communities to develop*
- 4. Constantly innovate, to make the best use of our resources to ensure we deliver efficient, quality services and eliminate waste*
- 5. Make decisions and provide challenge based on data, evidence and learning*
- 6. Use the Council's unique position in the community to encourage and support change amongst partners and other agencies*
- 7. Put the customer at the heart of what we do, treating people and issues fairly, with respect and honesty*
- 8. Identify the best way to work, to satisfy customers' needs, by pushing departmental and organisational boundaries*

How we work





Bromsgrove District Council

www.bromsgrove.gov.uk

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If you need this information in another language or format, please contact us to discuss how we can best meet your needs.

Phone: 01527 548284

Email: equalities@bromsgroveandredditch.gov.uk

CABINET2nd November 2016**ICT Infrastructure Resource**

Relevant Portfolio Holder	Cllr G Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	Deb Poole, Head of Transformation & OD
Wards Affected	N/A
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSAL

- 1.1 At the meeting of the Council on 21st September, the recommendation about dealing with difficulties recruiting to the team dealing with the ICT infrastructure was withdrawn to enable further options to be explored. This report summarises consideration of the options and makes a recommendation to Cabinet and Council about the way forward.

2. RECOMMENDATIONS

Cabinet is requested to **RECOMMEND**:

- 2.1 That authority be delegated to the Head of Transformation and Organisational Development to undertake a tendering process to identify a potential supplier to take on the ICT infrastructure functions.
- 2.2 That a decision on the proposed contract is subject to consideration of a further report containing details of the proposals and their impact on the service and budget, for consideration by the Cabinet.

3. KEY ISSUES**Financial Implications**

- 3.1 The current cost to Bromsgrove District Council (BDC) for providing the service is £34,093. This includes the salary and on-costs for the two posts effected.
- 3.2 Whilst final costs for delivering this part of the service externally will not be known until a competitive exercise is completed, it is estimated that the costs will be approximately £30,000 to BDC in the first year, with larger savings estimated for any additional years.

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- 3.3 Other public sector organisations will be permitted to bid for the contract alongside any private companies.
- 3.4 Bromsgrove District Council will charge £225 per month, per person, to any supplier delivering the outsource contract who wishes to retain members of staff on our premises. This is to cover the costs of providing office space, desks, electricity, phones etc.
- 3.5 There is a cost implication whilst the ICT Infrastructure roles remain with just one of the two posts filled. To enable the demands of the posts to be completed, resource is currently being purchased from various companies. Whilst this cost is currently being offset by the saving made by having a post empty, any additional requirement could push us outside of budget and using different companies limits the ability to provide continuity of service.
- 3.6 The number of resource days we receive whilst purchasing on an ad-hoc basis is limited compared to those we would expect to receive via a formal 2 or 3 year contract.

Legal Implications

- 3.7 An appropriate competitive tendering exercise based on the value of the contract will be undertaken to identify a potential supplier to take on the ICT infrastructure functions. As previously reported to members, the next stage would be to enter into a contract, but the revised proposal is that a report will come back to Cabinet to advise on the outcome of the tendering process before any further steps are taken.
- 3.8 As previously reported, if the outsourcing to an external provider proceeds this will constitute a relevant transfer for the purposes of the TUPE (Transfer of Undertakings, Protection of Employment) Regulations. The rules provide that where in house services are transferred to external providers existing members of staff TUPE across to the new contractor. As referred to at 3.10, this will affect one member of staff. Any issues in this regard will be managed as part of the process in accordance with usual HR procedures.

Service / Operational Implications

- 3.9 For several years ICT has had an ongoing problem retaining and recruiting staff with certain specialised technical skills. Following the recent resignation of a member of staff, this problem has been highlighted again. The recruitment campaign to fill this vacant post has attracted few applicants with the required skills and experience. This

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report proposes a different approach to solving the problem by testing the market to check if outsourcing a small part of the ICT team, is a viable option.

- 3.10 If a suitable proposal is received from an external company a second paper will be bought to council seeking agreement to the TUPE transfer of the two current posts. Currently, one of the posts is filled whilst the other is vacant.
- 3.11 This proposal presents a solution to correct a particular ongoing issue in the service due to the problem of recruiting staff with these types of skills. Overall the organisational approach remains that of sharing internal resource where ever possible.
- 3.12 During the past five years the ICT Infrastructure role has been advertised five times. During these recruitment campaigns, the council has had to advertise and re-advertise numerous times to find a suitable candidate. In 2015 a new infrastructure post was created that required additional skills and consequently offered a higher grade. After running two advertising and interviewing campaigns the post was finally recruited to in mid-2015. However, by June 2016 this post was vacant again when the incumbent officer resigned. Following adverts on a number of recruitment websites including the WM Jobs site, only eleven applications were received. Shortlisting resulted in five applicants being invited for interview. Of the five only one applicant attended for interview. This candidate scored just over 50% on the interview questions and was not considered suitable for this role.
- 3.13 The ICT Infrastructure Officer and ICT Infrastructure & Network Officer posts play a key role in maintaining day to day delivery of the ICT service to the Authority. Their main function is to ensure that the servers and storage which enable the business applications to work, are operating successfully. This includes the servers for Emails, Finance, Payroll, Revs & Bens, Elections etc.
- 3.14 In addition the team have been involved in several 'power off' situations at both Parkside and Redditch Town Hall and are key to closing down services correctly and returning them to a working state. Further power off situations may occur at both sites and currently only 1 person is available with the correct skillset to cover this task.
- 3.15 Senior managers are aware that the current lack of resource is having a detrimental effect on the remaining personnel and that this issue needs to be resolved as soon as possible to maintain staff morale and avoid absence.

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- 3.16 As mentioned above, resource is currently being purchased on an ad-hoc basis whilst we try to maintain a service with only 1 of the 2 posts filled. The resource comes from several different companies and trying to maintain continuity of service is becoming increasingly difficult.
- 3.17 Since withdrawal of the item from Council in September, officers have reviewed the options available to the Council in conjunction with the Portfolio Holder. Given Members' concerns at the Council meeting about the potential for an increase in cost to the service as a result of procurement, it is proposed that the service is put out to tender but a final decision on whether or not to proceed is not taken until Councillors have considered the outcome and implications of the tender exercise.
- 3.18 It is likely that the procurement will take a number of weeks to complete.

Customer / Equalities and Diversity Implications

- 3.19 There are no customer / equalities and diversity implications.

4. RISK MANAGEMENT

- 4.1 There is a risk no external provider responds to the tender exercise with a proposal that is within the current budget. If this risk becomes an issue, other approaches will need to be considered.
- 4.2 There is a risk that the external provider will not deliver the service to the level provided by the current internal team. This risk will be addressed through using a robust selection process, and ensuring as far as possible that there are appropriate contractual obligations imposed on the external provider.
- 4.3 The impact of outsourcing could inadvertently increase pressure in the short term, on existing members of ICT whilst the new service is procured and then implemented. The result of increased pressure could lead to additional sick leave but this has been mitigated by securing additional temporary resource from external companies.
- 4.4 To be balanced against the risks outlined above, is the risk that if no action to pursue outsourcing is taken then the Council is likely to continue to encounter recruitment problems which over a period of time may undermine the ability for the service to be provided.

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5. **APPENDICES**

None

6. **BACKGROUND PAPERS**

None

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Development management Shared Services

Relevant Portfolio Holder	Cllr C. Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Ward(s) Affected	n/a
Ward Councillor(s) Consulted	n/a
Key Decision / Non-Key Decision	Non- Key Decision
This report contains exempt information as defined in Paragraph(s) 4 of Part I of Schedule 12A to the Local Government Act 1972, as amended	

1. SUMMARY OF PROPOSALS

- 1.1 This report presents for consideration by the Cabinet the business case for a shared Development Management service (DM) between Bromsgrove District Council (BDC) and Redditch Borough Council (RBC). The proposals are being considered by the Shared Services Board at its meeting on 27th October and its recommendations will be reported to the meeting.

2. RECOMMENDATIONS

Cabinet is asked to **RECOMMEND** to the Council that:

- 2.1 The business case for the Development Management shared service be approved.

3. KEY ISSUES**Financial Implications**

- 3.1 The shared service business case contains details of the existing and proposed staffing structures. The existing individual authority staffing costs are

a) Bromsgrove District Council	£ 573,000
b) Redditch Borough Council	<u>£ 275,000*</u>
Total	£ 848,000

*inc the Town Centre Co-Ordinator post which is charged to Redditch only.

- 3.2 Following the application of the local Job Evaluation assessments the proposed staffing structure costs for the new shared service are £873,000.

- 3.3 The reasons for the increase in staffing cost are:

- a. Increased management costs due to salaries attracting Hay grading;
 - b. The creation of a new grade 6 post to replace the use of current consultants and temporary staff;
 - c. Increased application numbers and fee income, as shown in Appendix D of the attached Business case.
- 3.4 In relation to the revised shared service costs, it is proposed that the new service is charged to both Councils on the percentage share detailed below:
- Bromsgrove 67 %
 - Redditch 33 %

Legal Implications

- 3.5 Bromsgrove and Redditch Councils have developed a Strategic Alliance/shared services arrangement referred to as the Shared Services Framework Agreement. This Agreement sets out the basis upon which both Councils have agreed to work together by way of shared teams working across both authorities. The legal basis for the Strategic Alliance is Section 2 of the Local Government Act 2000 and in relation to staffing arrangements Section 113 of the Local Government Act 1972.
- 3.6 As the shared Development Management service will be hosted by BDC, it will be necessary for the staff currently employed by RBC to be transferred to BDC under the TUPE (Transfer of Undertakings, Protection of Employment) Regulations. Those staff transferring will be employed under the BDC terms and conditions bringing all the staff in the shared service into the same pay structure.
- 3.7 The creation of the shared service for staff will have no affect on the delivery of service in terms of the day to day activities undertaken for both councils. Each Council will continue to have control over the discharge of its planning functions through Full Council and Planning Committee. Likewise each authority will be able to exercise oversight of the planning function via the usual audit and scrutiny processes.
- 3.8 This report is an exempt item under the Access to Information Rules in that consultations regarding employment issues arising from this report although planned have not yet taken place at the time of this report being prepared for members (paragraph 4).

Service / Operational Implications

- 3.9 The proposed staffing structure has resulted in the loss of two FTE posts. Accordingly two current posts will be at risk of redundancy.
- 3.10 The proposed shared service structure allows for the creation of a new grade 6 post. The net loss of posts will therefore be one.

- 3.11 As detailed in the Business case, the service will be hosted by Bromsgrove District Council as it receives more applications and covers a larger geographical area.

Customer / Equalities and Diversity Implications

- 3.12 The business case outlines the potential employment risks that are associated with this business case. The Council will need to consider these alongside general recruitment and selection policies and commitment to equality of opportunity.

4. RISK MANAGEMENT

- 4.1 Consultation with all affected staff and their representatives will aim to ensure they are aware of the proposals and supported through the implementation process.

5. APPENDICES

Appendix 1 - Business Case for a Development Management Shared Service

6. BACKGROUND PAPERS

None.

7. KEY

AUTHOR OF REPORT

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Bromsgrove District Council Redditch Borough Council

Development Management Shared Service

(Development Control)

BUSINESS CASE

Managing Bromsgrove District and Redditch Borough Councils Development Management teams through a Shared Service.

Department	Planning & Regeneration Service
Head(s) of Service	Ruth Bamford
Author:	Ruth Bamford
Co-Authors:	
Document Ref:	001
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1. Executive summary

- 1.1 Development Management is the arm of planning that, amongst other things, processes planning applications. Unlike other services the Development Management Business case is presented to members after Transformation and after there has been an informal sharing of the services for a couple of years. Consequently the business case is essentially about seeking consolidation of informal working arrangements. A full assessment of the posts required to deliver the service in a customer focused, efficient way has been undertaken and the structure proposed will enable the Councils to provide a quality service moving forward. Whilst the enforcement role has been incorporated into the planning role to enable staff to provide specialist support and advice, the only other change to current arrangements is that there will be the loss of two grade 5 posts and the creation of one grade 6. It is envisaged that this new structure will be more flexible and resilient and that resource requirements, depending on the levels of income received from development, can be revised easily.
- 1.2 Due to the increase in number of applications across the two Councils it is anticipated that the income budget of £500k can be increased to £530k in Bromsgrove and from £189k to £210k in Redditch, a total additional estimated income of £51k. To provide the resource requirement to service the anticipated planning applications there is a proposed increase in Development Management costs of £25k (£12k at Redditch and £13k at Bromsgrove). This is more than offset by the £51k income generated from the applications
- 1.3 There are currently more staff employed by Bromsgrove District Council and there is a higher volume of work relating to Bromsgrove District as it covers a larger area. It is therefore proposed that Bromsgrove be the Host Authority.

2. Description of the Services

a. Introduction to Development Management (DM)

- 2.1 Development Management (DM) is the team within planning that deals with practical implementation – advising on the need for planning permission, dealing with breaches of planning control and determining planning and other types of applications that fall within the legislation and officer delegations. Each Council has its own planning committee that determines applications in line with its own Constitution.
- 2.2 The public benefit to the communities of the authorities is that a good DM service should help to provide them with a high quality environment that supports their economic, social and environmental needs and wellbeing. The DM function is therefore an important one for the authorities corporately, and it serves colleagues from other teams as well as the external customers.
- 2.3 Whilst the legislation is the same nationally, the local context is that planning decisions should normally be made in accordance with the development plan (Local Plan in Redditch and District Plan in Bromsgrove). DM is therefore the implementation of the policy framework that our policy colleagues construct and agreed by Council.

Appendix

- 2.4 The DM service for each council has jointly undertaken a transformation process and current working practice reflects changes as a consequence of Transformation and other circumstances including an increase in the volume of work. The services are working together informally. Details of the volume of work and Transformation are below.
- 2.5 The DM function contributes significantly to the delivery of Strategic Purposes. Developments approved via the function include leisure and retail uses providing places to see and visit as well as assist in the creation and growth of business. The processes employed within the DM service have regarding to design, layout, security and the needs of a locality. Appropriate new housing provision is approved within the two Council areas which will also contain affordable provision.

b. Volume of Work

- 2.6 The chart attached at Appendix D, shows an upward trajectory in fee income as a proportion of expenditure. This relates to the lifting of the moratorium in Bromsgrove District, both councils receiving a significant number of major applications and general improvements to the housing stock (perhaps the shortage of new housing stock has resulted in residents improving their existing homes as an alternative to moving house). Appendix E shows that this upward trajectory, particularly for Bromsgrove, is set to continue. This appendix uses the robust five year supply situation for housing and employment land and calculates the corresponding anticipated five year income. It is anticipated that the number of minor applications will stabilise or continue to rise but this is more difficult to predict.
- 2.7 Members should note that non fee earning work has also had an impact on the Service e.g. there have been particularly contentious enforcement sites in Bromsgrove District to address and involvement in the Place Partnership initiative in Redditch. All the pre application work for the Eastern Gateway will not result in the receipt of a planning fee in due course because the fee will be received by Stratford Council as the majority of the site falls within Stratford on Avon District. Members are reminded that the Director of Planning and Housing post has been deleted from the organisation.
- 2.8 With the increase in fees there has been an increase in costs to the Service which have been offset by the additional income received. The main cost has been salaries due to more staff required to manage the volume of work. However there are related costs such as the use of specialist consultants (e.g. agricultural consultants) used to provide specialist advice on relevant applications. Against the backdrop of increased fee income/volume of work, it should be noted that the cost of the DM Service relative to income has reduced.
- 2.9 As can be seen from the graph in Appendix D, in 2009 / 10 the DM income amounted to 56% of the departmental expenditure budget across the two authorities. In 2015 / 2016 income had risen to 75% of the total expenditure budget.

c. Transformation

- 2.10 Both Development Management Services commenced the Transformation process together and so have developed new ways of working in conjunction with each other which has resulted in an informal shared service arrangement with transformation principles at its heart.

Appendix

- 2.11 The Purpose of the proposed Shared Service is to, “*Help me with my planning query and enable change in the public interest by engaging with interested parties*”. This means that the remit of the team is broader than previously when sometimes it was considered the sole purpose was to process applications.
- 2.12 A principle of the new service is to “*Understand and act upon what matters to the customer, i.e. the applicant or the person asking the question*”. The transformation process has shown that to achieve this, the customer at all points of entry to the service, needs to be served by an officer who is able to understand the customer and respond. This means that qualified planners or those with experience in dealing with planning matters can best serve the customer. The role of the administration officers in this context has been lost and currently all administration officers have been trained to deal with those customer queries that are the most straightforward. It is interesting to note that this also accords with good practice advice from the Planning Advisory Service in recognition of the situation when it is often difficult to recruit planners.
- 2.13 Under the new way of working the officer who takes the query from the customer deals with it from start to finish if they can. If they can’t deal with a particular query they pass it on to an officer who can or ask for help from a colleague. From a customer’s perspective they have generally only got one officer to liaise with from the start to the end of their query. Members can see from the dashboard that compliments to the service are increasing. From the transformation initiative officers are encouraged to only do the *value work*, i.e. tasks that are of direct benefit to the particular customer with the particular query. This means that officers will deal with customers in a more fluid way that is query specific.
- 2.14 An outcome from Transformation is a different organisation of officers to better meet customer queries. The organisation of officers is described below.
- 2.15 Appendix F shows time taken to determine commercial applications in days over time (Since Sept 2015).

d. Current Informal staffing structure proposed for consolidation

- 2.15 The two sets of officers are currently organised under two managers each with a responsibility for a planning committee and a particular council in times of possible conflict of interest e.g. a cross boundary application. Officers then sit within three groups of about seven officers per pod (group). Officers find that this size of a team is big enough to find a range of skills and support yet small enough to know what is going on, e.g. should a member of the public call when a colleague is unavailable.
- 2.16 There is a range of skill sets within each pod but the pod dealing with major applications have more Principal Officers. The business case essentially is about consolidating this structure and staffing levels. The only change is the loss of two grade 5 posts and the creation of a Grade 6 post and the enforcement officer role being subsumed into the planning officer role.

2.17 **Managers**

Currently there are two managers. One works full time and the other on slightly reduced hours (i.e. 34 hours per week). At the start of transformation there were 2.5 managers. Redditch had one manager and Bromsgrove had 1.5 managers. The Redditch manager has left the organisation due to an external promotion opportunity and the second manager at Bromsgrove has increased her hours.

2.18 This level of management is required for the servicing of two planning committees on a monthly basis and also because of the level of support they bring to colleagues due to their planning credentials and experience in dealing with a range of situations and customers.

2.19 **Principal Officers (Grade 8)**

Currently there are seven Principal Officers and this is number proposed going forward. The Principal Officers are all chartered town planners and have a work load that focuses on the major applications for both councils and the more complex planning enforcement cases. They do planning surgery in Bromsgrove on a rota and deal with queries in Redditch Town Hall. They play an increasingly significant role with the daily phone duty (it has been demonstrated to be more efficient if all general queries i.e. non case specific come into one phone). Principal Officers, under an extension to the scheme of delegation, can sign off their own applications and those of less experienced colleagues. Redditch traditionally has had a career grade that enabled the engagement of planners with remuneration commensurate with the principal planner salary (about Grade 8). However in Bromsgrove Council planners have a maximum level of Grade 6 (with the exception of one Grade 8 post for enforcement/major applications). This has traditionally resulted in difficulties in staff retention in Bromsgrove as planners on the Grade 6 at BDC are paid less than all surrounding councils. Transformation has shown the benefits to customers of having experienced planners dealing directly with their queries and applications from the initial point of demand. This is instead of incoming demands first being administered by team members not specifically qualified to assist.

2.20 **Senior Officers (Grade 7)**

Currently there are two officers working at this level. They are not chartered but with more experience will be eligible to become chartered. When these posts were advertised there were no suitable candidates who were chartered. Senior officers can deal with Green Belt applications as well as more unusual cases and those that are significant but not major e.g. five to nine dwelling schemes (ten dwellings is a major and often has a section 106 agreement).

2.21 **Planning Officers (Grade 6)**

Currently there are five Grade 6 Planners. They are able to deal with applications in the Green Belt as well as a breadth of other non-major applications. A new Grade 6 post is proposed so that there is no longer a requirement to have the use of a consultant for a few days per week or the temporary reduced hours Grade 6 position.

2.22 **Planning Assistants (Grade 5)**

Officers in the grade 5 positions are the two enforcement officers, an administration supervisor and 2.8 FTE administration officers. This business case proposes the loss of two grade 5 posts. There are part time job share staff employed within the existing structures at grade 5 and it should therefore be noted that the loss of two FTE posts could effectively see the loss of a maximum of three people.

Appendix

- 2.23 It is considered that the enforcement role in the first analysis is the same as that of a planning case officer i.e. the skills needs are evaluating if planning permission/consent would have been granted had the customer sought approval rather than carrying out works or a change of use without approval/consent. The informal way of working that is proposed going forward is that all officers deal with enforcement cases and as for general applications there will be a need to marry the planning skills of the officer with the complexity or otherwise of the case. An estimated 50% of enforcement cases require formal enforcement action (including serving Planning Contravention Notices which are very straightforward) with 10-15% of those requiring further detailed legal action in order to resolve the matter at hand. Currently all officers are being trained to deal with this and enhanced training being provided to Managers and Principal Officers. It is considered that the absorption of the enforcement role into the planning role will have a positive impact on the processing of enforcement cases. This will enable a resilient enforcement function going forwards.
- 2.24 In terms of the transformed way of working there is not a role for administration officers or exclusive enforcement officers so most have been trained to process the most straightforward applications e.g. householder extensions in non green belt areas. Some officers are currently receiving an honorarium to bring them to grade 5 level, the grade commensurate with the skills for processing the most straightforward applications with support. Others continue to process generally straightforward enforcement cases. It is considered that there are not enough cases commensurate with the Grade 5 skill set/the level of support required from other colleagues is disproportionate. The conclusion of this situation is that the number of grade 5 posts be reduced from seven to five.
- 2.25 Grade 3 data entry posts**
Both councils have data entry positions. These posts will be needed going forward until all data entry is completed which is anticipated to be several years ahead. The reason for the data entry roles is making sure all environmental and planning data is on the councils websites and thereby compliant with legislative requirements.
- 2.26 Overarching Staffing Issues**
It has been necessary to have regard to certain national issues in the formulation of this business case.
- 2.27 In February 2016 as part of the 'Technical consultation on implementation of Planning Changes', DCLG proposed testing competition in the processing of planning applications through a pilot scheme. If implemented by government this would mean that potential applicants can choose to go elsewhere to have their applications processed before coming back to the respective council for a decision. Councils can offer to be a named authority for processing the applications of others.
- 2.28 The key disadvantages to this approach would be a loss/reduction in income if our applicants choose to go elsewhere for the processing of their cases. There would be an extra stage (waste) in the process as work done by a third party would need to be checked by in house officers. In addition there would be the matter of reputational damage if applicants choose other parties to process their applications.
- 2.29 From the other perspective, if Redditch or Bromsgrove Councils offered and were accepted by government for processing the applications from outside the administrative areas, it would be impossible to predict how many officers would be required as there would be no way of anticipating the volume of applications

Appendix

received. Once approved for processing the applications of others we cannot decline the processing.

2.30 The Head of Planning and Regeneration is not suggesting at this time that Redditch or Bromsgrove Councils offer to process applications from outside the administrative areas as the current unpredictability of the workload would render this unmanageable. This is something which however may be reviewed in the future. Against this national backdrop it is important to be able to process applications in a timely and transparent manner so that our potential applicants choose to come to us. The staffing levels and structure described and proposed above is considered resilient to respond to national issues with the proviso that there is appropriate flexibility to deal with any further increases in applications/fees by further increasing staff resources.

2.31 National shortage of planners

There is a national shortage of planners to an extent that CLG are aware of the issue and have been discussing the matter with planning authorities. Having a range of grades from 5 to 8 assists with attracting staff and staff retention and the ability of the councils to “grow their own” officers. The councils have a very broad range of application types which is generally reflected in the numbers of officers at each grade in addition to a pragmatic approach reflecting recent recruitment experiences.

3. Financial Arrangements

3.1 The current staffing structure shown in Appendix A shows the current staffing within the service. The proposed shared service staff structure is shown in Appendix B. Based on 2016/17 budget allocations the current resource cost v the proposed is as follows:

Council	2016/17 Budget £'000	Proposed Budget (based on 2016/17 values) £'000	Variance £'000
RBC	275	288	13
BDC	573	585	12
Combined	848	873	25

The above table includes all associated Job Evaluation salaries, pay protection and management being assessed as HAY graded posts. The ongoing costs of the structure will reduce once protection has expired, subject to any successful appeals.

The reasons for the increase in staffing cost are:-

- a. Increased management costs due to salaries attracting Hay grading.
- b. The creation of a new grade 6 post to replace the use of current consultants and temporary staff.
- c. Increased application numbers / fee income (as shown in Appendix D)

Appendix

- 3.2 There are a number of other budget allocations within the budget for non-salary costs. These are to be reviewed with the aim to reduce any work that can be accommodated in house, for example the conservation consultant's budget in Redditch in 15/16 saw and expenditure of £5400.00 which can now be removed because this business case brings conservation advice in-house.
- 3.3 The income generated has exceeded budget in the last 12 months due to the number of applications that are now being received. It is anticipated that the income figure at Bromsgrove of £500k can be increased to £530k and Redditch from £189k to £210k. An additional income across the two Councils of £51k. This would result in a net saving across the 2 Councils of approximately £26k
- 3.4 The period since 2012 / 13 has been a challenging time for the two services with the trailing of different ways of working and introduction of new processes borne from transformation. This has however now resulted in a significantly more cohesive team and the working processes derived from systems thinking are now resulting in a reduction in planning appeals and a reduction in the number of those appeals being ruled against the authorities. Customer satisfaction levels are increasing.
- 3.5 In addition, the proactive intervention of case officers with applicants and the early assessment of applicants' requirements have resulted in a shift in the quality of applications being taken forward for determination. Quality development has therefore been promoted throughout the District and Borough.
- 3.6 Following increasing confidence in the housing market and the introduction of revised procedures, driving out waste and significantly improved customer engagement last year's income from the two services rose significantly by £188k.
- 3.7 The creation of a formal shared service seeks to expand on these positive outcomes and the hard work undertaken during the early stages of a continuing transformation process.
- 3.8 The proposed shared service structure includes for the provision of a new grade 6 Planning Offers post. This role is currently undertaken by part time consultants and temporary officers. The proposal seeks to establish this post as a means of ensuring the improved levels of service are maintained. The complexity of applications undertaken by grade 6 planners exceeds those assessed by the grade 5 posts.
- 3.9 Five grade 5 Planning assistant posts are being created. There are currently seven posts ring-fenced to this new role.
- 3.10 In relation to the revised shared service costs, it is proposed that the new service is charged to both Councils on the percentage share as defined by the original application income into the individual services. This calculation is shown in Appendix C.
The percentage share would be
- Bromsgrove 67 %
 - Redditch 33 %
- 3.11 There are currently more staff employed by Bromsgrove District Council and there is a higher volume of work relating to Bromsgrove District as it covers a larger area. It is therefore proposed that Bromsgrove be the Host Authority.

4. BENEFITS OF A SHARED SERVICE

4.1 Consolidation of how we currently work

This means that there can be confidence that the proposed shared service can work for the customer because it has been trialled informally for some time. It is a mechanism for providing clarity to Development Management officers who have been anticipating that Planning Services could be shared in a way which has been proven successful in many other service areas.

4.2 Resilience

There will always be an irregularity about the volume and complexity of planning applications that a shire district council receives. In addition there can be an irregularity in staffing levels e.g. loss of officer from the organisation due to promotion opportunities elsewhere or maternity/sick leave. The sharing of the service maximises the opportunity to better manage such fluctuations and often yield a financial. In addition the current more fluid arrangement between the Planning Policy and Development Management officers further maximizes resilience.

4.3 The Development Management service traditionally calls on specialist external consultants for certain functions on an ad-hoc basis. There has been however a need for the use of an external consultant for the carrying out of day to day planning roles due to fluctuating staffing levels/numbers of applications. It is considered a stable shared service will be able to negate the need to use a planning consultant for day to day operations.

4.4 The existing salary budgets have funded the appointment of consultant planning officer. An additional consultant officer has been employed funded by a separate consultant's budget. This expenditure was £9.9k in 2015 / 16 and £3.3k to September 2016.

4.5 Transformation is essentially complete

As part of an ongoing wider shared service initiative, a number of opportunities for developing shared services were identified. At the inception of this work it was considered that Development Management (formerly Development Control) was not in a suitable position to explore becoming a shared service in advance of Transformation.

4.6 Over the last few years a detailed transformation project has been undertaken by the Development Management team with consultancy support. One of the key outcomes of this work has been the creation of informal joint working arrangements which have sought to utilise the specific skills of the team members.

4.7 Most of the operating protocols between the Authorities differ. A previous report to the Shared Service Board stated that the initial aim was to put both teams, jointly, through the transformation process with a view to becoming a shared service at the end if a single team approach seemed to be the most sensible.

4.8 A formal shared service arrangement will be able to specifically define team roles which require clarification in certain areas.

4.9 Better for the customer

A defined shared service, with the relative stability that results, would allow further cross training of roles within the team and a wider understanding of the different responsibilities placed on the service. This understanding will further enhance customer service particularly for customer facing roles.

5. STAFFING ISSUES

5.1 The following posts will be at risk either due to proposed deletion of posts or a reduction in number and would be subject to recruitment to the new posts in the unit:

Redditch BC

Planning Technician 22 hours	50/402
Planning Technician 16 hours	50/402
	1.0 FTE

Bromsgrove DC

Registration Officer	P24
Registration Officer	P55
Registration Officer	P46
Administration & Business Support Supervisor	TS181
Enforcement Officer	PE/029
Enforcement Officer	PE/028
	6.0 FTE

New posts that will be created are:

Planning Assistant	5 FTE
Planner	1 FTE
	6 FTE

5.2 Staff will be subject to the formal recruitment process in line with Bromsgrove District Council's policies and procedures to obtain posts in the new structure.

The overall impact on staff number is as follows:

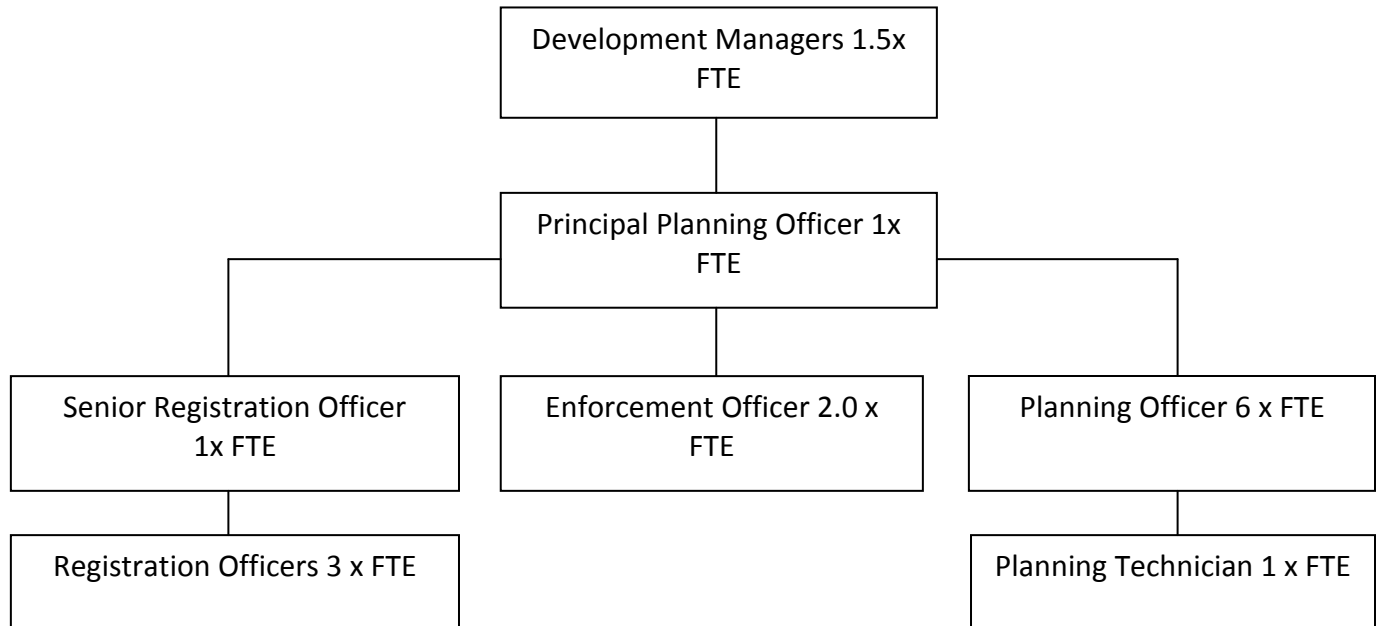
- Current number of posts within review = 24
- Proposed number of posts in the shared structure = 22
- Number of posts not at risk of redundancy = 18
- Number of posts at risk of redundancy = 2

5.3 The establishment includes for the formal creation of the Redditch Town Centre Co-ordinator's post. This hitherto informal post has been 100% funded corporately by Redditch Borough Council within development management budget. It is assumed that this funding will remain as a cost attributable to RBC only.

Appendix A

Existing Structure Charts

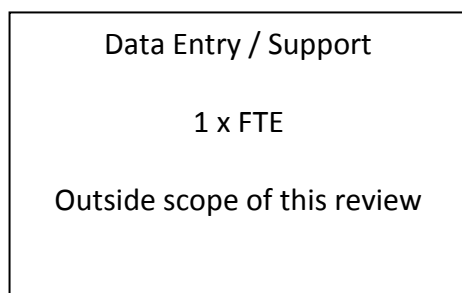
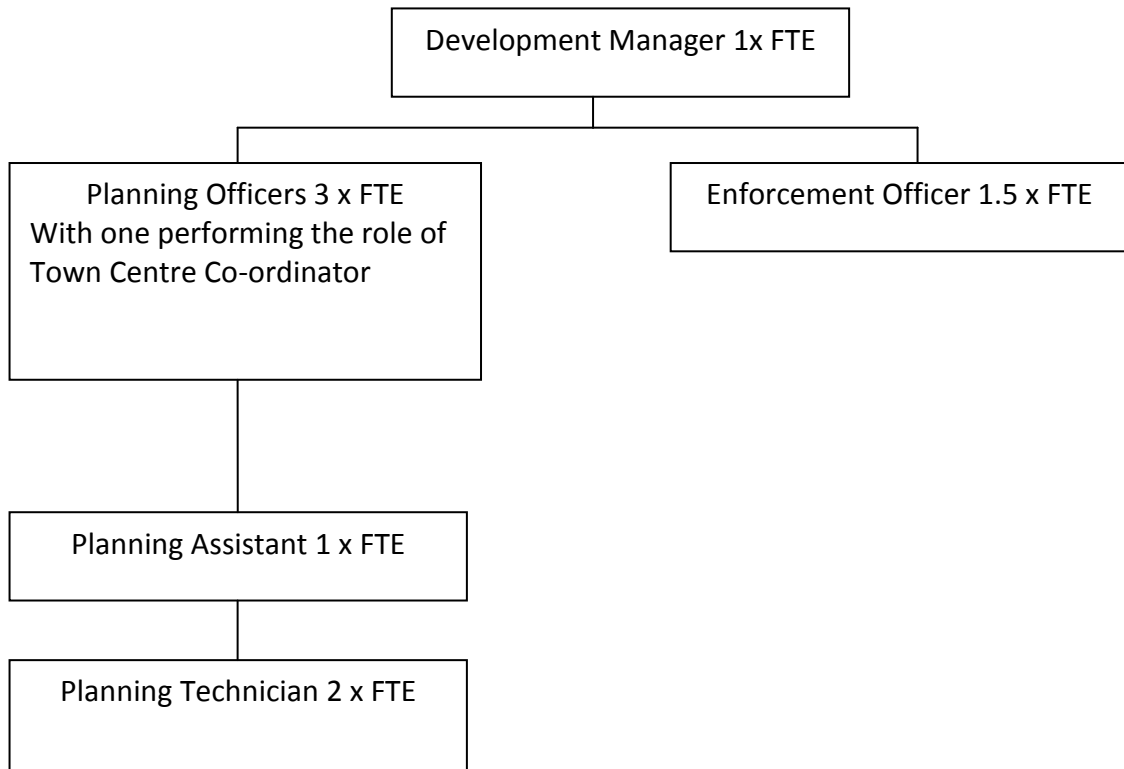
Existing Bromsgrove District Council Development Control



Data Entry / Support
0.5 x FTE
Outside scope of this review

Appendix

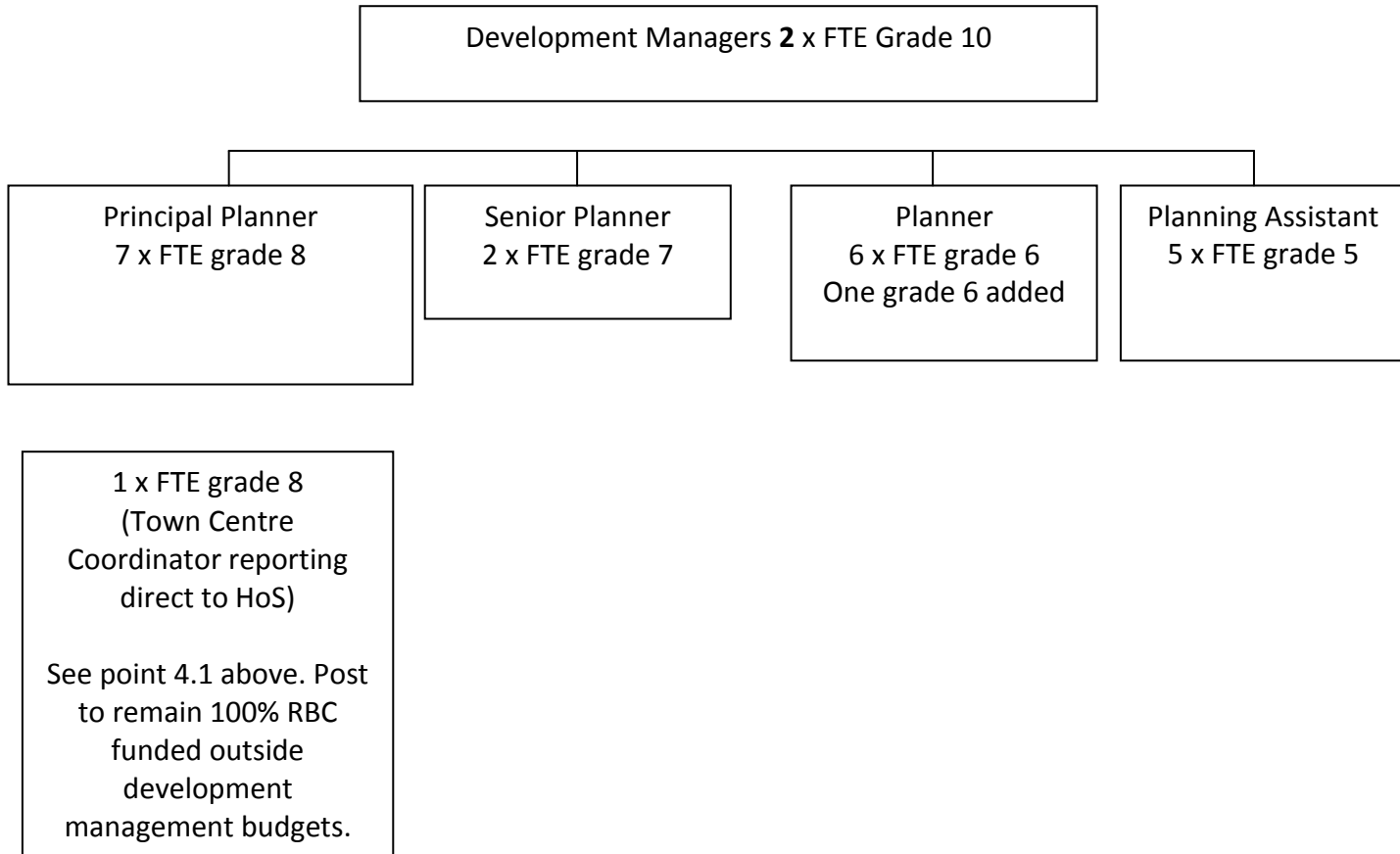
Existing Redditch Borough Council Development Control



Appendix

Appendix B

Proposed Development Management Structure



Data Entry Posts

2.81 x FTE GRADE 3

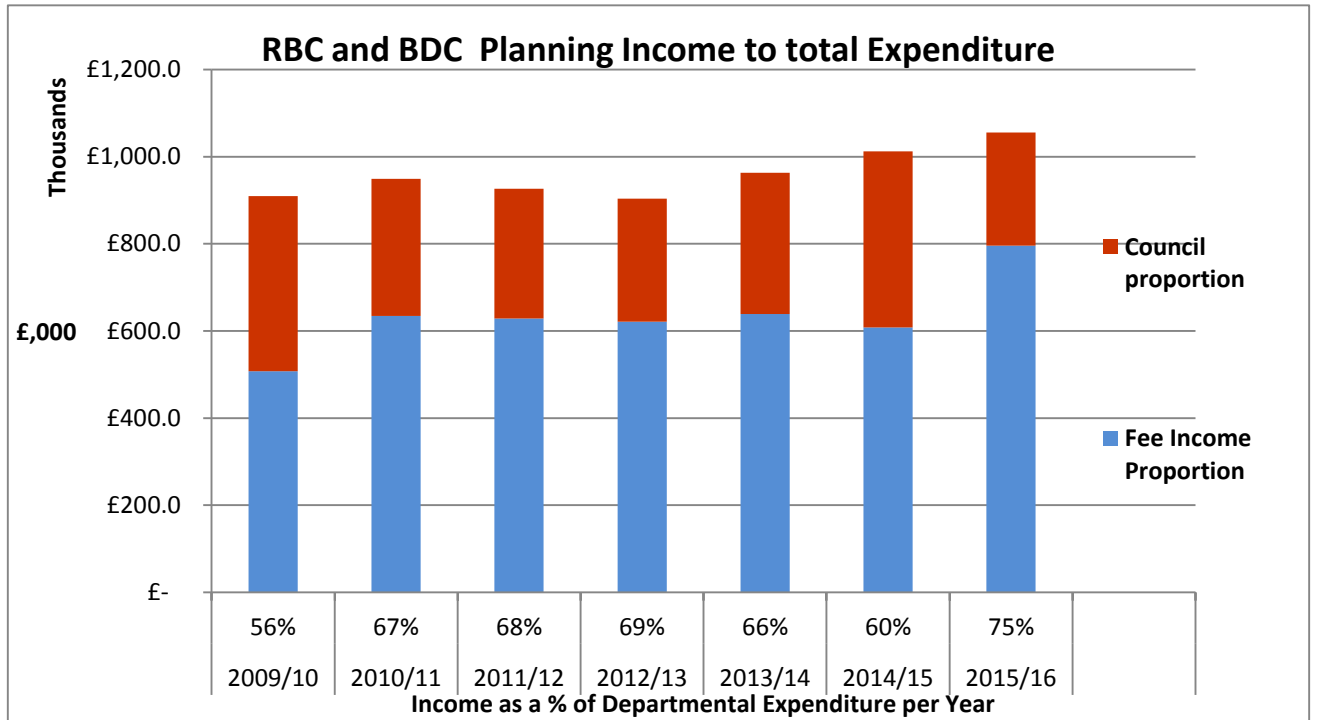
Existing posts and outside
scope of Review

Appendix C

Percentage share calculation

Potential percentage share based in income received

		REDDITCH	BROMSGROVE	JOINT TOTALS	
Income	2012 / 2013	£217,857	£369,000	£586,857	baseline
	2013 / 2014	£188,544	£410,946	£599,490	
	2014 / 2015	£212,014	£369,403	£581,417	
	2015 / 2016	£207,478	£587,935	£795,413	up 36 % over period
		£825,893	£1,737,284		
		33%	67%		



Appendix

Appendix E

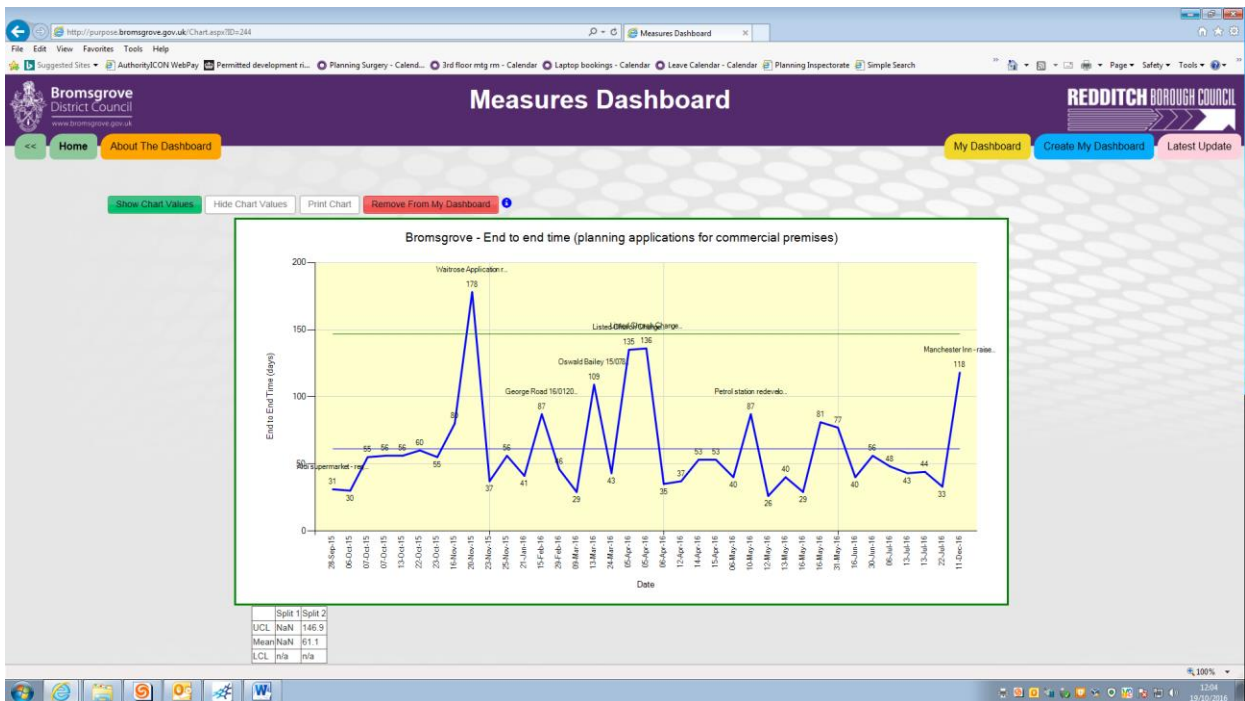
Potential planning application income from forthcoming 5 year land supply for new housing

Bromsgrove	16/17	17/18	18/19	19/20	20/21	Total 16/21
Total	£90,790	£48,775	£79,353	£21,141	£21,141	£261,200
Redditch	16/17	17/18	18/19	19/20	20/21	Total 16/21
Total	£20,285	£88,643	£116,168	£22,210	£8,735	£256,041

Appendix F

Bromsgrove District Council

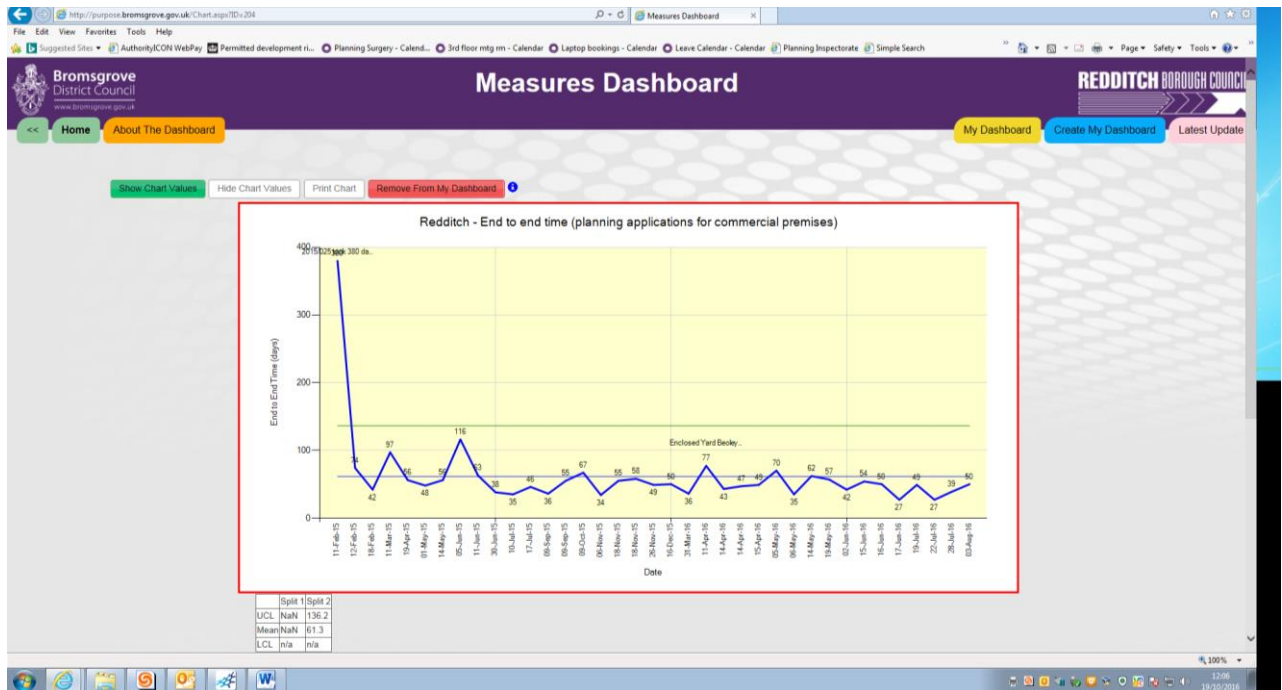
Time taken to determine commercial applications in days over time (Since Sept 2015)



Commercial applications are now being dealt with more quickly than they were in September 2015. Some applications still require additional work to make them acceptable, but in general that is also being achieved more quickly.

Redditch Borough Council

Time taken to determine commercial applications in days over time (Since Feb 2015)



In Redditch the time taken to determine commercial applications has always been good. Variations between individual applications have been evened out more recently and time taken has improved even further.

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BROMSGOVE DISTRICT COUNCIL AND

REDDITCH BOROUGH COUNCIL

SHARED SERVICES BOARD

27th October 2016 at 5.30 pm

COMMITTEE ROOM TWO, TOWN HALL, REDDITCH

Present: Councillors Bill Hartnett (Chairman), Juliet Brunner, Yvonne Smith and Pat Witherspoon (Redditch Borough Council)

Councillors Sue Baxter, Richard Deeming and Karen May (Bromsgrove District Council)

In attendance: Councillor Mike Chalk (Redditch Borough Council)

Officers: Kevin Dicks, Sue Hanley, Ruth Bamford and Helen Mole

Notes: Amanda Scarce

1. APOLOGIES

Apologies for absence were received from Councillors Greg Chance and Debbie Taylor (Redditch Borough Council) with Councillors Pat Witherspoon and Yvonne Smith in attendance as substitutes respectively and Councillor Geoff Denaro (Bromsgrove District Council).

2. NOTES

The notes of the previous meeting of the Board held on 12th January 2015 were approved as a correct record.

CONFIDENTIALITY

(Meetings of the Board are not subject to statutory Access to Information requirements; but information relating to individual post holders and/or employee relations matters would nonetheless not be revealed to the press or public.)

3. PRESENTATION – DEVELOPMENT MANAGEMENT SHARED SERVICE

Members received a verbal presentation from the Head of Planning and Regeneration which provided background information in respect of the proposed Development Management Shared Service. It was explained that Development

Appendix

Management referred to the area which was previously known to Members as Development Control, the shift to the new name had been led by central Government. The Head of Planning and Regeneration highlighted the following:

- There was already an informal shared service, which evolved following the period of transformational work, which had driven the decision to request formalising the shared service.
- There had been significant changes which had led to improvements within the services following the transformation work, which continued to be an ongoing process.
- A major proposed change was the inclusion of enforcement work within the Development Management Team. It was anticipated that a Planner allocated to an application would see it through all stages and pick up any enforcement issues which arose referring to that application.
- There were no cost implications, however it was anticipated that there would be an increase in income for both Councils due to an increase in the number of planning applications going forward. This gave a benefit of approximately £12-13k to each authority.
- A brief outline of the staffing structure was given, which also included details of the grading system.
- It was confirmed that the grading system used at each Council *was* different and as the host authority was proposed to be Bromsgrove the pay structure for the shared service would be that of Bromsgrove however different grades for planning case officers would be introduced giving the opportunity for better staff retention and recruitment and training /career grades would be introduced (as had been the case in Redditch).
- The staffing structure required 2 managers, each of which would take a lead on a Planning Committee. It was hoped that in the future those lead officers would be able to support each Committee in making any improvements that were needed to the process.
- The post of Town Centre Manager would remain at Redditch Borough Council and would be charged solely to them. In respect of the Town Centre Manager for Bromsgrove District Council, the post was part of the service provided through the North Worcestershire Economic Development team.
- It was anticipated that there would be an overall reduction in staff of 2 full time posts following the implementation of the new structure.

Finally, the Head of Planning and Regeneration gave details of the next step of the process, should the Board agree to the proposals. Executive and Cabinet would consider the business case at the 1st and 2nd November respectively with both Councils' making the final decision at their meetings to be held week commencing 21st November. If both Councils endorsed the proposals, the Head of Planning and Regeneration would then put in place the formal procedure of informing staff and there would be a period of consultation with Human Resources and the Unions involvement.

4. DEVELOPMENT MANAGEMENT SHARED SERVICE – BUSINESS CASE

Appendix

Following the presentation Members made a number of observations and raised a number of questions which were responded to by Officers, these included:

- Support provided to those staff whose positions may be at risk and the options for them to be redeployed within the Councils, or the option to take voluntary redundancy.
- Income from the increased number of planning applications and the overall costing of the service. It was explained that whilst there was an increase in the number of planning applications, the fees for these was set by central Government and did not cover the cost of the overall service. Therefore the balance of that cost came from the Councils' overall revenue budget.
- How the pod system described within the business case worked. The Head of Planning and Regeneration gave a brief overview of the process and explained that the applications were split into three categories, were not split between the two Councils, but were in date order.
- Concerns around the inclusion of the enforcement role within that of a planning officer. The Head of Planning and Regeneration agreed to provide Members with additional information outside of the meeting, and prior to Executive/Cabinet.
- The data entry posts and the work which was carried out – a brief explanation was provided in respect of the requirements from the Land Registry in respect of individual properties and access being available to residents directly in the future to details of properties.
- The calculation of the breakdown of costs between both Councils and whether this would be regularly reviewed. The Head of Planning and Regeneration acknowledged that whilst this would not be feasible on an annual basis, there was potential to carry out regular reviews.
- The location of the team – Members questioned the decision to have the team based at Redditch, when it had been acknowledged within the report (and in the costings) that Bromsgrove had a higher demand for the service.
- The proportion of enforcement cases between the two Councils and whether this was at a similar ratio to the number of applications.
- Whether the savings highlighted within the recent Efficiency Plans had taken into account the creation of this new shared service. It was confirmed that these would have been taken into account.
- The main driver in creating the shared service – whilst cost savings had played a part in the decision it was also important to ensure that good decisions were made in a timely manner and improvements in service had already made an impact following the transformation work and the informal shared working.
- Future changes to the planning application process, including residents being able to choose who dealt with their application. The Head of Planning and Regeneration explained that whilst this could benefit the Council there were many areas which needed to be explored before this became a reality.
- Whether the Head of Planning and Regeneration had explored the opportunities of developers paying for extra time on an application.

Reference was made to information provided by the MPs office and the relevant Member agreed to discuss in more detail with the Head of Planning and Regeneration outside of the meeting.

After further discussion it was

RECOMMENDED that

- 1) Executive/Cabinet and Council endorse the Business Case for Development Management;**
- 2) the implementation costs are shared on the same basis as the total revised service costs between the two Councils to reflect the percentage of the original application income into the service. This to be subject to final financial arrangements being in place between both Authorities. Full year income figures from 2012/13 to 2015/16 confirm a percentage share for the joint service arrangements of**
 - a) Bromsgrove 67%**
 - b) Redditch 33%****and;**
- 3) the service be hosted by Bromsgrove District Council as it receives more applications and covers a larger geographical area.**

5. DATE OF NEXT MEETING

It was confirmed that the next meeting of the Shared Services Board would be held on Tuesday 6th March 2017 at 6.00 pm in the Parkside Suite at Bromsgrove District Council.

The meeting commenced at 5.30 pm

And closed at 6.23 pm