



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 19th September 2018, when the business referred to below will be brought under consideration:-

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 24th July 2018 (Pages 1 - 26)**

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. **Review of the Scheme of Delegations (Pages 27 - 106)**

8. **Recommendations from the Cabinet (Pages 107 - 108)**

To consider the recommendations from the meeting(s) of the Cabinet held on 5th September 2018.

9. **To receive the minutes of the meetings of the Cabinet held on 5th September 2018** (Pages 109 - 116)
10. **Business Rates Pool Pilot 2019/20 Report - report to follow**
11. **Recommendation from the Overview and Scrutiny Board** (Pages 117 - 126)
12. **Recommendations from Licensing Committee - to follow**
13. **To receive and consider a report from the Portfolio Holder for Finance and Enabling** (Pages 127 - 132)

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.

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

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

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.

15. **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.

16. **Background Information on the recommendations from the Cabinet**

- (i) **Bromsgrove District Plan - Issues and Options Consultation** (Pages 133 - 228)

PLEASE NOTE:

Appendix D – Sustainability Appraisal will be published as a supplementary agenda item due to the size of the documents, with paper copies being made available upon request.

- (ii) **Anti-Social Behaviour, Crime and Policing Act 2014 (Implementation of Provisions)** (Pages 229 - 252)

(iii) **Finance Monitoring Quarter 1 Report** (Pages 253 - 264)

17. **To consider, and if considered appropriate, to pass the following resolution to exclude the public from the meeting during the consideration of item(s) of business containing exempt information:-**

"RESOLVED: that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item(s) of business on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraph of that part, in each case, being as set out below, and that it is in the public interest to do so:-

<u>Item No.</u>	<u>Paragraph(s)</u>
18	3

18. **Confidential Minutes** (Pages 265 - 268)

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

TO ALL MEMBERS OF THE BROMSGROVE DISTRICT COUNCIL

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

24TH JULY 2018, AT 6.00 P.M.

PRESENT: Councillors M. J. A. Webb (Vice-Chairman), C. Allen-Jones, M. T. Buxton, S. R. Colella, B. T. Cooper, R. J. Deeming, G. N. Denaro, R. L. Dent, M. Glass, R. E. Jenkins, H. J. Jones, R. J. Laight, L. C. R. Mallett, K.J. May, C. M. McDonald, P. M. McDonald, S. P. Shannon, M. A. Sherrey, C. B. Taylor, P.L. Thomas, M. Thompson, K. J. Van Der Plank, S. A. Webb and P. J. Whittaker

23\18

TO RECEIVE APOLOGIES FOR ABSENCE

At the start of the meeting the Vice Chairman advised that since the previous meeting of Council former Councillor, Mr Colin Wilson, had passed away. Members paid their respects to Mr Wilson by observing a minute's silence. Councillor P. McDonald subsequently paid tribute to Mr Wilson, noting that he had chaired the Personnel Committee during his time serving as a Councillor and he had developed a good relationship with staff and the trade unions. Mr Wilson had been well respected, approachable, devoted to his family and had worked hard to represent the people of Rubery.

Apologies for absence were received from Councillors S. Baxter, C. Bloore, J. Griffiths, C. Hotham, S. Peters, C. Spencer and L. Turner. Members were also advised that Councillor R. Jenkins would be a little late and would need to leave the meeting early.

In the absence of the Chairman the Vice Chairman, Councillor M. Webb, chaired the meeting.

24\18

DECLARATIONS OF INTEREST

Councillors L. Mallett and M. Sherrey declared other disclosable interests in respect of minute no. 33/18 due to their positions as trustees of the Basement Project, which worked to prevent youth homelessness. As they had no pecuniary interest in the item they remained present during the discussions thereon.

25\18

MINUTES

The minutes of the meeting of Council held on Wednesday 13th June 2018 were submitted. A small number of points for clarification were raised during consideration of these minutes:

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- A typographical error was identified at Minute No 16/18, in respect of the spelling of the Medium Term Financial Plan.
- The minutes recorded at Minute No 17/18 that Councillor M. Webb had commented that he believed this Council was in a better financial position than many others. Councillor M. Thompson noted that Councillor C. Bloore had made particular comment in respect of the financial position and the impact of the negative grant and borrowings, and asked for his comments to be included in the minutes.
- In respect of Minute No 19/18 Councillor M. Thompson questioned whether clarification had been provided in respect of the letter in the local paper from the Governors of North Bromsgrove High School (NBHS) which indicated that use of the school's sports hall for 48 weeks had never been an option.

RESOLVED that the minutes of the Council meeting held on Wednesday 13th June 2018 be approved as a correct record.

26\18

TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF PAID SERVICE

Members were advised that there were no announcements from the Chairman or Head of Paid Service on this occasion.

27\18

TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER

The Leader advised that the Council had received a positive response to the authority's submission of a bid to Homes England for help with redeveloping the site at Burcot Lane. Preliminary work was now underway between the Council and Homes England to review viability and to discuss the next steps for the land. There was still a considerable amount of work to be done before any offer could be finalised but the Leader advised that he would keep Council fully appraised on further developments as and when they occurred.

This progress moved the Council forward in terms of the local authority's potential to access the Accelerated Construction Programme. The programme would allow housing schemes to be constructed much more quickly using innovative construction methods and a wider range of builders. In particular, small and medium-sized companies that were often locally based could be utilised.

Councillor M. Thompson noted that at the previous meeting of Council a Motion had been considered which called for the Council to build and maintain its own Council Housing stock. Whilst this motion had been lost the Leader was asked whether the housing that would be developed at the Burcot Lane site would be Council Houses. The Leader advised that the Council would need to work with Homes England on their requirements whilst still aiming to meet the needs of local residents.

Councillor P. McDonald raised concerns that expenditure on senior management of both the Council and a future Housing Company would divert funds from investment in additional housing. However, Members were advised that Homes England would not be minded to grant the Council funding if it was to reintroduce a Housing Revenue Account (HRA).

Councillor Mallett asked the Leader to comment on speculation in the local press that a fee was due to be introduced for parking at Sanders Park. The Leader responded by advising that he was not aware of any plans to charge for parking at Sanders Park.

28\18 **TO RECEIVE COMMENTS, QUESTIONS OR PETITIONS FROM MEMBERS OF THE PUBLIC**

The Vice Chairman advised that no questions or petitions had been received from the public on this occasion.

29\18 **CHANGE TO COMMITTEE MEMBERSHIP**

Council was asked to note that Councillor P. McDonald would be replacing Councillor L. Mallett as a member of the Audit, Standards and Governance Committee.

RESOLVED that the change to the membership of the Audit, Standards and Governance Committee be noted.

30\18 **RECOMMENDATIONS FROM THE CABINET**

Air Quality Management Area – Kidderminster Road, Hagley

The recommendation from Cabinet in respect of the Air Quality Management Area (AQMA) in Hagley was proposed by Councillor P. Whittaker and seconded by Councillor G. Denaro.

In proposing the recommendation Councillor Whittaker noted that the item had been considered by Council on a number of occasions. The AQMA on Kidderminster Road in Hagley had been declared in February 2010. Since then the Nitrogen Dioxide (NO₂) levels had been monitored and Worcestershire Regulatory Services (WRS) had observed that average levels of NO₂ had fallen below the national objectives that required the adoption of an AQMA. Members were advised that WRS would continue to monitor air pollution in the location, should the AQMA be revoked, and this would focus on a number of areas that had been highlighted by Councillor S. Colella. Council had previously agreed to postpone making a decision on this subject to provide time for the Overview and Scrutiny Board to consider figures arising from the monitoring process in 2017. The Board had considered this information at a recent meeting and therefore it was suggested that a decision could now be taken.

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Whilst discussing this item Members debated a number of areas in more detail:

- The work of the Overview and Scrutiny Board to review this matter. Councillor Colella raised concerns that limited information about meaningful cost options or about the potential to use mobile NO₂ monitoring equipment had been provided for the consideration of the Board.
- The impact that the recent period of sustained hot weather might have on air quality in Hagley.
- The potential for WRS to undertake a detailed survey of air quality using mobile monitoring equipment.
- The need for WRS to engage constructively with Worcestershire Highways Department in relation to air pollution.
- The congestion on the main roads in Hagley and the impact that this had on air pollution.
- The extent to which the figures that had been provided during monitoring of the air quality by WRS could be considered to have scientifically proved there was a trend towards an improvement in air quality in the area.
- The impact that poor air quality could have on the health and wellbeing of residents living in Hagley and the responsibility of the Council in relation to public health.
- The recent announcement by the Government of a new Clear Energy Strategy which would require local authorities to make numerous changes, and the investment to address this that might be available for AQMAs.

During consideration of this item Councillor S. Colella proposed an amendment to the recommendation. This proposal was seconded by Councillor K. Van Der Plank.

The amendment proposed the following:

Bromsgrove District Council should not revoke the Hagley AQMA but instead should do the following:

- a) procure mobile NO₂ monitoring equipment to monitor air quality;
- b) carry out regular surveys of air quality across the district; and
- c) WRS should engage regularly with Worcestershire Highways Department.

Members discussed the proposed amendment in some detail and in so doing considered the following:

- The choice made by other Councils to invest in electric vehicles. A question was raised about when the Council would invest in such vehicles and Councillor Whittaker advised that a considered opinion would be provided in response to this question at a later date.

- The concerns amongst residents about the public health implications of poor air quality.
- The increase in traffic in recent years and the impact that this was having on air pollution levels.
- The extent to which high polluting vehicles and the causes of this had been highlighted by car manufacturers with consumers.
- The national standards set by the Department of Environment, Food and Rural Affairs (DEFRA) in respect of arrangements for monitoring air quality. Council was advised that the mobile NO₂ monitoring equipment did not meet those standards.
- The length of time that the DEFRA standards had been in place. Councillor Colella commented that these had been the national standards for 17 years.
- The times when air quality had been monitored in Hagley. Councillor Colella suggested that it was important for air quality to be monitored at peak times.
- The potential to utilise mobile NO₂ equipment throughout the district, not just in Hagley.

On being put to the vote the amendment was lost.

Following consideration of this amendment the recommendation was put to the vote.

RESOLVED that Kidderminster Road, Hagley AQMA be revoked.

Bromsgrove Sport and Leisure Centre – Sports Hall Appraisal

The recommendation from Cabinet in respect of the sports hall was proposed by Councillor B. Cooper and seconded by Councillor P. Whittaker.

In proposing the recommendation Councillor Cooper noted that the item had been debated at the meeting of Council in June but the matter was deferred because there was misleading information on the potential revenue from the new sports hall. Two paragraphs about the estimated income from and running costs of a new sports hall had been included in the report tabled for Members' consideration. A new table had also been included to clarify that the maximum revenue projection figure was £70k per annum.

Councillor Cooper noted that at the previous Council meeting Councillor Whittaker had outlined the history of the sports hall project and how the Council arrived at the current position. As Finance Portfolio Holder Councillor Cooper had looked at the Sports Hall project from the point of view of whether it was in the interests of the Council Tax payers of Bromsgrove District to fund a sports hall. The maximum revenue projection from the sports hall of £70k per annum would allow borrowing of up to £1.9 million from the Public Works Loans Board (PWLB) towards the Sports Hall project at a favourable rate of interest. This

would leave a funding shortfall of £1.95 to £2.835m depending on the type of building selected.

Members were asked to note that up to £1.8m might be realised from the sale of land on School Drive. This sale was included in the business case for the new Leisure Centre and when the money was received, would go towards paying off the loan on the Leisure Centre and so reduce the borrowing costs, therefore was not available for building a sports hall.

Councillor Cooper advised that at the end of the financial year 2017/2018, the Council had £4.7m in balances. The Council was required to maintain balances of at least £1.1 million as a contingency. On the face of it, it seemed that the Council might be able to make up the funding shortfall from balances. However, Councillor Cooper reminded Members of the considerable uncertainty surrounding the finances of the Council and all other local authorities over the medium term, which had been discussed at Council in February. Members were asked to note that in the Medium Term Financial Plan that was passed by Council in February, it was proposed that to balance the budget and to maintain services, it would be necessary to take money from balances to a total of £2.11m for the three years 2019/20 to 2021/22, which would leave no more than £1.49m available in balances; not enough to make up the short fall on the sports hall project.

Members were informed that the Council could not be confident that the finances of local government would improve after 2022, so it was possible that the Council would have to take more money from balances to balance the budget and maintain services in the years after 2022. Whilst there was increasing optimism that the negative revenue support grant or tariff adjustment might be reduced after a review in 2018, Members were advised that it would be naïve to assume that the Treasury would remove the negative grant completely.

In this context the Cabinet had concluded that it would be financially irresponsible for the Council to spend up to £2.8 million of the Council's balances on a sports hall at this time. Members needed to consider the impact that this could have in the long-term, including the potential that spending this money on a sports hall could result in a reduction in services provided by the Council in the years to come.

Councillor Cooper concluded by noting that should the Council decide not to build the Sports Hall, the Council would need to demolish the old buildings and finish off the site. Consequently the Cabinet was asking Council to approve capital funding of £600,000 to be released from balances.

Council then proceeded to debate the subject and raised the following points:

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- The different views of the Council and the governors of NBHS in respect of the length of time it had been agreed that people would have access to the school's sports hall.
- The reasons why an application for the sports hall to become an asset of community value had been turned down.
- Recent reports that a fire had broken out at the new leisure centre in Bromsgrove, during which a group of people with disabilities had struggle to be evacuated from the building.
- The impact that the loss of the sports hall at the former Dolphin Centre had had on community groups and vulnerable people.
- An approach that had been received from My Time Active about the potential to take over the sports hall.

During consideration of this item Councillor M. Thompson proposed an amendment. This proposal was seconded by Councillor L. Mallett.

The amendment proposed the following:

A decision about the sports hall should be postponed for three months whilst a working group considers the proposal received from My Time Active.

Members discussed this proposal in detail and in so doing considered a range of issues:

- The Council's commitment in the Local District Plan to helping residents to become and remain healthy and the contribution that the sports hall could make to this objective.
- The one month extension that had been offered at the previous meeting of Council to enable interested parties to come forward to express an interest in managing the sports hall and the extent to which one month was an adequate length of time for this purpose.
- The offer that had been made by My Time Active. Councillor L. Mallett questioned whether the Portfolio Holder for Leisure, Councillor Whittaker, had met with representatives of the organisation, whether he was aware of their model and whether due diligence had been undertaken in respect of this.
- The importance of the sports hall to residents living across the district as a leisure facility.
- The contribution of concerns about the impact of the negative support grant on the Council's finances to the proposal to complete phases 2 and 3 of the works at the former Dolphin Centre.
- The work of MACE to undertake the options appraisal in respect of the sports hall and the extent to which other organisations were considered in respect of undertaking this work on behalf of the Council.

In accordance with Council Procedure Rule 18.3 a recorded vote was taken on this amendment and the voting was as follows:

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For the amendment: Councillors Buxton, Colella, Mallett, C. McDonald, P. McDonald, Shannon, Thompson and Van der Plank. (8)

Against the amendment: Councillors Allen-Jones, Cooper, Deeming, Denaro, Dent, Glass, Jones, Laight, May, Sherrey, Taylor, Thomas, S. Webb and Whittaker. (14)

The Vice Chairman declared the amendment to be lost.

Following the defeat of the proposed amendment a number of Members expressed disappointment that further time would not be allocated to exploring an additional option that was available in respect of the long-term management of the sports hall. In particular a number of Members noted that this represented a final chance to save the sports hall from demolition.

In this context Councillor M. Thompson proposed a further amendment. This proposal was seconded by Councillor P. McDonald.

The amendment proposed the following:

The Council should postpone a decision in respect of the sports hall for 2 months and 20 days to provide time to consider My Time Active's offer.

In proposing the amendment Councillor M. Thompson called for an adjournment to provide time for him to meet with the Leader of the Council and a representative of the Independent Alliance in the absence of that group's leader to consider this matter further.

In seconding the proposal Councillor P. McDonald commented that Members had been in favour of upgrading the Council's leisure centre but had expected this replacement to be on a like-for-like basis. Members were asked to consider that 2 months was not a lengthy period of time to wait and there was a need to explore all available options to ensure that Council funds were spent in accordance with residents' needs.

On being put to the vote the amendment was lost.

Following the vote on the second amendment Councillor Whittaker spoke on the proposals in his capacity as the relevant Portfolio Holder for Leisure Services. He assured Members that NBHS had decided to change the timeframes in which residents could access the school's hall from 48 to 38 weeks. Councillor Whittaker had not been aware of the fire at the new leisure centre. The decision had been taken in 2014 not to proceed with having a sports hall. The sports hall in the Dolphin Centre would not meet the requirements of Sport England and a significant amount of refurbishment work would be required to bring it up to standard. Councillor Whittaker had not yet spoken to representatives

of My Time Active, though he had received written correspondence from a representative of the organisation before the start of the meeting.

A number of points of order were subsequently raised by Members. In the first place Councillor S Colella questioned the legality of proceeding with the proposal in the report in light of an alternative course of action having been identified. Officers advised that given the existing budgetary commitments that needed to be met by the Council and that the project was already part way through there was nothing to stop the Council from proceeding with the proposals in the report. The offer from My Time Active did not impact on this.

The second point of order was raised by Councillor K. Van Der Plank who questioned whether an equality impact assessment had been carried out in respect of this matter, given the recent experience of the group with physical disabilities during the fire at the new leisure centre. Members were advised that this had already been addressed at the report stage.

At the end of these deliberations in accordance with Council Procedure Rule 18.3 a recorded vote was taken and the voting was as follows:

For the recommendation: Councillors Allen-Jones, Cooper, Denaro, Deeming, Dent, Glass, Laight, May, Sherrey, Taylor, Thomas, S. Webb and Whittaker. (13)

Against the recommendation: Councillors Buxton, Colella, Jenkins, Mallett, C. McDonald, P. McDonald, Shannon, Thompson and Van der Plank. (9)

Abstentions: Councillor Jones. (1)

The Vice Chairman declared the recommendation to be carried.

RESOLVED that capital funding of £600,000 be released from balances in 2018/19 to complete phase 2 and 3 works associated with the project.

Finance Monitoring Outturn 2017/18

The recommendations from Cabinet in respect of the Finance Monitoring Outturn report for 2017/18 was proposed by Councillor B. Cooper and seconded by Councillor G. Denaro.

In proposing the recommendations Councillor Cooper explained that the figures provided in the agenda papers were available prior to the audit but no material differences had been found by the auditors since the audit of the Council's accounts had been completed and would be presented to Council by the Chairman of the Audit, Standards and Governance Committee during the meeting.

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The Council's revenue budget showed performance for each of the strategic purposes. The first column showed the budget set at the beginning of the year, the second column showed the revised budget. These budget figures were compared with actual performance in the third column.

The main incoming resources were £7.43m from Council Tax, £1.917 million from the New Homes Bonus, £962,000 from business rates growth, and £114,000 in revenue support grant. The Council also received £1.105m for Section 31 business rate relief grants and paid £268,000 in borrowing costs.

Members were asked to note that the corporate finance spend included transfers of money to the reserves.

There was an underspend of £728,000 (i.e. 5.6%), against budget. However when corporate financing was considered, the underspend fell to £303,000 (2.3% of the budget) and this was the sum which would be transferred to balances. These stood at £4.789 million on 31st March 2018, which was £475,000 higher than on 1st April 2017.

The variances and the overall underspend raised concerns about the budgeting process, which was discussed by Members at Council in July 2017. The Council had tightened the budget setting procedures at the end of the previous year for the 2018/19 budget and the departmental budget performances were scrutinised more thoroughly, especially those which had significant variances. In total 2 departments were now setting a zero base for their departmental budgets. All departments would be encouraged to do this in the coming budget process. Consequently the budgeting process would be more challenging to departmental heads in 2018/19. The new integrated financial system would, if approved, make a major contribution to better budgeting in time.

Councillor Cooper was pleased to announce that savings had been made during the year. In the budget for 2017/ 2018, £659,000 was reallocated to the efficiency plan. During the year, the Council made efficiency savings of £1.29 million made up of £263,000 additional income and £1.03 million savings and budget resetting including the £659,000 mentioned earlier.

Members were asked to note that some funds allocated for vehicles and for the new leisure centre were being carried over to the current financial year. There was a desire to carry forward £1.215 million to the capital programme for 2018/19. The Cabinet asked Council to approve an increase in the 2018/19 capital programme of £66,000. This entailed more money received from government for disability facilities grants, which would increase the available budget to £846k.

The first column of the financial reserves position showed the position at 1st April 2017. The second column showed monies transferred to existing reserves in 2017/ 2018, which totalled £700,000, of which

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£600,000 were grants received. The third column showed the monies that had been moved out of reserves in the last financial year; this total was £956,000. At year end, the total reserves of the Council stood at £3.405 million. Councillor Cooper requested Council's approval for the movements of £257,000 in existing reserves and approval of the addition of new reserves of £55,000.

Cabinet was aware that the reserves information in the report was opaque. It was not clear what the reserves were for, why some funds were in reserves and not in balances, and why some reserves were not being used. Therefore it might be that some monies in reserves could be transferred to balances so that the money was available for delivering Council's strategic purposes. The Cabinet was therefore recommending to Council that there should be a comprehensive review of the Council's reserves policy.

Councillor Cooper congratulated all the Council's officers for the financial performance of the Council in what were increasingly difficult and uncertain financial times. The Council had, in effect, generated a surplus and Councillor Cooper expressed the view that in this day and age, it was a minor triumph to deliver a surplus in local government with no reduction in services and with no use of money from balances.

The financial results for 2017/18 showed that the Council was currently solvent and it could approach the difficult financial years ahead with concern rather than dread.

The medium term financial position for the Council was uncertain. The Council would be losing the revenue support grant in 2018/19 and from 2019/20, would have to pay a negative grant or tariff adjustment of £740,000 per year. Councillor Cooper explained that he was hopeful that this sum would be reduced as a result of the review of the tariff adjustment, which would be announced in the Chancellor's autumn statement. The New Homes Bonus (NHB), which generated £1.9m in 2017/18, was going to be reduced; it was predicted that as a result the Council might lose as much as £400,000 a year. There were uncertainties about the government plans for business rates, inflation was predicted to increase and there were the general financial uncertainties related to Brexit. Councillor Cooper also noted that some of the Council's capital spending (e.g. on vehicles and the leisure centre replacement) was being deferred.

In the Medium Term Financial Plan, the Council was proposing to use a total of £2.1m from balances to balance the budgets in the three years 2019/20 to 2021/22. Councillor Cooper expressed the view that this was unsustainable in the long-term despite the Council's current healthy financial situation. Therefore the balances and reserves could not be used to ride out the severe financial challenges and the government was expecting Councils to be more self-sufficient financially. Councillor Cooper suggested that the Council had to review its strategic priorities and continue to drive down costs. Members would also have to consider

using the Council's balances and reserves to generate income in order to maintain good quality services for residents. Senior officers and the Cabinet were considering ways that the Council might use the reserves, balances or borrowing for income generation.

Therefore Councillor Cooper noted that whilst the Council could be reassured by its financial performance in 2017/18, with the end of year underspend and good balances and reserves, the Council had to be sanguine about the future.

Councillor Cooper concluded by thanking the Executive Director of Finance and Corporate Resources and the Council's Finance Team for all their excellent work.

Following the presentation from Councillor Cooper Members discussed the Financial Monitoring Outturn report for 2017/18 in further detail and raised the following matters:

- The surplus that had been generated during the year and the extent to which this corresponded with concerns about the budget that had been raised in February 2018.
- Savings that had been achieved in respect of CCTV earlier in the year and the response that had been provided by Councillor Cooper in his capacity as the relevant Portfolio Holder for finance at that stage.
- The criticisms of the Council raised in previous audits with regard to the use of savings from vacant costs to help balance the budget.
- The causes of the £200,000 overspend in relation to the strategic purpose 'keep my place safe and looking good'. Councillor Cooper explained that this overspend had largely arisen due to a shortfall in income from Building Control and in relation to planning applications.
- The different figures recorded as savings in the capital programme and the figure that had been carried forward in that programme. The Section 151 Officer explained that whilst the Council had achieved savings of £1.5 million in the capital programme Officers were only proposing to carry forward £1.2 million.

RESOLVED:

- (1) that a transfer to balances of £303,000 is actioned as a result of revenue outturn savings 2017/18;
- (2) approval of the movements of £257,000 in existing reserves as included in Appendix 1 which reflects the approval required for 2017/18;
- (3) approval of the addition of new reserves of £55,000 as included in Appendix 1. This reflects the approval required for 2017/18;
- (4) approval of an increase in the 2018-19 Capital Programme of £66,000 for the Disabled Facilities Grants. This is due to the budget allocations now being announced by the Ministry of Housing,

Communities and Local Government. This will increase the available budget to £846,000;

- (5) approval of the carry forward to the 2018/19 capital programme of £1.215 million as detailed at Appendix 3; and
- (6) that a full and detailed review of reserves be carried out.

Future Provision of the Council's Core HR and Finance System

As a public and private version of the report in respect of the Council's Core HR and Finance system were due to be considered by Members the Vice Chairman proposed that the report and the recommendations arising should be considered together towards the end of the meeting.

31\18

TO RECEIVE THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON 27TH JUNE 2018

The minutes of the Cabinet meeting held on 27th June 2018 were received for information.

During consideration of these minutes Councillor M. Thompson requested clarification in respect of Minute No. 12/18 the Alvechurch Parish Neighbourhood Plan. In the minutes it was noted that technical support had been provided by the Planning Department to Alvechurch Parish Council for this work at a cost of £5,000 and a further £20,000 would be awarded should a referendum be launched in respect of the plan. Councillor Thompson questioned why these funds were required and whether the costs could be met by the Parish Council.

Councillor G. Denaro explained that the £20,000 towards the costs of a referendum would be provided by the Government if needed, though he undertook to provide a more detailed response in writing.

32\18

RECOMMENDATIONS FROM THE AUDIT, STANDARDS AND GOVERNANCE COMMITTEE MEETING HELD ON 23RD JULY 2018

Councillor S. Colella, Chairman of the Audit, Standards and Governance Committee, proposed the recommendations arising from the meeting of the Committee held on 23rd July 2018. These were seconded by Councillor R. Laight.

Members were advised that the external auditors had issued unqualified opinions in respect of both the Council's accounts and in relation to the Value for Money (VfM) opinion. This represented significant progress after a number of years in which the Council had received qualified opinions for these areas. The Council was in a financially sustainable position, though there remained a number of financial challenges moving forward. The valuable work of the Finance and Budget Working Group in terms of helping the Council to reach this position with its finances had been recognised. Councillor Colella thanked the Executive Director of Finance and Resources and the Finance team for their hard work,

together with the members of the Audit, Standards and Governance Committee.

In seconding the recommendations Councillor R. Laight congratulated Councillor Colella on his appointment as the Chairman of the Audit, Standards and Governance Committee. Councillor Laight also highlighted that the external auditors had commented that the Council was on a sound financial footing.

Councillor B. Cooper also paid credit to the Finance Team and praised the contribution of the Finance and Budget Working Group. Members were advised that the external auditors had reported that the Council was in a good place financially and was solvent. However, whilst the Council had a significant amount in balances this would not last forever.

Councillor M. Thompson noticed that the focus of the auditors was on the Council's book keeping in respect of the accounts. The auditors were not, however, required to review what the Council chose to invest in. The Council was also borrowing funds and would soon need to pay funding back to the Government in the form of the Negative Revenue Support Grant.

RESOLVED that

- (1) the Council approves the Statement of Accounts 2017/18, including the Accounting Policies provided at pages 25 to 35 of the report; and
- (2) the Council approves the draft letter of representation as included in Appendix 2 of the covering report.

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TO RECEIVE AND CONSIDER A REPORT FROM THE PORTFOLIO HOLDER FOR PLANNING AND STRATEGIC HOUSING

As Portfolio Holder for Planning and Strategic Housing, Councillor C. Taylor presented his annual report. Councillor Taylor thanked officers working in the Planning and Strategic Housing Departments for their hard work.

Following the presentation of the report Members questioned Councillor Taylor on a number of points:

- The levels of homelessness in the district and whether these were an appropriate indicator of the condition of the local housing market.
- The Planning Policy requirements for developers to build up to 40 per cent of affordable properties on housing developments in the district.
- The recent appointment of the Chairman of the Planning Committee and the reasons for his absence on the date the appointment was made. Councillor Taylor suggested that this

question needed to be directed to the Chairman of the Planning Committee.

- The assessment of the Council's Planning Department undertaken by an external organisation and the Portfolio Holder's view of this. Councillor Taylor requested this question in writing and agreed to respond in writing.
- The types of properties that required action from Planning Enforcement Officers and the types of enforcement cases that could be closed. Councillor Taylor explained that enforcement action could be taken in a variety of circumstances; he requested further information and agreed to respond in writing.
- The Council's relationship with Worcestershire County Council's Highways Department in relation to the planning process and the potential for funding to be received back from the County Council in relation to this. Councillor Taylor explained that the authority was in discussions with the County Council about this matter.
- The attendance of Worcestershire County Councillor K. Pollock at an Overview and Scrutiny Board meeting some months previously and the delay in providing the Board with the information that had been requested during the meeting.
- The latest report from Mott MacDonald, which commented on the A38 and referred to works being undertaken to widen the footbridge.
- The costs of the work undertaken by Mott MacDonald. Councillor Taylor commented that he was confident there were sufficient funds in the Planning Department's budget to cover these costs. Councillor Taylor also agreed to respond in writing to questions about the Council's relationship with the Highways Department.
- The request that had been received from full Council for the authority to work with Mott MacDonald moving forward.
- The progress that had been made in terms of providing more affordable and family homes in the district. Councillor Taylor advised that a number of affordable properties had been built in recent years, though there remained room for improvement. In relation to family housing the Council was aiming to have a mix of large and small houses.
- The approach taken by Birmingham City Council to providing affordable housing to residents. Councillor Taylor advised that up to 35 per cent of housing in Birmingham needed to be affordable, though the proportion sometimes fell once viability studies were undertaken.
- The proportion of social housing and genuinely affordable housing in the district. Councillor Taylor agreed to provide a written set of statistics for information.

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QUESTIONS ON NOTICE (TO BE CIRCULATED AT THE MEETING)

Question submitted by Councillor R. Jenkins

“The McCarthy and Stone development Park Road, Hagley required an infrastructure improvement, namely a public footway, to be installed as a specific planning condition of planning approval being granted by this Council in 2014.

The footway was required to be open to the public before the first occupation (which was in December 2015) and the intention of the public footway was for wider community use and it gives direct pedestrian access from the 192 homes Wychbury Fields and 77 homes Wychbury Lawns developments to local schools, public transport and the village centre and shops.

Question. Can the Portfolio Holder for Planning give a full explanation as to why the footway has remained unopened for public use for at least the 31 months since it should have opened, including how soon after December 2015 the Planning department first took action to remedy the breach.

Also how the Planning department's actions to resolve this issue have complied with its own Enforcement policy, and also state on what date the public footpath will finally open.

In addition, as this is a long standing breach of a planning condition it continues to deny a public facility to many hundreds of people, including being an obstacle to the encouragement of people to walk and/or cycle, use public transport and a healthier lifestyle.

Whilst the breach continues does this place the Council in contravention of policies of its own current adopted Local Plan, namely Strategic Objective SO6 (encouraging walking and cycling), BDP12 (8.96) Sustainable Communities, BDP16 (8.132, 8.133) Sustainable Transport and BDP25 (8.247) Health and Well Being? If so what redress is there and to whom?”

As the Portfolio Holder for Planning and Strategic Housing, Councillor C. Taylor responded that officers had been working with Worcestershire County Council with the aim of opening up the footpath. However, the layout of the footpath caused complications, which meant that the Highways Department was unwilling to adopt the footpath due to the potential costs involved. McCarthy was aware of its responsibilities and as soon as they responded to the Council Councillor Taylor agreed to notify Councillor Jenkins.

Councillor Jenkins expressed concerns that the answer provided had not addressed her question and she requested a full response in writing to all of the points raised in her question. Councillor Taylor advised that he would ask the Development Control Manager to provide a detailed written response.

Question submitted by Councillor S. Colella

“The Overview and Scrutiny Board meeting planned for 30th July has been cancelled due to lack of business. The substantive item on the agenda was to have been the Transport Planning Review draft report, but this report is still awaited from WCC and therefore the report will not be ready. A letter from the Chairman has been sent to WCC chasing up the outstanding information. The next planned meeting of the Board will be 3rd September.

This is totally unacceptable raising significant concerns as regards the willingness and cooperation of WCC in supporting BDC in one of the most strategically important issues that face the residents of Bromsgrove yet we can't get a timely meaningful report. This shows a total disregard to the problems that we face in this district and concerns me greatly that as a responsible authority for producing a Strategic Supplementary Planning document that will inform the Bromsgrove Development Plan it continues to give me absolutely no confidence whatsoever that our transport and travel problems will be resolved anytime soon.

Does the leader and Cabinet agree with me that this lack of cooperation and fulfilment is not acceptable and that this council supports the Overview and Scrutiny Board by writing to the leader of WCC expressing our my deepest concerns?”

The Leader responded by advising that he would be happy to write to Worcestershire County Council. This letter would emphasise that all aspects of highways information required by Bromsgrove District Council should be provided in a timely manner. This was not an issue in relation to the County Council preparing a planning document; instead this was about having appropriate input and responding to the Overview and Scrutiny Board in a timely manner.

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MOTIONS ON NOTICE

LEP

Members considered the following notice of motion, submitted by Councillor S. Colella.

"This motion calls on the Leader to formally withdraw from the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) in favour of more heightened involvement in the Worcestershire LEP."

In considering the motion Councillor Colella requested that the Leader provide an update in respect of the LEPs.

The Leader explained that the government had recently published a report in respect of LEPS. This report outlined requirements which stipulated that LEPs should no longer overlap in terms of the areas that they covered. The Chairmen of the LEPs would be required to meet to discuss how to resolve this issue, including the Chairmen of

Worcestershire LEP and the Greater Birmingham and Solihull LEP. A decision would need to be taken by the end of September in relation to this matter, though would not come into effect until 2020.

Councillor Colella commented that he would be keen for full Council to have a chance to consider which LEP the Council would remain a member of moving forward.

Based on the update provided, Councillor Colella withdrew the motion.

Prayers

Members considered the following notice of motion, submitted by Councillor S. Webb.

"Council notes:

- Of the 6 district councils in Worcestershire, 4 councils currently have a space for prayer and reflection. Since 2015, the right of Councils to decide to hold prayers has been enshrined in law.
- A space for prayers and reflection gives an opportunity to welcome different communities and faiths into the heart of local government in Bromsgrove, and sends a powerful message to all communities that they are welcome here.
- That it is important to make local democracy as open and inclusive as possible, with a role for every faith community and none. Council emphasises that including a space for reflection and prayer is an opportunity to allow all faiths and none to play a role in local government, **not** to appear to subscribe to one faith in particular, and those who do not wish to participate in a prayer or thought for the day have no obligation to do so.

Council resolves:

- To introduce a space for prayers and reflection as a part of Full Council meetings at the beginning. Council takes this opportunity to welcome all faiths and none to play a role in local government in Bromsgrove, and resolves to write to representatives of different faiths and nonreligious local figures to ask if they would like to participate."

The motion was proposed by Councillor S. Webb and seconded by Councillor R. Laight.

In proposing the motion Councillor Webb commented that Councils that practised prayers and moments of reflection across the country often chose to have a rotating series of local faith representatives play a part in the Council's business from week to week. This provided a chance to open the doors of local government to representatives of all communities so that members of the public could be involved. Prayers would provide an opportunity to welcome everyone to a Council meeting.

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Members, staff and residents would not be forced to participate in the prayer if they did not wish to do so and could stand or sit as they felt appropriate during the course of the prayer. Public office inevitably meant that Members would come into contact with many different faiths, cultures and ceremonies. However, Councillor Webb suggested that it was important to distinguish between this, which could sometimes involve being present in a room where prayers were taking place, and active participation in the prayer.

Councillor Webb expressed the view that Council meetings in Bromsgrove could be quite lively and she raised concerns that this could be off-putting for some residents. Members got involved with the Council in order to make a difference and to represent their residents and Councillor Webb suggested that a quiet space for reflection in the Council Chamber was needed to help remember this.

Finally, Councillor Webb concluded by suggesting that the reintroduction of prayers and a space for reflection would provide Members with space to welcome representatives of all faiths and none to the heart of local government in Bromsgrove whilst reminding Members why they were there.

Following the presentation of the motion Members discussed the subject in detail and raised a number of issues:

- Concerns were raised that the Council Chamber was a place where politics should be conducted and it was suggested that politics and religion should be separate issues.
- Members noted that many people had a strong religious faith but often this would be private and they might not want to take part in the prayers.
- Further concerns were highlighted that some people could be made to feel uncomfortable if they felt they wanted to leave the Chamber during the course of the prayer.
- The suggestion was made that another room should be made available close to the Parkside Suite which could be used by those who wanted to participate in a prayer immediately before the start of a Council meeting.
- It was noted that there was a long tradition of holding prayers at the start of Council meetings in Bromsgrove.
- The prayer would provide those present with an opportunity for reflection and this would not necessarily require religious faith.
- Prayers were held at the start of Council meetings by a number of other local authorities, including Worcestershire County Council.

In accordance with Council Procedure Rule 18.3 a recorded vote was taken and the voting was as follows:

For the motion: Councillors Allen-Jones, Deeming, Denaro, Dent, Glass, Jones, Laight, May, Sherrey, Taylor, Thomas, S. Webb and Whittaker.
(13)

Against the motion: Councillors Buxton, Colella, Jenkins, Mallett, C. McDonald, P. McDonald, Shannon, Thompson and Van der Plank. (9)

Abstentions: Councillor Cooper. (1)

The Chairman declared the motion to be carried.

Court Leet

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

"Although the Court Leet is fictitious the cost to this Council is not. At a time of political austerity with many people going without and local food banks unable to cope with demand; valuable resources cannot be justified for people to dress up as ancient lords of the manor in the twenty first century. Therefore, this Council no longer in anyway facilitates either in monies or kind the antics of those professing to be of the defunct Court Leet."

The motion was proposed by Councillor P. McDonald and seconded by Councillor S. Shannon.

In proposing the motion Councillor McDonald expressed concerns that the Council was supporting the Court Leet at a time of austerity. Many families were struggling financially as a result of austerity so it was important to ensure appropriate investment of Council resources. The Court Leet celebrated an historical matter and it was suggested that those participating in the celebrations could raise funds and obtain support from other sources. Councillor McDonald also expressed concerns that police resources were used as security during the Court Leet which could have been used for other purposes.

In seconding the motion Councillor Shannon expressed concerns that the Court Leet appeared to be receiving indirect support from the Council at a time when local government finances were challenging. Councillor Shannon suggested that the Council should instead focus on supporting those in need in the district.

In responding to the motion the Portfolio Holder for the Economic Development and the Town Centre, Councillor K. May, explained that the Court Leet was key to Bromsgrove's market town identity. The event encouraged visitors to the town who would subsequently return, which had a positive impact on the local economy. The Court Leet celebrated the charter awarded to Bromsgrove in 1199. The Council had provided a few staff hours prior to the event for set up purposes at a cost of £250 and had also provided some market stalls for free, though if a charge had been applied the cost would have been approximately £250.

Councillor May went on to note that over the past few years there had been a number of events in the town centres in the district which had attracted visitors. Furthermore there had been 6,000 views of a video of the Festival of Light Parade on social media. All of this raised the profile of Bromsgrove and this highlighted the benefit associated with holding events in the town like the Court Leet.

On being put to the vote the motion was lost.

Housing Shortage

Members considered the following notice of motion, submitted by Councillor M. Thompson.

“Council notes the impact of the housing shortage in Bromsgrove. The necessity of this town to provide affordable housing for all is paramount to our economy, livelihoods and wellbeing. Noting this, council resolves to refer the following matters to the Strategic Planning Steering Group for consideration as part of the ongoing review of the Local Plan.

1. Introduce a minimum of 60% affordable housing on all new developments, of which half of this quota is for social rent.
2. 20% of all new developments be made "lifetime homes" (or similar) so that, where necessary, homes are more easily adaptable for the less able.
3. Reduce the minimum quota (for the above) to 5 dwellings (or equivalent on land mass).
4. Publicly declare any variation made by commercial developers.
5. Undertake a feasibility study on cooperative housing developments in Bromsgrove.”

The motion was proposed by Councillor M. Thompson and seconded by Councillor P. McDonald.

In proposing the motion Councillor Thompson commented that there was a need for the Council to increase the supply of affordable housing in the district. Councillor Thompson urged Council to remove the cap on affordable housing, to increase the proportion of social housing in the district and to require developers to build more lifetime homes suitable for people with physical disabilities. Where developers failed to meet these targets Councillor Thompson suggested that this needed to be addressed.

In seconding the motion Councillor P. McDonald commented that there were many working people employed on the minimum wage and on zero hours' contracts who struggled with living costs. There was a disparity between affordable housing and properties that were priced at the

market value in the district and Councillor McDonald expressed concerns that young people living in parts of Bromsgrove would struggle to afford a home. To address this Councillor McDonald suggested that the cap for affordable housing in local planning policies needed to be increased from 40 per cent to 60 per cent. Furthermore he suggested that if developers asked for a change to their planning conditions following approval to reduce the number of affordable homes in a housing estate this should be made public. Members were asked to note that at Manchester City Council such requests from developers were made public.

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

- The waiting list for social housing in Bromsgrove and the need to provide people on the list with housing.
- The potential to undertake a feasibility study to ensure that any plans in respect of housing development met the needs of local residents.
- The approach to housing residents in Redditch, including Council Housing and social housing provision, and the potential to replicate this in Bromsgrove district.
- The potential for 100 per cent of houses built in the district to be lifetime homes.
- The impact that a requirement for 60 per cent of houses to be affordable would have on development in the district. Councillor P. Whittaker expressed the view that this would deter developers from building houses in the district as it would impact on the viability of the development.
- The role of the Strategic Planning Steering Group in reviewing planning policy moving forward. The Portfolio Holder for Planning and Strategic Housing, Councillor Taylor, urged all Members to attend meetings of this group as it would provide them with an opportunity to shape planning policy moving forward.
- The position of housing developers. Councillor Taylor noted that developers had a right to make 20 per cent on their return.
- The potential to amend the local plan so that instead of requiring up to 40 per cent of houses to be affordable developers could be asked to build at least 40 per cent of a development as affordable housing.

On being put to the vote the motion was lost.

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TO CONSIDER, AND IF CONSIDERED APPROPRIATE, TO PASS THE FOLLOWING RESOLUTION TO EXCLUDE THE PUBLIC FROM THE MEETING DURING THE CONSIDERATION OF ITEM(S) OF BUSINESS CONTAINING EXEMPT INFORMATION:-

RESOLVED that under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following

matters on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12 (A) of the said Act, as amended:

This paragraph is:

Subject to the “public interest test”, information relating to Paragraph 3 – financial or business affairs.

Minute 37/18 – Future Provision of the Council’s Core HR and Finance Systems.

37\18

RECOMMENDATION FROM THE CABINET MEETING HELD ON 27TH JUNE 2018

Future Provision of the Council’s Core HR and Finance System

The recommendation from Cabinet in respect of the future provision of the Council’s Core HR and Finance system was proposed by Councillor B. Cooper and seconded by Councillor G. Denaro.

In proposing the recommendation Councillor Cooper explained that over the last few years, weaknesses had been identified in the financial management, planning and forecasting capabilities of the systems that were used by the Council. It had been reported by officers, by external and internal audit, and more recently within the Corporate Peer Challenge, that the Council’s finance systems did not enable the authority to make decisions based on accurate, timely or easily retrievable information. This would be increasingly important if the Council was to meet future challenges in the commercial environment.

Councillor Cooper commented that there were a significant number of manual processes that were undertaken in payroll, payments and HR to ensure that data could be accessed and reported on by officers and external partners. Furthermore there were no seamless links between systems and information had to be manually transferred between the systems. This could cause potential data issues when considering consistent and reliable information. Councillor Cooper expressed the view that it was worrying that managers were unable to see their budgets on the existing financial systems and had to rely on spreadsheets to undertake budget monitoring. This could lead to a lack of ownership and accountability, and to poor forecasting and financial monitoring.

The Council’s contract with the provider of the existing finance system was coming to an end so Councillor Cooper suggested that it was an excellent time to look at the wider back office systems and improve the core services of ICT, HR, and Finance, including the general ledger, payroll, payments and cash receipts.

The back office functions were delivered by a variety of systems and

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there were advantages to having an integrated system. A number of options had been considered by Cabinet when reaching a decision including:

- To continue as at present with existing systems.
- To implement the best system for each function, but this would not lead to integration of systems.
- To implement an Enterprise Resource Planning solution (ERP) (an integrated collaborative system).
- To partner with a Local Authority that was using an ERP solution.
- To outsource services.

Officers had concluded that an ERP system would provide a flexible, integrated solution for the Council, and this had been supported by the Cabinet.

Councillor P. McDonald questioned the impetus for reviewing the systems used by the Council and for deciding to invest in a new integrated system. Councillor Cooper advised that this was due to an emerging realisation that these systems were not fit for purpose. Councillor McDonald also requested clarification about the length of time since the Council had last invested in new systems for HR, finance and cash receipting and the costs of these systems. Members were advised that over £8 million had been invested in various IT systems over a period of time.

Finally Councillor Van der Plank suggested that alongside investment in this new system there needed to be improvements in relation to the accuracy of the data used by the Council as well as to the culture within the organisation. An IT system alone would not resolve these issues and it was important that the appropriate training for officers was provided.

RESOLVED that the business case for the implementation of an integrated Enterprise Resource Planning System (ERP) is approved.

[Once Members had gone into exempt session the Chairman agreed that a five minute comfort break should take place. During this comfort break Councillors M. Buxton, R. Jenkins, L. Mallett, C. McDonald, P. McDonald, S. Shannon and M. Thompson left the meeting. They therefore took no part in the discussions regarding the exempt matters and did not vote during that exempt session.

During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public prior to any debate on the grounds that information would be revealed which relates to financial or business affairs.]

The meeting closed at 9.06 p.m.

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Chairman

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Constitution Updates

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

1. SUMMARY OF PROPOSALS

- 1.1 Following discussions at the Annual Council meeting, the Constitution Review Working Group was asked to review the Delegations. This has now been carried out as part of the Working Group's ongoing work and this report presents a number of updates for consideration.
- 1.2 The Constitution Review Working Group also considered revisions to the Planning Code of Practice which is included for consideration within this report..

2. RECOMMENDATIONS

Council is asked to resolve that:

- 2.1 The updated Officer Scheme of Delegations is agreed as set out at Appendix 1.
- 2.2 The updated Planning Code of Conduct is agreed as set out at Appendix 2.

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications arising directly from this report.

Legal Implications

- 3.2 Review and revision of the Constitution is governed by Article 15 of the Constitution.
- 3.3 Section 101 of the Local Government Act 1972 (as amended) gives a general power to local authorities to discharge functions through officers. Local Authorities are required by the same Act to maintain a list of these, which is referred to as the Scheme of Delegation. This sets out those powers of the Council which can be carried out by officers of the Council.

Service / Operational Implications

- 3.4 The Council's Constitution currently requires that the Officer Scheme of Delegations be approved by Members at the Annual Meeting of the Council.
- 3.5 The Officer Scheme of Delegations is the part of the Constitution that gives authority for certain decisions to be delegated from Council, the executive (Cabinet) or other committees to certain specified officers. It sets out the decisions which are delegated by Council to officers and the decisions which are delegated by the Executive/ Leader to officers. In relation to certain regulatory decisions, the delegation is from Council to the relevant committee, namely Planning Committee or Licensing Committee.
- 3.6 The Scheme of Delegations is regularly altered and updated to reflect changes in the operation of the Council and changes to legislation. Changes have been made by the Monitoring Officer in accordance with the delegation that currently exists to amend the scheme to reflect changes in legislation, job titles and reallocation of functions. Such amendments do not extend the delegations.
- 3.7 The relevant officers were asked to review each specific section of the scheme of delegations and the Constitution Review Working Group considered and agreed a number of amendments, as detailed in appendix 1 attached.
- 3.8 During the course of its work the Constitution Review Working Group also considered proposals in respect of amendments to the Planning Code of Practice
- 3.8 The Constitution Review Working Group continues to meet on a regular basis and is currently reviewing the following areas:
- Call In
 - Scheme of Delegations (it was agreed that this would be a standing item for all future meetings).

Customer / Equalities and Diversity Implications

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

4. RISK MANAGEMENT

- 4.1 The main risks associated with the details included in this report are failure to comply with governance requirements which may expose the Council to the risk of challenge by way of judicial review or appeal which may result in awards of damages and costs against the Council and loss of reputation.

5. APPENDICES

Appendix 1 - Scheme of Delegations to Officers revised September 2018.
Appendix 2 – Planning Code of Conduct revised September 2018

6. BACKGROUND PAPERS

None

7. KEY

None

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Bromsgrove District Council

Constitution

Chapter 10 – Officers and the Scheme of Delegation

Appendix 3A – The Scheme of Delegations

TRANSFORMATION AND HUMAN RESOURCES			
1. IT and Street naming and numbering			
Subject	Detail	Delegated by:	Delegated to:
IT Development.	To monitor and update the Council's IT development strategy.	<u>Cabinet Executive/</u> Leader.	Head of Transformation and Organisational Development.
Street Naming, House Numbering and Locality Names.	To determine all matters relating to street naming, house numbering and locality names.	<u>Cabinet Executive/</u> Leader.	Head of Transformation and Organisational Development following consultation with the Ward Member and, where relevant, Parish Council.
Regulation of Investigatory Powers Act.	See Corporate delegations	Council.	See corporate delegations

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2. Human Resources			
Subject	Detail	Delegated by:	Delegated to:
Grants and Honoraria.	To make decisions on the payment of gratuities and honoraria to Council employees undertaking additional duties, provided budgetary provision exists.	Council.	Executive Director Finance and Resources in consultation with the Portfolio Holder.
Posts - Addition, Deletion.	Within the policy and budgets decided by the Council, to make decisions on the addition and deletion of posts and on adjustments to working conditions applying to particular posts (but not generally) insofar as it relates to a restructure which is not associated with the setting of the Council's budget.	Council.	Chief Executive.
Posts - Grading.	Within the policy and budgets decided by the Council, to make decisions on the grading of posts and on adjustments to working conditions applying to particular posts (but not generally).	Council.	Head of Transformation and Organisational Development
Seminars and Conferences.	To appoint the Council's representatives to meetings, seminars, conferences and other events which are not expected to be on-going.	Cabinet Executive/Leader.	Heads of Service.
Appointment of Heads of Service.	To make appointments (where appropriate in consultation with the Head of Paid Service).	Council.	Executive Directors.
Appointment of Executive Directors.	To make appointments.	Council.	Chief Executive.
Appointment of Staff (below the level of Head of Service).	To make appointments (where appropriate in consultation with the Executive Director(s)).	Council.	Heads of Service.

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Appeals.	To consider and determine appeals in respect of discipline, dismissal, the exercising of delegations (in respect of pension matters) for staff below the level of Head of Service.	Council.	Any one of the following: Chief Executive, Deputy Chief Executive Directors, Heads of Service (other than Head of Transformation and Organisational Development) or a consultant selected by the Head of Transformation and Organisational Development
Appeals (Job Evaluation).	To consider and determine appeals in respect of salary grading.	Council.	Any Officer of Head of Service level or above or a consultant selected by the Head of Transformation and Organisational Development
Careers Conventions.	To make decisions on Careers Conventions and the Council's involvement in work experience and similar schemes, relating to the training of young people.	Cabinet Executive/Leader.	Head of Transformation and Organisational Development.
Disciplinary and Capability Action.	1. Within the Council's approved disciplinary and capability procedures and National Conditions of Service, [to take disciplinary action against, (including) dismissal of the Head of Paid Service, s151 Officer or Monitoring Officer subject to compliance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).	1. N/a.	1. Council.

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	<p>2. Within the Council’s approved disciplinary and capability procedures, to take action against, (including dismissal of), Executive Directors, subject, in the case of any Officer designated as Chief Finance Officer or Monitoring Officer, to compliance with the Local Authorities (Standing Orders) (England) Regulations 2001.</p> <p>3. Within the Council’s approved disciplinary and capability procedures, [to take action against including] dismissal of Heads of Service and Assistant Chief Executive subject, in the case of any Officer designated as Chief Finance Officer or Monitoring Officer, to compliance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).</p> <p>4. Within the Council’s approved disciplinary and capability procedures, [to take disciplinary action against (including) dismissal of any member of staff in the department concerned below Head of Service level.</p>	<p>2. Council.</p> <p>3. Council.</p> <p>4. Council.</p>	<p>2. Head of Paid Service.</p> <p>3. Chief Executive/ Head of Paid Service or Executive Directors.</p> <p>4. Heads of Service.</p>
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Agenda Item 7

Early Retirement Payments.	To exercise discretionary powers under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 to make a single lump sum payment (including any redundancy payment where necessary) of up to no more than 52 weeks actual pay to any employee in accordance with agreed criteria.	Council.	Chief Executive in consultation with The Executive Director, Finance and Resources , Head of Transformation and Organisational Development and the relevant Portfolio Holder.
Examination Success and other Achievements.	Within the budget determined by Council, to make decisions on matters arising from examination success or other special achievements by Council employees.	Cabinet Executive /Leader.	Heads of Service in consultation with Head of Transformation and Organisational Development
Overtime Payments.	Within the budget determined by Council, to approve payments for overtime working where staff are required to work such overtime in pursuance of the Council's obligations or objectives.	Council.	Chief Executive, Executive Directors, Deputy Chief Executive, Heads of Service.
Pay Award.	Within the budget determined by Council, to implement increases in respect of the annual cost of living pay award as negotiated and agreed by the National Joint Councils or the Joint national Council for all staff.	Council.	Financial Services Manager.
Pay Protection.	To determine an appropriate pay protection policy for all staff.	Council.	Head of Transformation and Organisational Development in consultation with the Chief Executive and Executive Director - Finance and Corporate Resources.

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Recruitment Scheme of Allowances.	To review on a regular basis the Council's policy and allowance rate in respect of the recruitment scheme of allowances (moving house).	Council.	Head of Transformation and Organisational Development.
Terms and Conditions of Employment.	To determine HR policies and procedures and terms and conditions of employment (save where specified by statutory provisions) in respect of all staff (except the Chief Executive).	Council.	Head of Transformation and Organisational Development.
Travel Allowances.	<ol style="list-style-type: none"> 1. To implement increases in respect of the lump sum and mileage allowance payable to all staff in accordance with circulars issued by the Joint National Council and National Joint Council. 2. To implement and review increases in respect of subsistence allowances on an annual basis. 	Council.	1. & 2. Finance Services Manager

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COMMUNITY SERVICES			
1. Strategic Housing			
Subject	Detail	Delegated by:	Delegated to:
Discretionary Housing Assistance Grants.	To determine applications for Housing Assistance Grants under the Regulatory (Housing Assistance Grants) (England and Wales) Order 2002.	Executive Cabinet / Leader.	Strategic Housing Manager.
<u>Home improvement Agency</u>	<u>To deal with day to day management of the Home Improvement Agency Service</u>	<u>Cabinet</u>	<u>Head of Community Services/ Strategic Housing Manager/Private Sector Team Leader</u>
Houses in Multiple Occupation.	<ol style="list-style-type: none"> To approve, revoke and vary licences relating to houses in multiple occupation under the Housing Act 2004. To sign housing-related notices for houses in multiple occupation under the Housing Act 2004. To inspect conditions under the Housing Health and Safety Rating System - Housing Act 2004. To issue interim and final orders 	<ol style="list-style-type: none"> Executive Cabinet / Leader Cabinet Executive / Leader. Cabinet Executive / Leader. Cabinet Executive / Leader 	<ol style="list-style-type: none"> Strategic Housing Manager. Strategic Housing Manager. Strategic Housing Manager. Strategic Housing Manager
Housing Act 1985 and Housing Act 2004.	<p>To exercise all functions relating to housing conditions, issue of licences, service of orders and notices and powers of entry.</p> <p>To institute legal proceedings</p>	Cabinet Executive / Leader.	<p>Strategic Housing Manager</p> <p>Strategic Housing Manager in consultation with Principal Solicitor</p>

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Housing Associations - Nominations.	To deal with the nomination where necessary of homeless applicants to housing association dwellings.	Cabinet Executive/ Leader.	Strategic Housing Manager.
1. Strategic Housing			
Subject	Detail	Delegated by:	Delegated to:
Housing Capacity Study.	To update the site details and housing figures in the Housing Capacity Study on an annual basis using data from the Housing Land Availability Study.	Cabinet Executive/ Leader.	Strategic Housing Manager.
Housing Corporation Social Housing Grant.	To administer and approve applications and to authorise payment of local authority grant and Housing Corporation Grant under the Housing Corporation IMS System.	Cabinet Executive/ Leader.	Strategic Housing Manager.
Housing Grants.	To determine applications for housing grants under the Housing Grants, Construction and Regeneration Act 1996.	Cabinet Executive/ Leader.	Strategic Housing Manager.
Low Cost Housing.	<ol style="list-style-type: none"> To administer the Council's low cost housing scheme including the making of nominations and the sale of the Council's interest in dwellings. To take all necessary action including the institution of legal proceedings to recover deferred payments from the purchases of low cost homes who are in breach of covenants made in the purchase of low cost housing. To revise fees in relation to low cost housing transactions. 	<ol style="list-style-type: none"> CabinetExecutive/ Leader. CabinetExecutive/ Leader. CabinetExecutive/ 	<ol style="list-style-type: none"> Strategic Housing Manager. Principal Solicitor. 2. 3. Head of Legal, Equalities & Democratic Services, Head of

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		Leader.	Community Services and Financial Services Manager in consultation with the relevant Portfolio Holders.
Mandatory Disabled Facilities Grant.	<ol style="list-style-type: none"> To determine applications for housing grants under the Housing Grants, Construction and Regeneration Act 1996. To grant extensions of time of up to six months within which improvements are to be completed. 	<ol style="list-style-type: none"> Cabinet Executive / Leader. Cabinet Executive / Leader. 	<ol style="list-style-type: none"> Strategic Housing Manager. Head of Community Services.
Protection from Eviction Act.	To take appropriate action (including the institution of criminal or civil proceedings).	Cabinet Executive / Leader	Head of Community Services or Principal Solicitor.
Utilities - Restoration or Continuance of Services.	To deal in consultation with the relevant Portfolio Holder and generally in accordance with emergency procedures with applications received pursuant to the arrangements according to section 33 of the Local Government (Miscellaneous Provision) Act 1976 (Public Utility Services to Dwellings) and to take such action as may be necessary for the recovery of any payments made by the Council in pursuance of such arrangements.	Cabinet Executive / Leader.	Executive Director Finance and Resources or Head of Community Services
Regulation of Mobile Home Sites	<p>To institute legal proceedings under section 1 of the Caravan Sites and Control of Development Act 1960</p> <p>To take all steps to manage and regulate Mobile Home Sites, including the exercise of power of</p>	<p>Council</p> <p>Cabinet Executive / Leader</p>	<p>Strategic Housing Manager in consultation with the Principal Solicitor</p> <p>Strategic Housing Manager</p>

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	entry under the following legislation:- <ul style="list-style-type: none"> • Caravan Sites and Control of Development Act 1960 • Caravan Sites Act 1968 		
Requisition for Information	To serve a requisition for information under section 16 of the Local Government (Miscellaneous Provisions Act 1976	<u>Cabinet Executive/Leader</u>	Strategic Housing Manager
<u>Boarding up of dangerous buildings</u>	<u>To serve notice under Section 9 of the Local Government (Miscellaneous Provisions) Act 1982</u>	<u>Cabinet/Leader</u>	<u>Strategic Housing Manager</u>
<u>Statutory Nuisance</u>	<u>To take all necessary action in relation to statutory nuisance under the Environmental Protection Act 1990.</u>	<u>Council</u>	<u>Strategic Housing Manager</u>

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2. Community Safety

Subject	Detail	Delegated by	Delegated to
Anti-Social Behaviour – ASB Case Review	To give victims and communities the right to request a review of their case to bring agencies together to take a joined up problem solving approach to find a solution for the victim under Sections 104 and 105 of the Anti-Social Behaviour, Crime and Policing Act 2014.	<u>Cabinet Executive/Leader</u>	Head of Community Services in consultation with the Ward Member.
Anti-Social Behaviour – Civil Injunctions	To apply for Civil Injunctions under section 1 of the Anti-Social Behaviour, Crime and Policing Act 2014, to offer protection for victims and communities from those causing Anti-Social Behaviour	<u>Cabinet Executive/Leader</u>	Head of Community Services in consultation with the Principal Solicitor and Ward Member.
Anti-Social Behaviour – Community Protection Notice	To give Council Officers the power to issue Notices in order to stop a person aged 16 or over, a business or organisation committing anti-social behaviour which spoils the community's quality of life, under	<u>Cabinet Executive/Leader</u>	Head of Community Services in consultation with the Ward Member.

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	Sections 43 to 58 of the Anti-Social Behaviour, Crime and Policing Act 2014.		
Anti-Social Behaviour – Public Spaces Protection Order	To allow Council Officers to issue a Public Spaces Protection Order after consultation with the Police, Police and Crime Commissioner and other relevant bodies, to stop individuals or groups causing anti-social behaviour in a public space, under sections 59 to 75 of the Anti-Social Behaviour, Crime and Policing Act 2014.	<u>Cabinet Executive/Leader</u>	Head of Community Services in consultation with the Ward Member.
Anti-Social Behaviour – Closure Powers	To allow Council Officers to close premises quickly which are being used or likely to be used to commit nuisance or disorder, by issuing Closure Notices and applying for Closure Orders under Sections 76 to 93 of the Anti-Social Behaviour, Crime and Policing Act 2014.	<u>Cabinet Executive/Leader</u>	Head of Community Services in consultation with the Housing Strategy Manager and the Ward Member.

3. <u>CCTV/Lifeline</u>			
<u>Subject</u>	<u>Detail</u>	<u>Delegated by</u>	<u>Delegated to</u>
<u>CCTV/Lifeline</u>	<u>Day to day management of the 24 hour CCTV/NEW Lifeline Monitoring Centre, Installation Team and telephone answering out of hours service, in accordance with the Council's adopted codes of practice and industry best practice.</u>	<u>Cabinet/Leader</u>	<u>CCTV and Lifeline Manager</u>

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CORPORATE DELEGATIONS			
1. Corporate			
Subject	Detail	Delegated by:	Delegated to:
Authentication of Documents.	To sign any document necessary to any legal procedure or proceedings on behalf of the Council.	Council.	Chief Executive (unless any enactment otherwise authorises or requires or the Council has given requisite authority to some other person).
Consultation Documents.	<p>1. To respond on behalf of the Council to consultation documents where there is insufficient time for a response to be agreed by Full Council and where it affects the District of Bromsgrove.</p> <p>[NOTE: For the purposes of this delegation a consultation shall not be regarded as affecting the District of Bromsgrove if it relates to a national issue and would have no more effect on Bromsgrove than it would on any other area.]</p> <p>2. To respond to consultations by the County Council in respect of proposals to carry out alterations to schools in the District or nearby.</p>	1. & 2. Council	<p>1. The Leader and Chief Executive in consultation with the relevant Head of Service or Director.</p> <p>2. Chief Executive in consultation with the relevant Ward Members.</p>

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<p>Emergencies.</p>	<ol style="list-style-type: none"> 1. To act in accordance with the delegated procedures set out in the Emergency Plan. 2. To enable Officers to undertake appropriate communications activity during an emergency without recourse to members, should the situation require an immediate response. 3. To incur expenditure essential to meet any immediate needs created by an emergency in accordance with the Financial Regulations. 	<p>1. - 3. Cabinet Executive/ Leader.</p>	<ol style="list-style-type: none"> 1. Chief Executive, Executive Directors, Deputy Chief Executive, Executive Director & Heads of Service. 2. Chief Executive, Deputy Chief Executive, Executive Director, Deputy Chief Executive. 3. Heads of Service with agreement of the Cabinet Executive / Leader or, if the Cabinet Executive/ Leader is unavailable and in cases of extreme emergency only, the relevant Portfolio Holder.
<p>Proper Officer.</p>	<ol style="list-style-type: none"> 1. To sign summonses to Council Meetings and to receive notices regarding addresses to which summons to meeting is to be sent under provisions of paragraphs 4(1A) and 4(1B) of Schedule 12 to the Local Government Act 1972. 2. To be appointed "Proper Officer" in relation to the following provisions of the Local Government Act 1972: 		<ol style="list-style-type: none"> 1. Chief Executive or in his/her absence the Monitoring Officer.

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	<ul style="list-style-type: none"> a. Sections 83(1) to (4) - Witness and receipt of acceptance of office. b. Section 84 - Receipt of declaration of resignation of office. c. Section 89 (1) (b): Receipt of notice of casual vacancy from two local electors. d. Section 229(5): Certification of photographic copies of document. e. Sections 234(1) and (2): Authentication of documents. f. Section 88 (2): Convening of meeting to fill casual vacancy in the office of Chairman. g. Section 210 (6) and (7): Charity functions of holders of offices with existing authorities transferred to holders of equivalent office with new authorities, or, if there is no such office to "Proper Officers". 		<ul style="list-style-type: none"> a. Chief Executive. b. Chief Executive. c. Head of Legal, Equalities and Democratic Services. d. Head of Legal, Equalities and Democratic Services. e. Head of Legal, Equalities and Democratic Services. f. Chief Executive. g. Head of Legal, Equalities and Democratic Services.
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	<p>h. Section 225: Deposit of documents.</p> <p>i. Section 236(9): To send copies of byelaws for parish records.</p> <p>j. Section 236(10): To send copies of byelaws to the County Council.</p> <p>k. Section 238: Certification of byelaws.</p> <p>l. Section 228 (3): Accounts of "any Proper Officer" to be open to inspection by any member.</p> <p>m. Section 191: Function with respect to ordnance survey.</p> <p>n. Sections 115(2) and 146(1) (a) and (b): Receipt of money due from Officers declaration and certificates with regard to securities.</p> <p>o. Section 151.</p>		<p>h. Head of Legal, Equalities and Democratic Services.</p> <p>i. Head of Legal Equalities and Democratic Services.</p> <p>j. Head of Legal, Equalities and Democratic Services.</p> <p>k. Head of Legal, Equalities and Democratic Services.</p> <p>l. Executive Director Finance and Resources.</p> <p>m. Head of Planning <u>and Regeneration.</u></p> <p>n. Executive Director Finance and Resources.</p> <p>o. Executive Director Finance and Resources.</p>
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<p>Regulation of Investigatory Powers Act.</p>	<ol style="list-style-type: none"> 1. To review, revise and update the Council's RIPA policy. 2. Under the provisions of Part 1 chapter 2 of the Regulation of Investigatory Powers Act 2000 relating to the Accessing of Communications Data, to appoint officers to act as SPOCs (Single Point of Contact). 3. To grant authorisations, subject to approval by the Magistrate's Court, under the Regulation of Investigatory Powers Act (RIPA) 2000 to conduct covert surveillance. 4. In relation to requests for Directed Surveillance, including authorisation as referred to above, to sign all necessary documents and forms whether by way of Authorisation, Review, or Cancellation 5. In relation to requests for Covert Human Intelligence Sources where the source is aged under 18, to sign all necessary documents and forms whether by way of Authorisation, Review, or Cancellation. 	<p>1. – 7. Council</p>	<ol style="list-style-type: none"> 1. Head of Legal, Equalities and Democratic Services. 2. Head of Legal, Equalities and Democratic Services. 3. Heads of Service authorised to do so under Appendix 2 of the RIPA policy. 4. Heads of Service authorised to do so under Appendix 2 of the RIPA policy. 5. Chief Executive or in his/<u>her</u> absence the Deputy Chief Executive.
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	<p>6. To maintain the central record of documents, relating to RIPA policy, including authorisations.</p> <p>7. To carry out all necessary action to ensure that the Office of Surveillance Commissioners is satisfied with the Council's Policy and Procedures in respect of RIPA.</p>		<p>6. The Information Management Team under the supervision of the Head of Transformation and Organisational Development.</p> <p>7. Head of Legal, Equalities and Democratic Services.</p>
<p>Urgent Business.</p> <p> </p> <p> </p>	<p>To determine matters requiring attention as a matter of such urgency that formal reporting to Council, Cabinet or Committee is not possible.</p>	<p>Council or <u>Cabinet Executive</u>/ Leader (as appropriate).</p>	<p>Chief Executive in consultation with the <u>Cabinet Executive</u>/ Leader, s151 Officer and the Monitoring Officer, together with, where appropriate, the Chairman of the Overview and Scrutiny Board.</p>

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2. Monitoring Officer			
Subject	Detail	Delegated by:	Delegated to:
Constitution and Scheme of Delegation - amendments.	1. To make amendments to the Scheme of Delegation and other areas of the Constitution in order to reflect changes in legislation or regulations, job titles and the reallocation of functions of the Council between departments, provided that the amendments do not extend or reduce the existing delegations or other powers and duties currently listed in the Constitution.	Council.	Monitoring Officer.
	2. To make amendments to that part of the Constitution which comprises the Management Arrangements to the extent that such amendment reflects either a change in personnel or changes to the corporate structure which have been agreed by Council.		Monitoring Officer.
Independent Members of Audit, Standards & Governance Committee.	To undertake all the administrative arrangements in respect of the recruitment of the Independent Member on the Committee, including <ul style="list-style-type: none"> • Short listing of candidates in consultation with the Chairman of the Committee for interview by the Appointments Committee; • Where only one candidate meets the essential criteria, in consultation with the Chairman of the Committee to make recommendations to Council. 	Council.	Monitoring Officer.

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Outside Bodies.	To maintain and amend a list of external bodies and organisations to which Members have been appointed by the Council.	Council.	Monitoring Officer in consultation with the Leader.
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ENVIRONMENT			
1. Business Waste Collection and Recycling Service			
Subject	Detail	Delegated by:	Delegated to:
Varying charges for the Business Waste Collection and Recycling service.	To vary charges for the Business Waste Collection service when agreeing terms with customers within a variance of plus or minus 25%	Council	Head of Environmental Services
2. Cemeteries			
Cemeteries.	<ol style="list-style-type: none"> To operate the Bromsgrove Cemetery and North Bromsgrove Cemetery within the Budget and Policy Framework. To determine applications to sell flowers at Bromsgrove Cemetery and North Bromsgrove Cemetery and to determine a suitable charge. To remove and dispose of floral tributes remaining on a grave where the grave owner has not complied with two written requests to remove tributes. 	<ol style="list-style-type: none"> CabinetExecutive/ Leader. CabinetExecutive/ Leader. CabinetExecutive/ Leader. 	<ol style="list-style-type: none"> & 2. Head of Environmental Services; <u>Environmental Services Manager and Bereavement Services Manager-</u> Head of Environmental Services; <u>Environmental Services Manager and Bereavement Services Manager-</u>

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3. Use of land / dogs			
Subject	Detail	Delegated by:	Delegated to:
Flowers, Bulbs and Trees.	To approve requests from charitable organisations to plant flowers, bulbs and trees in support of the Charity (other than in parks and open spaces).	Cabinet Executive/Leader.	Head of Environmental Services <u>and Environmental Services Manager.</u>
Inland Revenue Mobile Advice Centre.	To determine requests to site a mobile tax advice centre on the Recreation Road South Car Park.	Cabinet Executive/Leader.	Head of Environmental Services.
Hay.	To determine requests to harvest hay from areas of recreation and amenity land subject to any environmental and conservation considerations and that any income generated be allocated to recreation purposes.	Cabinet Executive/Leader.	Head of Environmental Services. <u>Head of Leisure and Cultural Services</u>
Dogs.	To make decisions connected with the control of dogs and fouling nuisance including the designation of areas of land under The Dogs (Fouling of Land) Act 1996.	Executive Cabinet/ Leader.	Head of Environmental Services. <u>Worcestershire Regulatory Services.</u>

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4. Car Parking and Transport			
Subject	Detail	Delegated by:	Delegated to:
Car Parks - Holding of Events.	To determine requests to hold events on any Council car park.	Executive Cabinet /Leader.	Head of Environmental Services following consultation with the relevant Parish Council (if any). Environmental Services Manager
Car Parking Order.	<ol style="list-style-type: none"> To make amendments to the Car Parking Order (other than alterations to car parking charges and excess penalty notice charges). To make amendments to the Car Parking Order to alter car parking charges and excess penalty notice charges where such alterations have been approved by Council or Executive/ Leader, as appropriate. 	<ol style="list-style-type: none"> Executive Cabinet/Leader. Executive Cabinet/Leader. 	<ol style="list-style-type: none"> Head of Environmental Services. Head of Environmental Services.
Off Street Parking - Removal of Vehicles.	To arrange for the removal of any vehicle left in a parking place in contravention of an Order made by the Council under the Road Traffic Regulation Act 1984 relating to off-street parking or to arrange for the alteration of the position of any vehicle so its position complies with the provision of such an Order.	Executive Cabinet /Leader.	Head of Environmental Services.; Environmental Services Manager
Goods Vehicles - Operators Licences.	To comment or object to applications made under the Goods Vehicles (Licensing of Operators) Act 1985.	Council.	Head of Environmental Services.; Environmental Services Manager .

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5. Trees			
Subject	Detail	Delegated by:	Delegated to:
High Hedges.	<p>1. To determine High Hedge applications submitted in accordance with Part 8 of the Anti-Social Behaviour Act 2003 and to issue a remedial notice where appropriate when:</p> <ol style="list-style-type: none"> such applications are submitted by or on behalf of any officer of the Council or any Parish Council within the District of Bromsgrove. such applications are submitted by or on behalf of any County, District or Parish Councillor whose ward is within the district of Bromsgrove. any County, District or Parish Councillor whose ward is within the District of Bromsgrove is affected by such an application. <p>2. In all other circumstances to determine all High Hedge applications submitted in accordance with Part 8 of the Anti-Social Behaviour Act 2003 and to issue a remedial notice where appropriate.</p>	<p>1. Council.</p> <p>2. Planning Committee.</p>	<p>1. Planning Committee</p> <p>2. Head of Environmental Services.</p>
Inspection Notices.	To serve notices of intended inspection under sections 196A, 196B, 214B and 325 of the Town and Country Planning Act 1990.	Planning Committee.	Principal Solicitor.
Rights of Entry - Proper Officer.	1. To be designated as the Proper Officer for the purposes of authorising persons to enter onto land in connections with the exercise of functions under sections 196A, 196B, 214B and	1. Planning Committee.	<p>1. Head of Environmental Services.</p> <p><u>1. Head of Planning and Regeneration</u></p>

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	324 of the Town & Country Planning Act 1990. 2. To issue and serve notices of intended inspection under sections 196A, 214B, 324 and 325 of the Act.	2. Planning Committee.	2.1. Principal Solicitor.
Tree Preservation Orders.	To initiate Tree Preservation Orders.	Council.	Head of Environmental Services.
Tree Preservation Orders - Confirmation.	1. To confirm Tree Preservation Orders under the provisions of the Town & Country Planning Act 1990 in cases where objections have been received. 2. To confirm Tree Preservation Orders in all other cases.	1. Council. 2. Planning Committee.	1. Planning Committee. 2. Head of Environmental Services
Tree Preservation Orders - Applications to Fell	To determine applications for the felling of large trees (i.e. mature or over-mature trees), major pruning operations (i.e. major canopy reduction, reshaping works) and contentious applications for tree work, whether or not as part of a planning application.	Council	Planning Committee
Tree Preservation Orders - Works to Protected Trees.	1. To authorise certain categories of works to protected trees. 2. To determine applications to carry out the following work: a. the felling of small trees. b. the removal of dead, dying or diseased trees. c. pruning for reasons of health and safety to trees of any size. d. minor pruning works. e. the felling of conifers and pioneer trees species (including but not limited to birch, ash, rowan and hawthorn).	1. Planning Committee. 2. Planning Committee.	1. Head of Environmental Services. 2. Head of Environmental Services.

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Tree Preservation Orders - Contravention.	To institute proceedings under S210 of the Town & Country Planning Act 1990 in respect of contraventions of Tree Preservation Orders.	Council	Planning Committee
Tree Preservation Orders - revocation or variation.	<ol style="list-style-type: none"> 1. To revoke or vary a Tree Preservation Order where the original confirmation was made by Planning Committee. 2. To revoke or vary in all other cases 	<ol style="list-style-type: none"> 1. Council 2. Planning Committee 	<ol style="list-style-type: none"> 1. Planning Committee 2. Head of Environmental Services
Trees & Shrubs overhanging the Highway.	To serve notices under section 154 of the Highways Act 1980 requiring the lopping or cutting of the hedge, tree or shrub on the owner of a hedge, tree or shrub, or on the occupier of land on which a hedge tree or shrub is growing, which overhangs a highway or any other road or footpath to which the public has access so as to endanger or obstruct the passage of vehicles or pedestrians or obstructs or interferes with the view of drivers of vehicles or the light from a public lamp so as to remove the cause of danger, obstruction or interference.	Leader/Executive	Head of Environmental Services
Trees - Dangerous.	<ol style="list-style-type: none"> 1. Where notice is received under s23(2) of the Local Government (Miscellaneous Provisions) Act 1976 that trees are in such condition that they are likely to cause damage to persons or property on the land of the person giving notice: <ol style="list-style-type: none"> a. To take any steps necessary to make the trees safe (whether by felling or otherwise) where the owner of the land is not 	1. Planning Committee	1. Head of Environmental Services

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	<p>known.</p> <p>b. to serve a notice under s23 (3) of the Act on the owner or occupier of the land on which the trees are growing where the name and address of such or occupier is known requiring the taking of steps to make the trees safe and if the Notice is not complied with to take the steps specified therein and recover such expenses.</p>		
	<p>2. To take any necessary action under s23 – 26 of the Local Government (Miscellaneous Provisions) Act 1976 to secure the removal of dangerous trees and to deal with dangerous excavations.</p>	<p>2. Planning Committee</p>	<p>2. Head of Environmental Services</p>

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6. Enforcement and Fixed Penalty Notices within Environmental Services			
Enforcement & Fixed Penalty Notices for Environmental Services	1. To take enforcement action in relation to the Council's enforcement powers under the legislation detailed in (a) below, including the issuing of Fixed Penalty Notices.	<u>Executive Cabinet/Leader</u>	Head of Environmental Services
	2. To select and authorise officers to take enforcement action in relation to the Council's enforcement powers under the legislation detailed in (a) below, including the power to give advice to offenders, to issue verbal warning and written warnings and issue Fixed Penalty Notices.	<u>Executive Cabinet/Leader</u>	Head of Environmental <u>Services Enforcement</u>
	3. To commence court proceedings where necessary including authorising court proceedings, or defending any action	<u>Executive Cabinet/Leader</u>	Head of Environmental <u>Services</u> in consultation with Principal Solicitor.
	4. To administer Formal Cautions as an alternative to court Proceedings. (a) Refuse Disposal (Amenity) Act 1978, Control of Pollution (Amendment) Act 1989, Environmental Protection Act 1990, Anti-social Behaviour Act 2003 and Clean Neighbourhoods and Environment Act 2005.	<u>Executive Cabinet/Leader</u>	Officers authorised in writing by the Head of Environmental <u>Services</u> .

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HOUSING			
Subject	Detail	Delegated by	Delegated to
Allocation of Accommodation	To approve nominations for housing applicants qualifying under the Council's Allocation Policy.	<u>Cabinet Executive</u> /Leader.	Strategic Housing Manager.
Asylum Seekers.	To approve the allocation of dwellings through nomination rights to asylum seekers to suit the requirements of individual cases.	<u>Cabinet Executive</u> /Leader.	Strategic Housing Manager.
Homeless Persons.	To implement the provisions of the Housing Act 1996, the Homelessness Act 2002 and the Homelessness Reduction Act 2017.	<u>Cabinet Executive</u> /Leader.	Strategic Housing Manager.
Housing Waiting List.	To approve nominations and arrangements where necessary to applicants on the Housing Needs Register in accordance with the Council's Allocation Policy.	<u>Cabinet Executive</u> /Leader.	Strategic Housing Manager.
Secure Tenancies.	To make nominations in respect of secure tenancies to: <ul style="list-style-type: none"> a. applicants who have not been granted tenancies but who have been selected under either sections 193 or 195 of the Housing Act 1996 and qualify for an offer of a secure tenancy from the Housing Register based on the Council's Allocations Scheme date order; and 	<u>Cabinet Executive</u> /Leader.	Strategic Housing Manager.

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	<p>b. applicants who have been selected under sections 193 or 195 of the Housing Act 1996 and have become non-secure tenants and qualify from the Housing Register to be made secure tenants of their existing property based on the Council's Allocations Scheme date order.</p>		
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LEGAL, EQUALITIES AND DEMOCRATIC SERVICES			
1. Legal			
Subject	Detail	Delegated by:	Delegated to:
Appeals.	To appeal on behalf of the Council against decisions of courts, tribunals or other decision-making bodies.	Council.	Principal Solicitor.
Dedications.	To approve dedications of cycleways, bridleways, footways, footpaths and highways where no objections to the proposal have been received.	Cabinet Executive /Leader.	Head of Legal, Equalities & Democratic Services.
Documents, Orders and Notices (other than contracts falling under the Contracts Procedure Rules).	To sign or seal any document, Order or Notice on behalf of the Council and to serve or receive any documents on behalf of the Council.	Council.	Head of Legal, Equalities & Democratic Services Or Principal Solicitor.
Footpaths.	<p>1. To deal with all matters relating to public footpaths where no objections to the proposal have been received.</p> <p>2. To comment on consultation to correct known errors to the definitive footpath maps and to comment on proposals to stop up or extinguish existing footpaths or to create new footpaths.</p>	<p>1. Planning Committee.</p> <p>2. Planning Committee.</p>	<p>1. Principal Solicitor.</p> <p>2. Head of Planning and Regeneration.</p>
Formation of Companies.	To undertake the formation of limited companies where this is calculated to facilitate or is conducive to the discharge of any of the Council's functions.	Cabinet Executive /Leader.	Principal Solicitor.

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Legal Advice and Assistance.	To provide legal advice, support and guidance (including the conduct of court proceedings) on behalf of external clients, including local authorities or other bodies to which the Council is empowered by legislation to provide legal advice.	Council/ Cabinet Executive / Leader (as appropriate).	Principal Solicitor.
Low Cost Housing Transactions.	<ol style="list-style-type: none"> To administer the Council's Low Cost Housing Scheme, including the making of nominations and the sale of the Council's interest in dwellings. To take all necessary action, including the institution of legal proceedings to recover deferred payments from the purchases of low cost homes who are in breach of covenants made in the purchase of these homes. To revise fees in relation to low cost housing transactions. 	<ol style="list-style-type: none"> – 3. Cabinet Executive/ Leader. 	<ol style="list-style-type: none"> Head of Planning. Principal Solicitor. Head of Legal, Equalities & Democratic Services, Head of Planning and Regeneration and Financial Services Manager in consultation with the relevant Portfolio Holders.
Planning Consultants.	<ol style="list-style-type: none"> To engage the services of consultants to advise officers and given evidence at public local enquiries. To engage the services of consultants in such cases as may be considered appropriate in appeals on planning and 	<ol style="list-style-type: none"> Cabinet Executive / Leader. Cabinet Executive/ Leader 	<ol style="list-style-type: none"> & 2. Principal Solicitor or Head of Planning and Regeneration.

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	planning enforcement issues.		
Police and Crime Panel – budget	To approve the budget for the administration of the West Mercia Police and Crime Panel, providing no financial contribution is sought.	Council	Head of Legal, Equalities and Democratic Services following consultation with the Leader of the Council.
Proceedings and Prosecutions.	<ol style="list-style-type: none"> 1. To commence any proceedings/prosecutions considered necessary in relation to frauds or attempted frauds against the Council. 2. To prosecute or defend or to appear in or make arrangement for the Council to be represented in any proceedings before any court or tribunal and to deal with all procedural aspects of Court proceedings. 3. To authorise Officers to sign statements of Truth, Statutory Declarations and Affidavits on behalf of the Council. 4. To act as informant in the laying of an information to commence proceedings before the Magistrates Court. 5. To sign indictments in appropriate Crown Court proceedings. 	<ol style="list-style-type: none"> 1. Council. 2. Council. 3. Council. 4. Council. 5. Council. 	<ol style="list-style-type: none"> 1. Principal Solicitor. 2. Principal Solicitor. 3. Principal Solicitor. 4. Head of Legal, Equalities & Democratic Services. 5. Head of Legal, Equalities & Democratic Services.

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	<p>6. To sign any document required as part of any court procedure including statutory demands or bankruptcy petitions.</p> <p>7. To select and authorise Officers to prosecute or defend on the council's behalf (subject to 9 below).</p> <p>8. To select and authorise Officers to appear on the Council's behalf in proceedings before a Magistrates' Court (subject to 9 below).</p> <p>9. To select and authorise Officers to appear before Magistrates Courts and Tribunals to:</p> <p>(a) represent the Council in the recovery of Council Tax and non-domestic rates monies due to the Council;</p> <p>(b) represent the Council before a Valuation Tribunal in consideration of any appeals which may arise concerning Council Tax and non-domestic rates.</p> <p>10. To prosecute or defend in respect of all environmental health related statutory provisions listed in Appendix EH1 of this scheme.</p>	<p>6. Council.</p> <p>7. Council.</p> <p>8. Council</p> <p>9. Council.</p> <p>10. Council.</p>	<p>6. Principal Solicitor.</p> <p>7. Principal Solicitor.</p> <p>8. Principal Solicitor.</p> <p>9. Principal Solicitor or Head of Resources.</p> <p>10. Principal Solicitor.</p>
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	<p>11. To take such action (including but not limited to the institution of criminal or civil proceedings, or the prosecution or defence of proceedings, judicial review and any proceedings under section 222 of the Local Government Act 1972) as is considered appropriate, or to effect the wishes of the Council or to protect the interests of the Council.</p> <p>12. To take all necessary action, including the institution of legal proceedings, to recover deferred payments from the purchasers of low cost homes who are in breach of covenants.</p> <p>13. To institute proceedings relating to contravention of bye-laws.</p> <p>14. To lodge and prosecute applications to, and the defence of, proceedings in any statutory and administrative tribunal in connection with the employment of an Officer or a servant of the Council.</p>	<p>11. Council.</p> <p>12. Council.</p> <p>13. Council.</p> <p>14. Council.</p>	<p>11. Principal Solicitor.</p> <p>12. Principal Solicitor.</p> <p>13. Principal Solicitor.</p> <p>14. Principal Solicitor.</p>
Processions and Assemblies.	To apply to the Secretary of State under section 14A of the Public Order Act 1986 for consent to make an order prohibiting the holding of all trespassory assemblies in the district or a part of it and for such period of time as may be specified in the application.	Cabinet Executive/Leader.	Head of Legal, Equalities & Democratic Services.

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Regulation of Investigatory Powers Act.	See Under Corporate Delegations	-	-
Road Closures - Temporary.	To determine requests to make Orders under section 21 of the Town and Police Clauses Act 1847.	<u>Cabinet Executive/Leader.</u>	Principal Solicitor In consultation with Head of Environmental <u>Services.</u>
Seal.	To decide to which documents the common seal should be affixed and to attest the affixing of common seal.	Council.	Principal Solicitor.
Section 106 Agreements - Fees.	To determine the fee to be charged to commercial organizations for legal work undertaken in respect of Section 106 Agreements to which a commercial organization is a party.	<u>Cabinet Executive/Leader.</u>	Principal Solicitor.
Trespassers and Unauthorised Encampments.	<ol style="list-style-type: none"> 1. To take action including the institution of legal proceedings in relation to trespass or unauthorized encampments on any land or premises owned by the Council. 2. To take action including the institution of legal proceedings in relation to trespass or unauthorized encampments on any land or premises in the District insofar as the Council is empowered to do so. 3. To give directions under section 77 of the Criminal Justice and Public Order Act 1994. 	1. – 4. <u>Cabinet Executive/ Leader.</u>	1. – 4. Principal Solicitor.

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	4. To institute proceedings for an Order requiring the removal of any vehicle or other property on land within the District and any person residing in such vehicle in contravention of a direction given under section 77 of that Act.		
2. Elections			
Subject	Detail	Delegated by:	Delegated to:
Fees for Election Duties.	To set within the approved budget the fees for various election duties and to make payments to those employed by the Returning Officer to carry out the duties related to an election.	Electoral Matters Committee.	Returning Officer.
Re-organisation of Community Governance.	To make Orders under section 86 of the Local Government and Public Involvement in Health Act 2007 or any subsequent or amending legislation.	Electoral Matters Committee.	Head of Legal, Equalities and Democratic Services.
Alteration of Polling Places	To alter polling places outside compulsory review periods.	Electoral Matters Committee	(Acting) Returning Officer following consultation with the Portfolio Holder and ward members.
Proper Officer.	To be designated: <ul style="list-style-type: none"> a. Electoral Registration Officer under section 8 of the Representation of the People Act 1983; b. Returning Officer for elections of Councillors of the district and for elections for Councillors of parishes within the District under S53 of the Representation of the People Act 1983. 	Council.	Chief Executive.

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3. Democratic Services			
Subject	Detail	Delegated by:	Delegated to:
Programme of Council and Committee meetings.	To agree the programme of Council and Committee meetings.	Council.	Head of Legal, Equalities & Democratic Services following consultation with the Executive/Leader and relevant Portfolio Holder.
Members' Expenses.	<ol style="list-style-type: none"> 1. To administer payments made under the Members' Allowance Scheme. 2. To approve attendance at and payment of expenses for Members at conferences organised by external bodies in accordance with the Council's agreed policy and criteria. 	<ol style="list-style-type: none"> 1. Council. 2. Council. 	<ol style="list-style-type: none"> 1. Senior Democratic Services Officer. 2. Senior Democratic Services Officer.
Remuneration Panel Members.	To undertake all the administrative arrangements, including short-listing of candidates, in respect of the recruitment of members to the Independent Remuneration Panel.	Council.	Senior Democratic Services Officer.

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LEISURE AND CULTURE			
Subject	Detail	Delegated by:	Delegated to:
Allotments.	To grant, transfer and accept the termination of allotment tenancies.	<u>Cabinet Executive</u> /Leader.	Head of Leisure and Culture.
Events on the High Street.	To determine requests to hold events in Bromsgrove High Street in accordance with policy.	<u>Cabinet Executive</u> /Leader.	Head of Leisure and Culture.
Fairs, Circuses and Special Events.	Within the Budget and Policy Framework to determine arrangements for fairs, circuses and other special events on land or in buildings controlled by the Council.	<u>Cabinet Executive</u> /Leader.	Head of Leisure and Culture.
Fees and Charges - Sports, Leisure, Community & Cultural services.	<ol style="list-style-type: none"> 1. To review and amend the agreed maximum scale of fees and charges for sports and leisure activities as appropriate within the Budget and Policy Framework. 2. To vary the charges at the Leisure & Cultural facilities in response to additional competition and market demand. 3. To approve and implement promotional activities at all Sports, Leisure & Cultural facilities in order to maximise <u>participation</u> usage and /or income. 	1. to 3. <u>Cabinet Executive</u> /Leader.	1. to 3. Head of Leisure and Culture.
National Health Campaigns.	To support regional & nationally recognised health and fitness campaigns in the Council's sports, cultural and leisure facilities by the implementation of <u>additional activities</u> /discounted sessions/fees as appropriate.	<u>Cabinet Executive</u> /Leader.	Head of Leisure and Culture.

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Flowers, Bulbs and Trees.	To approve requests from charitable organisations to plant flowers, bulbs and trees in support of the Charity at locations in parks and open spaces . <u>Open Spaces now comes under Environmental Services</u>	Cabinet Executive/Leader.	Head of Leisure and Culture.
Play Areas.	<ol style="list-style-type: none"> Day-to-day management of play areas including Health and Safety matters, maintenance and renewals. To determine representations/applications (retrospective or otherwise) received which fall within the standards and policies to be applied for play areas within residential estates. 	Cabinet Executive/Leader.	Head of Leisure and Culture.
Public Open Space.	<ol style="list-style-type: none"> To adopt Public Open Space on behalf of the Council which has previously been agreed as part of a Section 106 Agreement. To negotiate the adoption of Public Open Space on behalf of the Council which has previously not been part of a Section 106 agreement. 	Cabinet Executive/Leader.	Head of Leisure and Culture.
Recreational, Sports, Community & Cultural Facilities	<ol style="list-style-type: none"> To determine applications for the free use of Council recreational facilities by non-commercial organisations which fall within the Budget and Policy Framework or other policies. To determine applications for the use of the Recreation Ground, Bromsgrove and the Boleyn Road Recreation Ground Frankley by fun fairs 		1. - 3. Head of Leisure and Culture.

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	<p>which fall within established policy.</p> <p>3. To determine applications for the use of non-commercial events of Council owned or managed recreational and sports facilities and/or parks and open spaces.</p> <p>4. To determine applications for the bookings of the Council's recreational and sports facilities.</p> <p>5. To determine applications from partners organisations relating to contract or SLA arrangement in line with relevant agreement & Council Policy frameworks.</p> <p>6. To determine dates for the closure of recreational facilities for Bank Holidays, Christmas and New Year Holidays.</p>		<p>4. Head of Leisure and Culture except that the agreement of the relevant Portfolio Holder is required to agree to any bookings by political or religious groups.</p> <p>5. Head of Leisure and Culture.</p> <p>6. Head of Leisure and Culture.</p>
Recreational Land.	To decide on arrangements for the access, usage & leasing of recreational land or facilities to parish Councils and other organisations and to determine any applications for consents required under such leases.	Cabinet Executive/Leader	Executive Director - Finance and Corporate Resources and Head of Leisure and Culture.
Recreational Provision.	Within the Budget and Policy Framework to make decisions on recreational provision which is	Cabinet	Head of Leisure and Culture.

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	being made in partnership with other organisations.		
Sanders Park & Open Spaces– Use by Hot Air Balloons.	To determine applications for the use of Sanders Park and Open Spaces for hot air balloon flights.	Cabinet	Head of Leisure and Culture.
Playing Pitches.	To grant hire agreements, <u>licenses or lease arrangements</u> for the use of such facilities in line with budget and Policy frameworks.	Cabinet	Head of Leisure and Culture.

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PLANNING AND REGENERATION			
1. Assets of Community Value			
Subject	Detail	Delegated by:	Delegated to:
Confirmation of valid application	To check validity of nominations of an asset of community value and reject if not appropriate or incomplete.	Cabinet.	Head of Planning and Regeneration
Consultation	To arrange consultation on valid nominations of an asset; consultees to include Ward members.	Cabinet.	Head of Planning and Regeneration
Recommend nomination	To recommend to Cabinet whether or not a nomination should be accepted and included on the list of Assets of Community Value.	Cabinet.	Head of Planning and Regeneration
Review of decision	To review a decision to list a property as an Asset of Community Value.	Cabinet.	Executive Director
Assess compensation claims	To assess claims for compensation.	Cabinet.	Head of Planning and Regeneration.
Review compensation claims	To review and decide initial decisions about compensation.	Cabinet.	Executive Director

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2. Building Control			
Subject	Detail	Delegated by:	Delegated to:
Building Regulations - Applications.	To determine applications under the Building Regulations 1991 and 2000.	Council.	Head of Planning and Regeneration-
Building Regulation - Charges.	To review and determine the scale of charges in accordance with the Building Act 1984 and the Building (Local Authority Charges) Regulations 1998.	Council.	Head of Planning and Regeneration.
Dangerous Buildings.	To take such action as is considered necessary under sections 77 and 78 of the Building Act 1984 when the condition of any building is such as to render it necessary to require the owner to make it safe for the Council to take action to remove the danger, as a matter of urgency.	Council.	Head of Planning and Regeneration in consultation with the relevant Portfolio Holder.
Demolition.	To determine applications for demolition under sections 80 and 81 of the Building Act 1984.	Council.	Head of Planning and Regeneration.
Ground Movement.	To take such action as may be necessary to deal with any events of structural distress and ground movement affecting properties in order to safeguard the public interest.	Council.	Head of Planning and Regeneration.

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3. Development Control			
Subject	Detail	Delegated by:	Delegated to:
Prior Notification Procedure.	To require further details from the applicant when an application for prior determination is submitted in respect of permitted development for agricultural, forestry and telecommunications development.	Planning Committee.	Head of Planning and Regeneration.
Article 4 Directions.	To make Directions under Article 4(1) of the Town & Country Planning (General Permitted Development) Order 1995.	Planning Committee.	Head of Planning and Regeneration.
Certificate of Lawfulness.	To determine applications for Certificates of Lawfulness of Proposed Use of Development or Certificates of Existing Use of Development under sections 191 and 192 of the Town & Country Planning Act 1990.	Planning Committee.	Head of Planning and Regeneration.
Development Proposals by other Public Authorities.	To comment on proposals for development submitted by Worcestershire County Council and other public authorities.	Council.	Head of Planning and Regeneration
Entry of Premises -Proper Officer.	To be designated as the Proper Officer for the purposes of authorising persons to enter onto land in connections with the exercise of functions under sections 196A, 196B, 214B, 324 and 325 of the Town & Country Planning Act 1990.	Planning Committee.	Head of Planning and Regeneration.
Inspection Notices.	To serve notices of intended inspection under sections 196A, 196B, 214B, 324 and 325 of the Town and Country Planning Act 1990.	Planning Committee.	Principal Solicitor.
Landscaping Schemes.	To approve landscaping/tree planting schemes submitted as a	Planning Committee.	Head of Planning and Regeneration.

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	result of planning permissions subject to such conditions as may be appropriate.		
Minor Amendments.	To determine applications for minor amendments to approved plans.	Planning Committee.	Head of Planning and Regeneration.
Planning Agreements and Unilateral Undertakings.	To negotiate with developers and to approve the amounts to be received by the Council as financial contributions in lieu of on-site provision of affordable housing or recreational facilities/open space and as contributions towards the costs of highways works, educational provision or any other kind of provision by the Council or County Council.	Planning Committee.	Head of Planning and Regeneration.
Planning Agreements and Unilateral Undertakings.	To negotiate the legal, drafting and all terms of the agreements and undertaking, except for those which involve planning gain, restriction of the development or use of the land, obligations relating to the land and financial contributions.	Planning Committee.	Principal Solicitor.
	To execute and complete planning agreements.	Planning Committee.	Principal Solicitor.
Planning Agreements and Unilateral Undertakings.	To determine applications or requests for discharge or modification of planning agreements or undertakings (whether by approval or further agreement) unless it includes the following: a. Deletion, addition or variation of one or more of the heads of terms originally approved by the Planning Committee. b. Significant change in the overall area of land to	Planning Committee.	Head of Planning and Regeneration.

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	<p>transferred to the Council.</p> <p>c. Significant change in financial contributions to be provided to the Council (except where this is as a result of a subsequent decision by the Planning Committee).</p> <p>d. Significant change in the any obligation to be performed by the developer or any restriction on the developer or the development or use in land.</p> <p>e. A member makes a written request for a case to be considered by the Planning Committee.</p>		
Planning Agreements and Unilateral Undertakings.	To approve the enforcement of a planning obligation.	Planning Committee.	Head of Planning and Regeneration.
Planning Applications.	<p>1. To determine:</p> <p>a) applications for dwelling houses where the number of houses to be provided is 10 or more.</p> <p>b) applications for the provision of a building or buildings with a floor space of 1000 square metres or more.</p> <p>c) other applications which have been called-in by a member for determination by Planning Committee provided that the application has been called-in in accordance with the procedure set out in paragraphs 6 - 7 of the introductory paragraphs to the Scheme of Delegations.</p>	1. Council	1. Planning Committee

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	<p>d) applications by serving Officers and members</p> <p>e) applications by the Council or by Council Service Areas or Council departments.</p> <p>f) The Head of Planning and Regeneration considers that the application should be considered by the Planning Committee.</p> <p>2. To determine all other planning applications.</p> <p>NB: For the avoidance of doubt the term 'planning applications' include applications to vary or remove planning conditions attached to a planning permission, applications for development which has already been carried out and applications to extend the time for implementing planning permissions.</p>	2. Planning Committee	2. Head of Planning and Regeneration
Planning Applications.	<p>To impose conditions on applications (for planning permission, listed building consent or Conservation area consent) which have been approved by the Planning Committee contrary to the Planning Officer's recommendation where such conditions are:</p> <p>a. Necessary.</p> <p>b. Relevant to planning.</p> <p>c. Relevant to the development which has been applied for.</p> <p>d. Enforceable.</p> <p>e. precise and</p> <p>f. Reasonable in all other aspects.</p>	Planning Committee.	Head of Planning and Regeneration.
Listed Building	To determine applications for	Planning Committee.	Head of Planning and

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<p>and Conservation Area Consent.</p>	<p>listed building consent and Conservation Area consent unless they are:</p> <ul style="list-style-type: none"> a. Applications for dwelling houses where the number of houses to be provided is 10 or more. b. Applications for the provision of a building or buildings with a floor space of 1000 square metres or more. c. Other applications which have been called-in by a member for determination by Planning Committee provided that the application has been called-in in accordance with the procedure set out in paragraphs 6 - 7 of the introductory paragraphs to the Scheme of Delegations. d. Applications by serving Officers and members. e. Applications by the Council or by Council Service Areas or Council departments. <p>The Head of Planning and Regeneration considers that the application should be considered by the Planning Committee.</p>		<p>Regeneration.</p>
<p>Appeals.</p>	<p>To take all action to defend the Council where there has been an appeal against a refusal to grant planning permission, listed building consent or conservation area consent.</p>	<p>Planning Committee.</p>	<p>Head of Planning and Regeneration in consultation with the Principal Solicitor.</p>
<p>Revocation and</p>	<p>To revoke or modify planning</p>	<p>Planning Committee.</p>	<p>Head of Planning and</p>

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modification.	permissions, listed building or conservation area consent under section 97 of the Town and Country Planning Act 1990 and sections 23 and 74 of the Planning (Listed Buildings & Conservation Area Acts) 1990		Regeneration.
Completion Notice.	To authorise and serve a completion notices.	Planning Committee.	Head of Planning and Regeneration.
Declining Planning Applications.	To decide to decline to determine application on the grounds set out in sections 70A and 70B of the Town and Country Planning Act 1990 and sections 81A and 81B of the Planning (Listed Buildings & Conservation Area Acts) 1990.	Planning Committee.	Head of Planning and Regeneration.
Advertisements.	To determine applications for express advertisement consent	Planning Committee.	Head of Planning and Regeneration.

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4. Economic Development			
Subject	Detail	Delegated by:	Delegated to:
Business Start -Up Grants.	To approve Business Start-Up Grants of up to £1,000 per individual applications.	Cabinet Executive /Leader.	Head of Planning and Regeneration.
Farmers' Markets.	To determine applications for consent for Farmers' Markets.	Cabinet Executive /Leader.	Head of Planning and Regeneration in consultation with the Executive/ Leader and Deputy Executive/Leader.
Financial Assistance to Small Businesses.	<ol style="list-style-type: none"> To determine applications for grants of up to £500. To determine applications for grants of between £500 and £1,000. 	<ol style="list-style-type: none"> Cabinet Executive/ Leader. Cabinet Executive/ Leader. 	<ol style="list-style-type: none"> Head of Planning and Regeneration. Head of Planning and Regeneration in consultation with the relevant Portfolio Holder.
Markets.	<ol style="list-style-type: none"> To approve events to be held. To let stalls. 	<ol style="list-style-type: none"> Cabinet Executive/ Leader. Cabinet Executive/ Leader. 	<ol style="list-style-type: none"> Head of Planning and Regeneration. Head of Planning and Regeneration.

5. Heritage			
Subject	Detail	Delegated by:	Delegated to:
Local Heritage List	<ol style="list-style-type: none"> To administer the Local Heritage List for Bromsgrove; To approve draft selection criteria and final lists 	Council	<ol style="list-style-type: none"> Head of Planning and Regeneration Head of Planning and Regeneration following consultation with the Portfolio

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			Holder for Planning.
6.Neighbourhood Planning			
Subject	Detail	Delegated by:	Delegated to:
Designation of Neighbourhood Area	To decide whether to accept and designate a Neighbourhood Area	Council	Head of Planning and Regeneration following consultation with the Ward Member(s) for the area affected and the Portfolio holder for Planning.
Designation of a Neighbourhood Forum	To decide whether to designate a community organisation as a Neighbourhood Forum		Head of Planning and Regeneration following consultation with the Ward Member(s) for the area affected and the Portfolio holder for Planning.
Assessing the validity and acceptance of plans	To decide the validity and acceptance of submissions for a Neighbourhood Development Plan or a Neighbourhood Development Order, including assessing the compliance of the Plan/Order with other relevant policies and legislation.		Head of Planning and Regeneration following consultation with the Ward Member(s) for the area affected and the Portfolio holder for Planning.
Repeat proposals	To decide whether to decline to accept repeat proposals for Neighbourhood Development Plans or Neighbourhood Development Orders		Head of Planning and Regeneration following consultation with the Ward Member(s) for the area affected and the Portfolio holder for Planning.
Appointment of Examiner	To appoint an Examiner for a Neighbourhood Development Plan or Order		Head of Planning and Regeneration following consultation with the Ward Member(s) for the area affected and the

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			Portfolio holder for Planning.
7. Planning Enforcement			
Subject	Detail	Delegated by:	Delegated to:
Article 4 Directions.	To make Directions under Article 4(1) of the Town & Country Planning (General Permitted Development) Order 1995 1.	Planning Committee.	Head of Planning and Regeneration.
Breach of Condition Notices.	To authorise the issue and service of Breach of Condition Notices under section 187A of the Town & Country Planning Act 1990 2.	Planning Committee.	Head of Planning and Regeneration in consultation with the Principal Solicitor.
Cautions.	To administer formal cautions to offenders as an alternative to Court proceedings.	Planning Committee.	Officers authorised in writing by the Head of Planning and Regeneration.
Enforcement Notices.	To authorise the issue and service of Enforcement Notices under section 172 of the Town & Country Planning Act 1990.	Planning Committee.	Head of Planning and Regeneration.
Entry of Premises - Proper Officer.	To be designated as the Proper Officer for the purposes of authorising persons to enter onto land in connections with the exercise of functions under sections 196A and 196B, 214B, 324 and 325 of the Town & Country Planning Act 1990.	Planning Committee.	Head of Planning and Regeneration.
Inspection Notices.	To serve notices of intended inspection under sections 196A, 196B, 214B, 324 and 325 of the Town and Country Planning Act 1990.	Planning Committee.	Principal Solicitor.
Injunctions.	To seek injunctions in the High Court under Section 187B of the Town & Country Planning Act 1990 or any other relevant statutory power restraining breaches of planning control 3.	Planning Committee.	Head of Legal, Equalities and Democratic Services or Principal Solicitor in consultation with, where practicable, the Chairman of Planning Committee.

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Listed Buildings - Enforcement Notices.	<ol style="list-style-type: none"> 1. To authorise the issue and service of Listed Building Enforcement Notices under section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990. 2. To authorise the issue and service of Listed Building Enforcement Notices under section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in circumstances in cases of urgency when, in the opinion of Head of Planning & Environment Services, reporting to Planning Committee is impractical. 	<ol style="list-style-type: none"> 1. Council. 2. Planning Committee. 	<ol style="list-style-type: none"> 1. Planning Committee. 2. Head of Planning and Regeneration.
Planning Contravention Notices.	<ol style="list-style-type: none"> 1. To serve Planning Contravention Notices under section 171C of the Town & Country Planning Act 1990 (and any other statutory power which enables the Council to require information about land). 2. To respond to offers to apply for planning permission or to refrain from carrying out any operations or activities following the service of a Planning Contravention Notice. 	<ol style="list-style-type: none"> 1. Planning Committee. 2. Planning Committee. 	<ol style="list-style-type: none"> 1. Head of Planning and Regeneration. 2. Head of Planning and Regeneration.
Stop Notices.	<ol style="list-style-type: none"> 1. To authorise the issue and service of Stop Notices under section 183 of the Town & Country Planning Act 1990. 	<ol style="list-style-type: none"> 1. Council. 	<ol style="list-style-type: none"> 1. Planning Committee.

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	2. To authorise the issue and service of Stop Notices under section 183 of the Town & Country Planning Act 1990 in cases of urgency when, in the opinion of Head of Planning & Environment Services, reporting to Planning Committee is impractical.	2. Planning Committee.	2. Head of Planning and Regeneration in consultation with the Principal Solicitor.
Temporary Stop Notice.	The issue and service Temporary Stop Notices under ss171E-H of the Town & Country Planning Act 1990.	Planning Committee.	Head of Planning and Regeneration in consultation with the Principal Solicitor.
Proper Maintenance of Land.	1. To authorise the issue of notices under section 215 of the Town and Country Planning Act 1990. 2. To serve notices under section 215 of the Town and Country Planning Act 1990.	Planning Committee.	1. Head of Planning and Regeneration. 2. Principal Solicitor.
Appeals.	To take all action to defend the Council where there has been an appeal against a refusal to grant planning permission, listed building consent or conservation area consent.	Planning Committee.	Head of Planning and Regeneration in consultation with the Principal Solicitor.
Advertisement Controls.	1. To authorise the service of an advertisement discontinuance notice. 2. To take action for the control of advertisements (but not including the service of a discontinuance notice) in the interest of amenity and public safety under the Town and Country Planning (Control of Advertisements) Regulations 2007.	1. Council. 2. Planning Committee.	1. Planning Committee. 2. Head of Planning and Regeneration in consultation with the Principal Solicitor.

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8. Strategic Planning

Subject	Detail	Delegated by:	Delegated to:
Inspection Notices.	To serve notices of intended inspection under sections 196A, 196B, 214B, 324 and 325 of the Town and Country Planning Act 1990.	Planning Committee.	Principal Solicitor.
Local Plan Enquiry.	To provide direction on behalf of the Council to any Local Plan/Local Development Framework Inquiry on policy issues and site details.	Council	Head of Planning and Regeneration.
Rights of Entry - Proper Officer.	To be designated as the Proper Officer for the purposes of authorising persons to enter onto land in connections with the exercise of functions under section 324 and 325 of the Town & Country Planning Act 1990.	Planning Committee.	Head of Planning and Regeneration.

Note: All delegations to Head of Planning and Regeneration Services are to include any designated deputy, such designation to be in writing.

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REGULATORY SERVICES

1. LICENSING

HEAD OF REGULATORY SERVICES (WORCESTERSHIRE REGULATORY SERVICES)

To determine applications made for licences of premises for acupuncture, tattooing, ear piecing and electrolysis.

To determine applications for the registration of animal trainers and exhibitors.

To be responsible for inspections of premises are undertaken to ensure compliance with animal welfare licensing legislation and to engage veterinary surgeons for these purposes where necessary.

To authorise officers for the purpose of Part II of the Local Government (Miscellaneous Provisions) Act 1976.

To be designated as "Proper Officer" for the provisions of the Breeding of Dogs Act 1973 and to act on behalf of the Council in respect of the provisions of the Act and to engage veterinary surgeons for the purpose of inspecting premises under the Act.

To determine applications for house to house and street collections.

To respond to applications where the Council is a responsible authority or consultee.

To be designated as "Proper Officer" for the purposes of the administration of the Dangerous Wild Animals Act 1976 and to be authorised to carry out all appropriate functions including the entering of premises.

To grant consents for uncontested Street Amenity Consents under the Highways Act 1980

To authorise the entry of premises for the purpose of enforcing the provisions of the following legislation on behalf of the Council:

- Animal Boarding Establishments Act 1963.
- Breeding of Dogs Act 1973.
- Gambling Act 2005.
- Licensing Act 2003.
- Local Government (Miscellaneous Provisions) Acts 1976 and 1982.
- Town Police Clauses Act 1847.
- Zoo Licensing Act 1981.

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To determine all matters under the Gambling Act 2005 except:

- Determination of fee levels.
- Applications for aviations to premises licences, provisional statements, club gaming/club machine permits and other permits where representations have been received and not withdrawn.
- Applications for transfer of premises licences where representations have been made by the Gambling Commission.
- Review of premises licenses.
- Decision to give a counter notice to a temporary use notice.
- Refusal of applications for registration by societies wishing to promote lotteries.

Hackney Carriages and Private Hire Operators', Vehicles and Drivers'

To determine all matters in relation to Hackney Carriage Drivers and Private Hire Operators, Vehicles and Drivers except:

Hackney Carriage and Private Hire Drivers

- Determination of applications where the applicant does not meet the Council's application criteria.
- "Suspension / revocation of a drivers licence, where suspension / revocation is required with immediate effect (in consultation with the Licensing Committee Chairman / Vice-Chairman) that since the grant of the licence they have:-
 - (i) been convicted of an offence involving dishonesty, indecency or violence; or
 - (ii) been convicted of an offence under or has failed to comply with the provision of the Act of 1847 or section 61 of the Local Government (Miscellaneous Provisions) Act 1976; or
 - (iii) any other reasonable cause.

subject to a report being presented to a meeting of the Licensing Sub-Committee."

Hackney Carriage and Private Hire Vehicles

- Determination of an application where the vehicle does not meet the Council's application criteria.
- "Suspension / revocation / refuse to renew a vehicle licence, where suspension / revocation is required with immediate effect (in consultation with the Licensing Committee Chairman / Vice-Chairman) on any of the following grounds:-
 - (i) that the vehicle is unfit for use as a hackney carriage or private hire vehicle;
 - (ii) any offence under, or non-compliance with, the provision of the Act of 1847 or section 60 of the Local Government (Miscellaneous Provisions) Act 1976; or
 - (iii) any other reasonable cause.

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subject to a report being presented to a meeting of the Licensing Sub-Committee.

Operator's

- Determination of an application where the applicant does not meet the Council's criteria in respect of character.

Fares/Stand

- Revisions to the Council's Table of Hackney Carriage Fares.
- Appointment of Hackney Carriage stands/revisions to existing Hackney Carriage stands.

To suspend Premises and Club Premises Licences following non payment of fees under sections 55A and 92A of the Licensing Act 2003 (as amended)

To determine all matters under the Licensing Act except:

- Application to vary designated premises supervisors if representations are made.
- Applications for personal licences, premises licences/ club premises licences and provisional statements where representations have been received.
- Applications for Interim Authorities if a police representation is made.

- Application to vary premises licences/ club premises certificates if representations are made.
- Applications to review premises/ club premises certificate.
- Any interim steps following an application for an expedited review.
- Determination of Temporary Event Notices where representations have been **made** by the Police.
- Applications to transfer premises licences if representations are made.
- Applications for minor variations if representations are made by the Police.

To determine all matters relating to Market and Street Trading except:

- Designation of consent streets and non consent streets under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
- Deciding the Council's policy in relation to the issue of street trading consents.

To determine applications for licences for riding establishments

To determine applications for Zoo Licensing

To carry out any other function or responsibility in relation to the legislation listed at RS1 not specifically referred to above

RS1

- Animal Boarding Establishments Act 1963.
- Animal Welfare Act 2006.

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- Breeding and Sale of Dogs (Welfare) Act 2006.
- Breeding of Dogs Act 1973 and 1991.
- Dangerous Wild Animals Act 1976.
- Gambling Act 2005.
- Licensing Act 2003.
- Local Government (Miscellaneous provisions) Acts 1976 and 1982.
- Pet Animals Act 1951.
- Police Factories Act (miscellaneous provisions) Act 1916.
- Riding establishments Acts 1964 and 1970.
- Scrap Metal Dealers Act 2013.
- Vehicle Crime Act 2001 - Section 4 (13) - Motor Salvage Operators.
- Town Police Clauses Act 1847.
- Video Recordings Act 1984 and 1993.
- Licensing Act 2003.
- Hackney carriage licensing.
- Private Hire (including driver, vehicle and operator) licensing.
- Control of sex establishments (including lap dancing and sexual entertainment venues).
- Street Trading.
- Street amenity licences.
- Zoo Licensing Act 1981.

2. ENVIRONMENTAL HEALTH

HEAD OF REGULATORY SERVICES (WORCESTERSHIRE REGULATORY SERVICES)

(i) In accordance with the legal agreement for Regulatory Services Shared Service, the Council has delegated to the Head of Service of Worcestershire Regulatory Services all the duties and functions listed below arising out of the legislation set out in Appendix RS 2.

- (a) Appointment of Inspectors, Authorised Officers or similar designated persons.
- (b) Undertaking inspections and investigation of complaints.
- (c) Signing and service of notices.
- (d) Signing and issuing, revoking and varying, any licence, permit, order or other document.
- (e) Executing, or arranging for the execution of, works in default.
- (f) Purchasing or otherwise procuring samples, seize equipment, goods and animals.
- (g) The exercise of powers of entry.
- (h) The engagement of specialist advisors/contractors to support/supplement service activity.
- (i) The institution of legal proceedings (in consultation with the Head of Legal Services of the Relevant Authority).
- (j) The obtaining of warrants of entry.

(ii) The Head of Service has authority to delegate further, in writing, all or any of their delegated functions to other officers, and may authorise certain of those officers to further delegate to officers under their management or control.

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RS2

Accommodation Agencies Act 1953.

Administration of Justice Act 1970 (Section 40).

Agriculture (Safety, Health & Welfare Provisions) Act 1956.
Agriculture Act 1970.

Agriculture Produce (Grading & Marking) Acts 1928 & 1931.

Animal Boarding Establishments Act 1963.

Animal By-Products Regulations 2005.

Animal Health & Welfare Act 1984.

Animal Health Act 1981.

Animal Health Act 2002.

Animal Welfare Act 2006.

Animals and Animal Products (Import & Export) (England) Regs 2006.

Anti-Social Behaviour Act 2003.

Avian Influenza (Preventative Measures) (England) Regulations 2006.

Avian Influenza (Vaccination) (England) Regulations 2006.

Biofuel (Labelling) Regulations 2004.

Bluetongue Regulations 2008.

Breeding and Sale of Dogs (Welfare) Act 1999.

Breeding of Dogs Act 1973 and 1991.

Building Act 1984.

Business Protection from Misleading Marketing Regulations 2008.

Cancellation of Contracts made in a Consumers House or Place of Work etc Regulations 2008.

Caravan Sites Act 1968.

Caravan Sites and Control of Development Act 1960.

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Cat and Dog Fur (Control of Import, Export and Placing on Market) Regulation 2008.

Cattle Identification Regs 2007.

Charities Act 1993.

Children & Young Persons (Protection from Tobacco) Act 1991.

Children & Young Persons Act 1933.

Chronically Sick and Disabled Persons Act 1970.

Cinemas Act 1985.

Civic Amenities Act 1967.

Civil Defence Act 1948 and Regulations made thereunder.

Clean Air Act 1993.

Clean Neighbourhoods and Environment Act 2005.

Construction Products Regulations 1991.

Consumer Credit Act 1974.

Consumer Protection (Distance Selling) Regulations 2000.

Consumer Protection Act 1987.

Consumer Protection from Unfair Trading Regulations 2008.

Control of Pollution Act 1974.

Copyright, Designs and Patents Act 1988.

Criminal Justice and Immigration Act 2008.

Criminal Justice and Public Order Act 1994.

Crystal Glass (Descriptions) Regs 1973.

Dangerous Dogs Act 1990

Dangerous Wild Animals Act 1976.

Deer Act 1991.

Defective Premises Act 1972.

Development of Tourism Act 1969 (Section 18).

Disabled Persons Act 1981.

Distance Selling Regulations 2000.

Ecodesign for Energy-Using Product Regulations 2007.

Education Reform Act 1988.

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Eggs (Marketing Standards) Regulations 2005.

Eggs and Chicks (England) Regulations 2008.

Electromagnetic Compatibility Regs 1992.

Electro-medical Equipment (EEC Requirements) Regs 1988.

Energy Act 1976 (Section 18).

Energy Conservation Act 1981 (Section 20).

Energy Efficiency (Refrigerators and Freezers) Regs 1997.

Energy Information (Combined Washer-driers) Regs 1997.

Energy Information (Dishwashers) Regs 1999.

Energy Information (Household Air Conditioners) (No.2) Regulations 2005.

Energy Information (Household Electric Ovens) Regulations 2003.

Energy Information (Household Refrigerators and Freezers) Regs 2004.

Energy Information (Lamps) Regs 1999.

Energy Information (Tumble Driers) Regs 1996.

Energy Information (Washing Machines) Regs 1996.

Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007.

Enterprise Act 2002.

Environment Act 1995.

Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regs 2002.

Environmental Protection Act 1990.

Estate Agents Act 1979.

Explosives Act 1875.

Export Restrictions (Foot and Mouth Disease) Regulations 2007.

Factories Act 1961.

Fair Trading Act 1973.

Farm and Garden Chemicals Act 1967.

Feed (Hygiene and Enforcement) (England) Regulations 2005.

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Firework Act 2003.

Firework Regulations 2004.

Food & Environmental Protection Act 1985.

Food (Jelly Mini-Cups) (Emergency Control) (England) Regulations 2009.

Food (Suspension of the use of E128 Red 2G as food colour) (England) Regulations 2007.

Food Act 1984.

Food Hygiene (England) Regulations 2006.

Food of Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (England) Regs 2009.

Food Safety Act 1990.

Food Standards Act 1999.

Forgery and Counterfeiting Act 1981 Part 1.

Fraud Act 2006.

Game Act 1831.

General Food Regulations 2004.

General Product Safety Regulations 2005.

Guard Dogs Act 1975.

Hallmarking Act 1973.

Health & Safety at Work etc Act 1974.

Health Act 2006.

Highways Act 1980.

Home Energy Conservation Act 1995.

Home Information Pack Regulations 2007.

Home Safety Act 1961.

Horse Passports Regulations 2009.

House to House Collections Act 1939.

Housing & Planning Act 1986.

Housing Act 1980, 1985, 2004.

Hypnotism Act 1952.

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Imported Food Regulations 1997.

Imported Food Regulations 2007.

Intoxicating Substances (Supply) Act 1985.

Land Drainage Acts 1976 & 1991.
Litter Act 1983.

Local Government & Housing Act 1989.

Local Government (Miscellaneous Provisions) Acts 1976 & 1982.

Manufacturing and Storage of Explosives Regulations 2005.

Materials and Articles in Contact with Food England Regs 2007.

Measuring Instruments (Automatic Catchweighers) Regulations 2006.

Measuring Instruments (Automatic Discontinuous Totalisers) Regulations 2006.

Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006.

Measuring Instruments (Beltweighers) Regulations 2006.

Measuring Instruments (Capacity Serving Measures) Regulations 2006.

Measuring Instruments (Cold Water Meters) Regulations 2006.

Measuring Instruments (Liquid Fuel and Lubricants) Regulations 2006.

Measuring Instruments (Liquid Fuel delivered from Road Tankers) Regulations 2006. Measuring Instruments (Material Measures of Length) Regulations 2006.

Measuring Instruments (Non prescribed Instruments) Regulations 2006.

Measuring Instruments (Rail - Weighbridges) Regulations 2006.

Medicines Act 1968.

Mobile Homes Acts 1975 & 1993.
Motor Cycle Noise Act 1987.

National Assistance Act 1948 Sec 47.

Natural Mineral Water, Spring Water & Bottled Water England Regs 1999.

Noise & Statutory Nuisance Act 1993.

Noise Act 1996.

Non-Automatic Weighing Instruments (EEC Requirements) Regs 2000.

Offensive Weapons Act 1996.

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Offices, Shops & Railway Premises Act 1963.

Official Controls (Animal Feed and Food) (England) Regs 2006.

Official Feed & Food Controls (England) Regs 2007.

Olive Oil (Marketing Standards) Regs 2003.

Olympic Symbol etc. (Protection) Act 1995.

Organic Product Regulations 2009.

Package Travel, Package Holidays & Package Tours Regs 1992.

Packaging (Essential Requirements) Regs 2003.

Party Wall Act 1966.

Performing Animals (Regulation) Act 1925.

Personal Protective Equipment Regulations 2002.

Pet Animals Act 1951.

Petroleum (Transfer of Licences) Act 1936.

Petroleum Consolidation Act 1928.

Planning (Hazardous substances) Act 1990.

Plastic Materials and Articles in Contact with Food England Regs 2009.

Poisons Act 1972.

Police, Factories etc (Miscellaneous Provisions) Act 1916.

Pollution Prevention and Control Act 1999.

Poultry Meat (Water Content) Regs 1984.

Prevention of Damage by Pests Act 1949.

Prices Acts 1974 and 1975.

Private Security Industries Act 2001.

Proceeds of Crime Act 2002.

Products of Animal Origin (Disease Control) (England) Regulations 2008.

Products of Animal Origin (Import and Export) Regulations 1996 (as amended).

Products of Animal Origin (Third Country Imports) (England) Regulations 2006.

Property Mis-descriptions Act 1991.

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Protection of Animals Act 1911 as amended.
Protection of Children (Tobacco) Act 1986.

Public Health (Control of Disease) Act 1984.

Public Health Acts (Amendment) Act 1907.
Public Health Acts 1875, 1925, 1936 & 1961.

Quick Frozen Food Stuffs (England) Regulations 2007.

Radio Equipment and Telecommunications Terminal Equipment Regs 2000.

REACH Enforcement Regulations 2008.

Refuse Disposal (Amenity) Act 1978.

Regulation (EC) No. 178/2002.
Regulation (EC) No. 852/2004.
Regulation (EC) No. 853/2004.
Regulation (EC) No. 854/2004.
Regulation (EC) No. 2073/2005.
Rent Act 1977.

Rice Products (Restrictions on First Packaging on the Market) (England) Regs 2006.

Riding Establishments Acts 1964 & 1970.

Road Traffic (Consequential Provisions) Act 1988.

Road Traffic (Foreign Vehicles) Act 1972.

Road Traffic Acts 1988 and 1991.

Road Traffic Offenders Act 1988.

Road Traffic Regulation Act 1984 (Section 5).

Safety of Sports Grounds Act 1975.

Sale of Goods Act 1979.

Scotch Whisky Act 1988.

Scrap Metal Dealers Act 2013.

Simple Pressure Vessels (Safety) Regs 1991.

Slaughter of Poultry Act 1967.

Slaughterhouses Act 1974.

Smokefree (Exemptions and Vehicles) Regulations 2007.
Smokefree (Penalties and Discounted Amounts) Regulations 2007.
Smoke-free (Premises and Enforcement) Regulations 2006.

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Smokefree (Signs) Regulations 2007.
Smokefree (Vehicle Operators and Penalty Notices) Regulations 2007.
Sunday Trading Act 1994.

Supply of Goods and Services Act 1982.

Supply of Machinery (Safety) Regs 1992.

Telecommunications Act 1984.

Textile Products (Indications of Fibre Content) Regs 1986.

Theft Acts 1968 and 1978.

Timeshare Act 1992.

Town Police Clauses Act 1847.
Trade Descriptions Act 1968.

Trade Marks Act 1994.

Trading Standards - Agricultural (Miscellaneous Provisions) Act 1968.

Transmissible Spongiform Encephalopathies (England) Regulations 2008.

Unfair Terms in Consumer Contracts Regulations 1999.

Unsolicited Goods and Services Acts 1971 and 1975.

Video Recordings Acts 1984 and 1993.

Warm Homes & Energy Conservation Act 2000.
Water Acts 1973-2003.

Water Industry Act 1991.

Water Industry Act 1999.

Weeds Act 1959.
Weights and Measures Act 1985.

Wildlife and Countryside Act 1981.

Wine Regulations 2009.

Worcester City Act 1985.

Zoo Licensing Act 1981.

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RESOURCES			
1. Finance			
Subject	Detail	Delegated by:	Delegated to:
Capital Programme.	To place with private firms any projects within the Capital Programme which it is not possible to undertake within the Council.	Cabinet Executive/Leader.	Heads of Service in consultation with the Procurement Manager.
Car Loans.	To deal with all applications for car loans including requests for the transfer of outstanding balances in the case of new appointments.	Executive/Leader.	Financial Services Manager. We no longer undertake these any more.
Corporate Risk Register.	To monitor, review and update the corporate and departmental risk registers.	Cabinet Executive/Leader.	Executive Director Finance and Resources in consultation with the Audit Board and the relevant Portfolio Holder.
Debts.	To write off irrecoverable debts: a. up to the value of £2,500. b. over £2,500.	a. & b. Cabinet Executive/Leader.	a. Executive Director Finance and Resources b. Executive Director Finance and Resources with the agreement of the Leader of the Council.

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Local Government and Housing Act 1989.	To make determinations under the following Schedules and Sections of the Act: <ul style="list-style-type: none"> • Part 1 Schedule 3 • Paragraph 9 (1) (b) Schedule 3 • Section 42 (2) (g) • Section 50 (3) (b) • Section 56 (1) • Section 60 (2) • Section 63 (1) 	Cabinet Executive/Leader.	Financial Services Manager
Maturity Mortgages.	To deal with requests for the premature repayment of monies secured by maturity mortgages/local bonds.	Cabinet Executive/Leader.	Financial Services Manager.
New Homes Bonus scheme	<ol style="list-style-type: none"> 1. To administer the New Homes Bonus scheme including initial assessment of applications. 2. Following consultation with the Chairman of the New Homes Bonus Community Grants Panel, to reject applications which are ineligible or inappropriate. 	Cabinet Executive/Leader	<ol style="list-style-type: none"> 1. Executive Director Finance and Resources. 2. Following consultation with the Chairman of the New Homes Bonus Community Grants Panel
Tax Relief Reimbursement.	To be an authorized signatory of the purpose of making formal claims to the Inland Revenue for the periodic reimbursement of tax relief granted by the Council.	Cabinet Executive/Leader.	Head of Customer Access and Financial Support.
Utilities - Restoration or Continuance of Services.	To deal in consultation with the relevant Portfolio Holder and generally in accordance with emergency procedures with applications received pursuant to the arrangements according to section 33 of the Local Government (Miscellaneous Provision) Act 1976 (Public Utility Services to Dwellings) and to take	Cabinet Executive/Leader.	Financial Services Manager or Head of Planning & Regeneration.

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	such action as may be necessary for the recovery of any payments made by the Council in pursuance of such arrangements.		
2. Procurement			
Subject	Detail	Delegated by:	Delegated to:
Approved Officers.	To nominate Approved Officers to undertake procurement on behalf of the Council accordance with Contract Procedure Rules.	<u>Cabinet Executive</u> /Leader.	Chief Executive, Executive Directors, Deputy Chief Executive and Heads of Service.
Contracts.	To enter into contracts in accordance with Contract Procedure Rules.	<u>Cabinet Executive</u> /Leader.	Heads of Service.
Select List.	To decide the composition of Select Lists of contractors which are relevant to the Cabinet's work.	<u>Cabinet Executive</u> /Leader.	Chief Executive, Executive Directors and Heads of Service.
Selective Tendering Procedures.	To select contractors from an approved standing list of contractors.	<u>Cabinet Executive</u> /Leader.	Chief Executive, Executive Directors and Heads of Service.
Tenders.	To engage in the formal tender process in accordance with Contract Procedure Rules.	<u>Cabinet Executive</u> /Leader.	Heads of Service.

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3. Revenues and Benefits			
Subject	Detail	Delegated by:	Delegated to:
Cautions.	To administer cautions to offenders as an alternative to Court proceedings.	Council.	Officers authorised in writing by the Head of Customer Access and Financial Support.
Council Tax.	To act in Council Tax matters under the powers of S101 of the Local Government Act 1972.	Council.	Head of Customer Access and Financial Support.
Council Tax Support Scheme – Consultation	To carry out statutory consultation on the draft Council Tax Support Scheme in accordance with legislative guidelines.	Council	Head of Customer Access and Financial Support following consultation with the Portfolio Holder.
Court Proceedings.	To select and authorise officers to appear before Magistrates Courts and Tribunals to: <ul style="list-style-type: none"> (b) represent the Council in the recovery of Council Tax and non-domestic rates monies due to the Council; (b) represent the Council before a Valuation Tribunal in consideration of any appeals which may arise concerning Council Tax and non-domestic rates. 	Council.	Principal Solicitor or Head of Customer Access and Financial Support.
Discretionary Rate Relief - National Non-Domestic Rates.	To approve future Discretionary Rate Relief Awards subject to the criteria and policies of the Council.	Cabinet Executive/Leader.	Head of Customer Access and Financial Support
Essential Living Fund	To administer the Essential Living Fund in accordance with Council policy	Cabinet Executive/Leader	Head of Customer Access and Financial Support
Housing Benefit.	To deal with housing benefit determinations and notifications including the issue of written	Cabinet Executive/Leader.	Head of Customer Access and Financial Support

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	explanations and confirmations or amendments of previous determinations.		
Council Tax Reduction	To administer the Council Tax Reduction scheme in accordance with Council policy (as determined by the Members)	Cabinet Executive/Leader.	Head of Customer Access and Financial Support
Local Valuation Court.	To appear for the Council at sittings of the Local Valuation Court. To select and authorise officers to appear for the Council at sittings of the Local Valuation Court.	Cabinet Executive/Leader.	Head of Customer Access and Financial Support
Rate Relief (Mandatory).	To determine applications for mandatory rate relief under Section 43 of the Local Government Finance Act 1988.	Cabinet Executive/Leader.	Head of Customer Access and Financial Support

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4. Property Services			
Subject	Detail	Delegated by:	Delegated to:
Applications for Planning Consent.	To submit planning applications on behalf of the Council where necessary for any project.	Council.	Executive Director - Finance and Corporate Resources.
Erection of Structures on Council land.	To determine applications for consent for the erection of structures on land/properties on any land owned or managed by the Council, erection of which requires (under a covenant on the sale or lease of the properties), consent by the Council.	Executive Cabinet /Leader.	Executive Director - Finance and Corporate Resources.
Leasehold Reform Act Notices.	To serve notices and counter notices, institute proceedings and take any other necessary action under the Leasehold Reform Act 1967.	Executive Cabinet /Leader.	Executive Director - Finance and Corporate Resources.
Leases and Tenancies.	To agree terms for, and accept the surrender of, leases or tenancies of properties allocated to his/her charge, in accordance with Council policy and the relevant legislation.	Executive Cabinet /Leader.	Executive Director - Finance and Corporate Resources.
Management of Land.	To manage, maintain and undertake relevant negotiations in respect of the Council's properties allocated to his/her charge, in accordance with the Assets Management Plan and relevant legislation.	Executive Cabinet /Leader.	Executive Director - Finance and Corporate Resources.
Minor Matters affecting land.	To deal with minor matters affecting lands and to authorise the signing or sealing of any related documents.	Executive Cabinet /Leader.	Executive Director - Finance and Corporate Resources.
Notices relating to Land.	<ol style="list-style-type: none"> To give notice to quit and other notices for formal demands which are required in the interests of the Council. To sign and serve notices and counter notice,- 	Executive Cabinet /Leader.	<ol style="list-style-type: none"> Executive Director - Finance and Corporate Resources. Executive Director - Finance and Corporate Resources.

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	<p>(a) determining leases, tenancy agreements and licences to occupy (except residential premises held under Part V of the Housing Act 1957) and</p> <p>(b) under Part II of the Landlord and Tenant Act 1954 when the Council wishes to grant or oppose the grant of a new lease, tenancy or licence.</p>		
Purchase of Land.	<p>1. To agree terms for the acquisition of land or individual properties required for an approved scheme after consultation with Chief Officers concerned complete the purchases where a capital scheme for the acquisition has been approved by the Council.</p> <p>2. To buy buildings or land at the best price reasonably obtainable in accordance with the Assets Management Plan and relevant legislation.</p>	<p>1. <u>Executive Cabinet</u> / Leader.</p> <p>2. <u>Executive Cabinet</u> / Leader.</p>	<p>1. Executive Director - Finance and Corporate Resources</p> <p>2. Executive Director - Finance and Corporate Resources.</p>
Repurchase of Former Council Houses.	To waive the right to repurchase former Council houses under the pre-emption clauses and to substitute the discount provisions contained in the Housing Act 1980.	<u>Executive Cabinet</u> /Leader.	Executive Director - Finance and Corporate Resources.
Recreational Land.	To decide on arrangements for the access, usage & leasing of recreational land or facilities to parish councils and other organisations and to determine any applications for consents required under such leases.	<u>Executive Cabinet</u> /Leader.	Executive Director - Finance and Corporate Resources and Head of Leisure and Culture.
Right to Buy - Postponement of	To determine requests for the postponement of the Council's	<u>Executive Cabinet</u> /Leader.	Executive Director - Finance and Corporate

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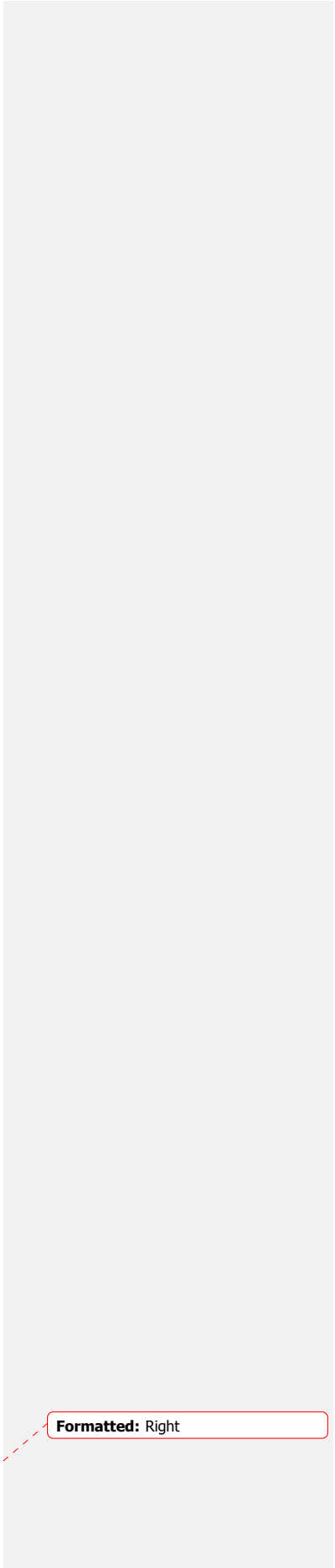
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Statutory Charge.	statutory charge on property sold under the Right to Buy scheme.		Resources.
Sale of Land.	<p>1. To determine applications for the purchase, grants of easements, rights of way and other minor licenses of small areas of land owned by the Council, which is defined as:</p> <ul style="list-style-type: none"> - less than half a hectare in size and with a value of less than £49,999 plus VAT/fees) - all garden licenses or grazing licenses regardless of the size of land in accordance with Council policy for Minor Land Disposal. <p>2. Following a Cabinet decision to declare as surplus, to sell buildings and land at the best price reasonably obtainable in accordance with the Assets management Plan and relevant legislation.</p>	<p>1. <u>Executive Cabinet</u> t/ Leader.</p> <p>2. <u>Executive Cabinet</u> t/ Leader.</p>	<p>1. Executive Director Finance and Resources following consultation with the Ward Member(s).</p> <p>2. Executive Director - Finance and Resources.</p>
Parkside Suite	To grant to local charitable organisations free use of the Parkside Suite on up to 4 occasions per year.	<u>Executive Cabinet</u> /Leader.	Executive Director - Finance and Resources.
Temporary Use of Land.	To take up any offer received from the Department of the Environment for the temporary use of properties acquired for road schemes provided that terms offered are satisfactory.	<u>Executive Cabinet</u> /Leader.	Executive Director - Finance and Resources.
Use of Council facilities by the public.	To approve the use of the Committee Room and Parkside suite by external organisations and the public.	<u>Executive Cabinet</u> /Leader.	Executive Director - Finance and Resources.
Use of Land.	To determine applications for the use of small areas of land owned by the Council.	<u>Executive Cabinet</u> /Leader.	Executive Director - Finance and Resources.

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September 2018

Agenda Item 7



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September 2018

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CABINET RECOMMENDATIONS TO THE COUNCIL

On 19TH SEPTEMBER 2018

Cabinet meeting 5th September 2018

1. Bromsgrove District Plan – Issues and Options Consultation

- a) that the Council publishes the BDP Review, Issues and Options documentation for the purposes of public consultation, between 24th September and 19th November 2018 inclusive.

The content being

The BDP review Issues and Options Report (Appendix A)
The draft Green Belt Purposes Assessment Methodology (Appendix B)
The draft Site Selection Methodology (Appendix C)
The Sustainability Appraisal (Appendix D)

- b) that delegated authority is given to the Head of Planning and Regeneration Services in conjunction with the Portfolio Holder for Planning and Housing, to make any minor technical corrections and editorial changes deemed necessary to aid the understanding of the Issues and Options report prior to final publishing.

2. Anti Social Behaviour, Crime and Policing Act 2014 – Implementation of Provisions

- a) that the powers available to the Council under the Anti Social Behaviour, Crime and Policing Act 2014, as amended in Dec 2017 are noted; and
- b) that the Council's Scheme of Delegation is amended, in accordance with recommendations outlined in Section 3.6 of this report, to allow relevant officers to apply these tools and powers, with the inclusion of "in consultation with the Ward Councillor", where appropriate.

3. Finance Monitoring Outturn 2018/19

That Cabinet recommend to Council:

- a) Approval of an increase in the 2018-19 Capital Programme of £21k for S106 funding to be used for outdoor fitness equipment and artwork at Sanders Park. This is to be added to the existing budget already approved in 2017/18 and carried forward into 2018/19;
- b) Approval for the virement of £101k from separate identified housing revenue budgets to be amalgamated into a single budget allocation, as a result of the renegotiation of the Housing contract with BDHT; and
- c) Approval for the virement of £41k for budgets relating to housing advice provided by the Citizens Advice Bromsgrove and Redditch (CABR). This virement is requested to consolidate existing budgets into a single budget allocation.

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

5TH SEPTEMBER 2018, AT 6.00 P.M.

PRESENT: Councillors G. N. Denaro (Leader), K.J. May (Deputy Leader),
B. T. Cooper, M. A. Sherrey, C. B. Taylor and P. J. Whittaker

Observers: Councillor L. C. R. Mallett

Officers: Mr. K. Dicks, Mrs. C. Felton, Mr. J. Godwin, Ms J. Willis,
Mr C. Forrester, Mr. M. Dunphy, Ms. B. Houghton and Ms. A. Scarce

16/18 **APOLOGIES**

There were no apologies for absence.

17/18 **DECLARATIONS OF INTEREST**

Councillor G. N. Denaro declared a pecuniary interest in Minute Item No. 25/18 in his capacity as a trustee of the Wythall Community Association which had applied for a New Homes Bonus grant. Consequently he left the room during consideration of the item and he took no part in the discussions or voting thereon.

18/18 **MINUTES**

The minutes of the Cabinet meeting held on 27th June 2018 were submitted.

RESOLVED that the minutes of the Cabinet meeting held on 27th June 2018 be approved as a correct record.

19/18 **MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 18TH JUNE AND 3RD SEPTEMBER 2018**

The minutes of the Overview and Scrutiny Board meeting held on 18th June 2018 were noted.

The Leader welcomed Councillor L. Mallett, Chairman of the Overview and Scrutiny Board to the meeting and invited him to present the draft minute extract which had been tabled and which contained recommendations from the Board's meeting held on 3rd September 2018.

Councillor Mallett thanked Cabinet for the opportunity to present the recommendations and highlighted that the first was in respect of the Anti-social Behaviour, Crime and Policing Act 2014 (Implementation of Provisions) report. He explained that the Board had held a detailed discussion around this item and had been in agreement with the report. However, Members had discussed and agreed that in respect of the Scheme of Delegations, and in line with the view taken by the Constitution Review Working Group, that, where appropriate these should include in consultation with the Ward Councillor. Councillor Mallett explained that there had been some discussion around whether this was possible in light of data protection and legal restrictions and officers had agreed to look into this matter further.

The Community Safety Manager explained that she had received advice from both the Legal and Information Management Teams, who had advised that should the action taken be against an individual then that should not be shared as it may prejudice any future legal action. It was highlighted that Members were in a similar position as officers, and that the difference needed to be established. It was agreed that this would be further clarified prior to this item being considered at Council, but in principle the recommendation was accepted.

RESOLVED that the Council's Scheme of Delegations be amended, as detailed within the report subject to the inclusion of "in consultation with the Ward Councillor, where appropriate".

Councillor Mallett provided Cabinet Members with the Board's feedback in respect of the Council Tax Support Scheme Review and it was highlighted that the Board had raised a number of questions in relation to the modelling and the organisations which would be consulted on. It had been noted that sight of the consultation document would have been useful. Following discussion it had been agreed that a recommendation in respect of deferral would be put forward, as from the information provided, if the report were to go to the Board on 1st October and Cabinet on 3rd October, the delay in getting the consultation out would only be by a week.

Councillor B. T. Cooper, Portfolio Holder for Finance and Enabling thanked Councillor Mallett and the Board for its input and agreed that modelling in respect of 80% and 85% together with a list of the organisations to be consulted would be useful. He therefore agreed with the recommendation from the Overview and Scrutiny Board. He also confirmed that this would only delay the start of the consultation by one week.

RESOLVED that consideration of the proposed Local Council Tax Support Scheme for 2019/20 be deferred.

20/18

BROMSGROVE DISTRICT PLAN REVIEW - ISSUES AND OPTIONS CONSULTATION

Councillor C. B. Taylor, Portfolio Holder for Planning and Strategic Housing introduced the report and in so doing explained that this was simply a consultation document as part of the process of reviewing the Local Plan. It was a cross party document which had been discussed at a series of meetings of the Strategic Planning Steering Group. It set out the issues and options and would be available to all residents and that Councillors should be aware of it and encourage people to complete it in order for their views to be considered. Whilst the document was lengthy, it was noted that a summary would be available together with separate sections, should people only wish to comment on a particular area of it.

RECOMMENDED:

1. that the Council publishes the BDP Review, Issues and Options documentation for the purposes of public consultation, between 24th September and 19th November 2018 inclusive.

The content being

The BDP review Issues and Options Report
(Appendix A)

The draft Green Belt Purposes Assessment
Methodology (Appendix B)

The draft Site Selection Methodology (Appendix C)
The Sustainability Appraisal (Appendix D)

2. that delegated authority is given to the Head of Planning and Regeneration Services in conjunction with the Portfolio Holder for Planning and Housing, to make any minor technical corrections and editorial changes deemed necessary to aid the understanding of the Issues and Options report prior to final publishing.

21/18

LOCAL COUNCIL TAX SUPPORT SCHEME 2019/20

As detailed in Minute No. 19/18 this item was deferred until the next meeting of the Cabinet, due to be held on 3rd October 2018.

22/18

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (IMPLEMENTATION OF PROVISIONS)

Councillor P. J. Whittaker, Portfolio Holder for Leisure and Cultural Service, Community Safety and Regulatory Services introduced the report and in so doing highlighted that its purpose was to provide an overview of the Anti Social Behaviour Crime and Policing Act 2014 together with any changes in the statutory Home Office guidance which were likely to have a direct impact on the Council. It also proposed a series of amendments to the Council's Scheme of Delegations to enable

the Council to best utilise and implement the ASB tools and powers within the Act.

The Community Safety Manager confirmed that, as detailed in Minute No. 19/18, she had sought advice from both the Legal and Information Management Teams in respect of the inclusion of Ward Councillor where appropriate.

Members discussed Public Space Protection Orders (PSPOs) and how these would be used and it was confirmed that they would replace the Designated Public Place Orders (DPPOs). These were geographical areas which could restrict such things as the need to keep dogs on leads, rather than targeting an individual's behaviour. There were currently 22 DPPOs which would need to be reviewed by April 2020.

RECOMMENDED:

1. that the powers available to the Council under the Anti Social Behaviour, Crime and Policing Act 2014, as amended in Dec 2017 are noted; and
2. that the Council's Scheme of Delegation is amended, in accordance with recommendations outlined in Section 3.6 of this report, to allow relevant officers to apply these tools and powers, subject to the inclusion of "in consultation with the Ward Councillor where appropriate".

23/18

LEISURE AND CULTURAL SERVICES STAFFING RE-STRUCTURE

The Head of Service, Leisure and Cultural Services presented the report together with the Portfolio Holder. The report highlighted the proposed changes to the delivery model for a number of services currently forming part of the Leisure and Cultural Services Shared Service with Redditch Borough Council (RBC). Background information was provided in respect of the service and the proposed changes which were being considered by RBC at its Executive and Council meetings on 11th and 17th September respectively. As this impacted on Bromsgrove, the opportunity had been taken to review the service, details of which were included within the report. Details of the areas to be included in the review, together with the creation of a local trading company at RBC were also highlighted, together with the areas which would be covered by that company. This included the Palace Theatre, the Abbey Stadium, Pitcheroak Golf Course and four community centres, which were all currently funded by RBC.

RESOLVED that the information contained within the report and proposed structure that will be consulted upon with staff be noted.

24/18

FINANCE MONITORING QUARTER 1 REPORT

Councillor B. T. Cooper, Portfolio Holder for Finance and Enabling introduced the report and in so doing highlighted that the Council was on

target for a modest underspend. The report also contained a number of recommendations to Council in respect of accounting measures. Following discussion the wording of the recommendations was slightly amended to that within the report in order to make the intentions of them clearer.

The Financial Services Manager confirmed that whilst quarter one did not show a lot of detail at this stage, further work was being undertaken in respect of those areas with the largest variance, Keep my place safe and looking good and the Corporate Financing. It was also noted that the virements referred to in the recommendations did not impact on the Council's overall financial position.

RECOMMENDED:

1. The approval of an increase in the 2018-19 Capital Programme of £21k for S106 funding to be used for outdoor fitness equipment and artwork at Sanders Park. This is to be added to the existing budget already approved in 2017/18 and carried forward into 2018/19;
2. The approval for the virement of £101k from separate identified housing revenue budgets to be amalgamated into a single budget allocation, as a result of the renegotiation of the Housing contract with BDHT; and
3. The approval for the virement of £41k for budgets relating to housing advice provided by the Citizens Advice Bromsgrove and Redditch (CABR). This virement is requested to consolidate existing budgets into a single budget allocation.

25/18

NHB COMMUNITY GRANTS PANEL REPORT

Councillor B. T. Cooper in his capacity as Chairman of the New Homes Bonus Community Grants panel took the opportunity to thank officers for their work in ensuring that this process once again ran smoothly. He highlighted the application process which had been followed and also thanked the applicants for their efforts.

It was confirmed that the Panel had been made up of cross party Members, Councillors Cooper, May, Colella and Shannon. It was noted that those Members who had supported an application had declared this at the beginning of the meeting of the Panel and not taken any part in the consideration of that application.

Councillor K. J. May, who had sat on the Panel, also took the opportunity to thank officers for their work and reiterated that those supporting applications had taken no part in the ensuing debates.

RESOLVED that the grants, as detailed in the Summary of NHB Grants Panel Recommendations attached at appendix 1 be approved.

Agenda Item 9

Cabinet
5th September 2018

(Prior to the start of this item Councillor G. N. Denaro declared a pecuniary interest in the subject in his capacity as a trustee of the Wythall Community Association who had applied for a New Homes Bonus Grant. Consequently he left the room during consideration of the item and he took no part in the discussions or voting thereon. The Deputy Leader therefore chaired the meeting for this item).

26/18

TO CONSIDER ANY OTHER BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE HEAD OF LEGAL, EQUALITIES AND DEMOCRATIC SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING

The Leader confirmed that there had been a number of changes to the various LEP groups following a change of portfolio holder at Wyre Forest. The revised membership is detailed below:

	2018/19
Greater Birmingham and Solihull LEP	Councillor Chris Rogers (Wyre Forest) Sub: Councillor David Bush (Redditch)
Greater Birmingham and Solihull LEP ESIF Committee	Councillor Chris Rogers (Wyre Forest) Sub: Councillor Matt Dormer (Redditch)
Worcestershire LEP	Councillor Karen May (Bromsgrove) Sub: Councillor Matt Dormer (Redditch) or Councillor Chris Rogers (Wyre Forest)

Worcestershire Local Transport Body	(Two seats, not drawn from the council supplying the “main” representative on the Worcestershire LEP) Councillor Chris Rogers (Wyre Forest) Councillor David Bush (Redditch)
Worcestershire ESIF Committee	Councillor Chris Rogers (Wyre Forest) Sub: Councillor Matt Dormer (Redditch)
Worcestershire Health and Well-being Board	Councillor Ian Hardiman (Wyre Forest) Sub: Councillor Gareth Prosser (Redditch)
Worcestershire Local Access Forum	Councillor Julian Grubb (Redditch)

27/18

CONFIDENTIAL MINUTES

The Confidential Minute of the Cabinet meeting held on 27th June 2018 were submitted.

RESOLVED that the Confidential Minute of the Cabinet meeting held on 27th June 2018 be approved as a correct record.

(During consideration of this item Members did not discuss matters that necessitated the disclosure of exempt information. The press and public were therefore not excluded from the debate.)

28/18

**LEISURE AND CULTURAL SERVICES STAFFING RESTRUCTURE -
CONFIDENTIAL**

Members did not discuss the confidential appendices to the Leisure and Cultural Services Staffing Restructure, referred to in this item.

(During consideration of this item Members did not discuss matters that necessitated the disclosure of exempt information. The press and public were therefore not excluded from the meeting.)

The meeting closed at 6.33 p.m.

Chairman

OVERVIEW AND SCRUTINY BOARD RECOMMENDATION TO THE COUNCIL

On 19TH SEPTEMBER 2018

Overview and Scrutiny Board meeting 3rd September 2018

Hospital Car Parking Charges

Members considered a report in relation to Hospital Car Parking Charges and were reminded that this was topic which had been referred to them from Council, following a Notice of Motion put forward by Councillor P. McDonald at the meeting held on 19th July 2017.

RECOMMENDED that Council write to the Secretary of State to suggest that NHB Trust owned hospital car parks be made free of charge.

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BROMSGROVE DISTRICT COUNCIL OVERVIEW AND SCRUTINY BOARD **3RD SEPTEMBER 2018**

Hospital Car Parking Charges Board Investigation

1. Background Information

- 1.1 At the Council meeting on the 19th July 2017, Councillor Peter McDonald proposed the following motion which was seconded by Councillor Michael Thompson; *“This Council calls upon all local hospitals to stop charging for parking, that in reality is financially punishing people for receiving treatment or visiting loved ones”*

Following discussion, Members felt that it would be appropriate to consider the matter further as it was an issue which had an impact on local residents. It was therefore agreed that the matter be referred to the Overview and Scrutiny Board for investigation.

- 1.2 At the 22nd August 2017 Overview and Scrutiny Board meeting, Members considered the Investigation Proposal. Whilst concerns had been raised in the motion to Council regarding the impact of parking charges on patients and their families it was noted that some of the content of the motion was factually incorrect. A number of Members who had recently visited hospitals in the county noted that signs were on display in the car parks and these clearly advised patients and visitors that, after covering the costs of maintaining the car parks, any revenue would be reinvested in hospital services. Members discussed the subject of hospital car parking charges in further detail and in so doing noted the following;

- Concessionary charges were in place and patients / visitors could reclaim costs in certain circumstances.
- Many residents on low incomes would struggle to pay these charges and as such they might be regarded as unfairly penalising people with financial difficulties.
- Concerns were raised that a private company maintained the charging system on behalf of the Worcestershire Acute Hospital NHS Trust (WAHT) and this company might be generating a profit from charging patients and their families.
- The Council did not have the power to make decisions in respect of the charges levied by the Trust for parking at hospitals in the county.
- There was the possibility that this subject might be suitable to refer to the Worcestershire Health Overview and Scrutiny Committee (HOSC) for further investigation.

- 1.3 On the 30th October 2017 a briefing paper was provided to the Board which gave details of the concessionary scheme in place and comparative data in respect of car parking charges made by a number of other Hospital Trusts. Whilst considering the information Members discussed a number of areas in detail including:

- That the concessionary charges appeared not to be well publicised – it was confirmed that these were included on the car park signage and that more details were available from the relevant Wards.
- The lack of information in respect of the breakdown of income received from the car parks and detail in respect of the PFI contract.
- The option for the Board to write to the Secretary of State airing its concerns around car parking charges being used to top up hospital budgets which were under significant pressure.
- This was a problem which was not unique to Worcestershire.
- The need for a breakdown of the ongoing maintenance costs associated with the car parks.

1.4 Following discussion, a Board Investigation, led by Councillors Bloore (Chairman), Allen-Jones, Colella, and S.Webb was undertaken. The Board Investigation Group has held two meetings and has had the opportunity to discuss the issue with a representative from WAHT to clarify a number of points.

2. Summary of Findings

- 2.1 From the outset of this investigation, concern was raised that a private company maintained the parking charging system on behalf of the WAHT and this company might be generating a profit from charging patients and their families. This investigation however has revealed that this is not the case as no external company takes a slice of the income from car parking charges other than the money paid towards the Private Finance Initiative (PFI) costs at the Worcestershire Royal Hospital. The Trust operates all three carparks and other than the money paid towards the PFI costs at the Worcestershire Royal Hospital, any profit generated from parking charges goes back into the operation of the Trust.
- 2.2 Members' had initially raised concerns regarding concessions and how they were advertised. During this investigation however reassurance was provided that information about concessions was provided on a ward by ward basis and was linked to a patient's treatment pathway.
- 2.3 It was noted that hospital car parking charges have been abolished elsewhere in the United Kingdom and that there was a Private Members Bill going through Parliament requesting the abolishment of hospital car parking charges which was sponsored by Labour and Conservative MPs.
- 2.4 Members' have discussed the evidence presented and possible ways to change the system so that car parking charges do not disproportionately affect the disadvantaged. It was suggested for example that potentially those that could prove they were receiving Universal Credit could access free parking, however the possible high costs of administering such a system was referred to. It was also commented that people who found employment stopped receiving Universal Credit and therefore could have no income for a period of time and become for example reliant on pay day loans. Other people lived on low weekly incomes and did not have the budget to pay for parking. It

was recognised that these people would be hit disproportionality by hospital car parking charges.

- 2.5 Although it was acknowledged that abolishing charges would have a financial impact on NHS Trusts and the government would therefore need to contribute to subsidise NHS Trusts, the principle of abolishing hospital car parking charges was felt to be correct.

The Overview and Scrutiny Board therefore recommend the following:

RECOMMEND:

That Full Council write to the Secretary of State to suggest that NHS Trust owned hospital car parks should be made free of charge.

3 Local Hospital Car Parking Charges and Concessions

- 3.1 NHS Trusts and Foundation Trusts in England set their own parking charges for patients, visitors and staff. Details of WAHT car parking charges and arrangements are available on the Trust's website at;

Worcestershire Royal Hospital - <http://www.worcsacute.nhs.uk/our-hospitals/worcestershire-royal-hospital/parking>

Alexandra Hospital - <http://www.worcsacute.nhs.uk/our-hospitals/alexandra-hospital-redditch/parking>

Kidderminster Hospital and Treatment Centre-
<http://www.worcsacute.nhs.uk/our-hospitals/kidderminster-hospital-and-treatment-centre/parking>

- 3.2 In an interview with the Director of Asset Management and ICT, WAHT, it was confirmed that the Trust charged the same for car parking at each of three hospital sites and that the charges had not increased for approximately six years. The Trust currently charges the following;

Up to one hour: £2.50

1-2 hours: £3.70

2-4 hours: £4.50

4-6 hours: £6.00

6-24 hours: £7.50

- 3.3 The level of charges are monitored against a number of local comparators and show that the Trust's charges are in most cases very slightly below the local Trust average.

Table 1 – A Comparison of local NHS Trust Car Parking Charges
(table supplied by Worcestershire Acute Hospitals NHS Trust)

Up to	1 hour	1.5 hour	2 hour	3 hour	4 hour	5 hour	6 hour	7 hour	8 hour	9 hour	24 hour	Blue Disabled Badge Holders
Worcestershire Acute NHS Trust	£2.50	£3.70	£3.70	£4.50	£4.50	£6.00	£6.00	£7.50	£7.50	£7.50	£7.50	Standard Charges Apply
Sandwell & West BM Hospitals NHS Trust	£2.80	£3.80	£3.80	£4.30	£4.80	£4.80	£5.30	£5.30	£5.30	£5.30	£5.30	Standard Charges Apply
University Hospitals of Nth Midlands	£1.80	£3.00	£3.00	£4.00	£4.00	£6.90	£6.90	£6.90	£6.90	£6.90	£9.00	Standard Charges Apply
Heart of England	£3.10	£3.10	£3.10	£5.10	£5.10	£7.20	£7.20	£10.20	£10.20	£10.20	£10.20	Concession Charges Apply
The Dudley Group NHS Foundation	£2.60	£3.60	£4.60	£4.60	£5.60	£5.60	£5.60	£5.60	£5.60	£5.60	£5.60	Free
The Royal Wolverhampton NHS Trust	£2.40	£3.40	£3.40	£3.70	£4.80	£5.10	£5.80	£6.40	£6.60	£7.20	£7.30	Standard Charges Apply
University Hospitals Coventry & Warwickshire	£2.50	£3.40	£3.40	£4.10	£4.90	£6.40	£7.90	£9.20	£9.20	£9.20	£9.20	Standard Charges Apply
Wye Valley NHS Trust	£3.50	£5.00	£5.00	£6.00	£7.00	£8.00	£12.00	£12.00	£12.00	£12	£15.00	Concession Charges Apply
Average	£2.67	£3.61	£3.76	£4.54	£5.17	£6.29	£7.24	£7.94	£7.97	£8	£8.80	

3.4 In 2014, the Department of Health published non-mandatory guidelines on NHS patient, visitor and staff car parking principles. These principles state that; *‘Concessions, including free or reduced charges or caps, should be available for the following groups: disabled people, frequent outpatient attenders, visitors with relatives who are gravely ill, or carers of such people, visitors to relatives who have an extended stay in hospital, or carers of such people, carers of people in the above groups where appropriate, staff working shifts that mean public transport cannot be used. Other concessions, eg for volunteers or staff who car-share, should be considered locally.’*

3.5 Information regarding the WAHT’s concessionary car parking tickets was referred to at the Overview and Scrutiny Board on the 30th October 2017. This document provides details of;

- The £1 per day parking charge for patients/relatives who fall into certain categories.
- The £8.00 next of kin (maximum two persons) seven consecutive day ticket to visit patients who are in hospital for longer than four days.
- The £1 weekly ticket for patients who are visiting the Renal Unit or Radiotherapy unit for treatment on a long term basis and relatives of long stay patients (over two months) (valid for next of kin, two persons only).
- If out-patient clinics run over time, patients are eligible to only pay the minimum car parking fee (one hour fee).
- The nominal fee of £10 per year for patients who are likely to be attending for dialysis frequently and life-long.

3.6 The document states that out of hours in extreme circumstances, discretion will be used to allow visitors free exit from car parks and that any patient/relative who is entitled to receive concessionary parking must complete the appropriate form which is kept at ward level and only issued to those patients/relatives who fall into the appropriate category. The form must be signed and dated by the ward manager/departmental head. Without the form, no concessionary ticket will be issued. Visitors to outpatient clinics are able to obtain a pre-validated ticket from the ward manager. The visitor will take the ticket to the pay on foot machine, insert a £1 and the ticket will be validated to allow exit from the car park.

- 3.7 Members raised concerns about how concessions are publicised. Advice on the Trust's website, available at <http://www.worcsacute.nhs.uk/our-hospitals/worcestershire-royal-hospital/car-parking-concessions>, states that; *'If you are visiting an immediate relative who is a long-stay patient or you are a patient receiving regular treatment, you may be eligible for a reduced-fee parking pass. Please speak to the nurse in charge of the ward/department for more information and an application form. Concessions are available in the following areas: Terminally ill, Cardiac Exercise, Coronary Care Unit (CCU), Intensive Therapy Unit / Critical Care Unit (ITU), Oncology, Paediatrics, Bereavement, Renal unit and Long stay'*
- 3.8 The position was further clarified in discussion with the Director of Asset Management and ICT who explained that concessions are available for patients who have a type of condition that means that they have to regularly return to hospital for treatment. They are not based on the severity of the illness but on how regular hospital visits are required. Passes are allocated by ward staff. The parking teams never debate with clinical teams about who should have access to concessionary parking. Linking concessions to the patient's care pathway works well and people receive information about concessionary parking charges when accessing treatment. In addition visitors to the Critical Care Unit are not charged by the hour for parking as it is acknowledged that their loved ones could be very ill and they may wish to spend long periods of time with them.
- 3.9 With regards to Blue Badge Holders, non-mandatory guidelines on NHS patient, visitor and staff car parking principles states that; *'Consideration should be given to the needs of people with temporary disabilities as well as Blue Badge holders.'* It was however confirmed by the Director of Asset Management and ICT that whilst Blue Badge Holders do have spaces allocated nearer to the hospitals, they are charged at the same rate as none Blue Badge Holders as the Trust wishes to avoid people comparing ailments. From the information provided about comparative parking charges it appears that other Trusts take the same approach (see Table 1 at 3.3)

4. Management and Maintenance

- 4.1 During the Board's Investigation it was established that the Worcestershire Royal Hospital was built under PFI whilst the Alexandra Hospital in Redditch and the Kidderminster Hospital and Treatment Centre are both owned by the Trust. The arrangements for the up keep of the Trust's car parks therefore vary.
- 4.2 The Trust is responsible for the security, maintenance and management of all three car parks, however external contractors do this on a day to day basis. For example, whilst the Trust owns and operates its own lighting, parking machines and barriers, the suppliers of this equipment are contracted to maintain it. Parking attendants, ticketing and security are paid on an annual basis at each of the three sites.

- 4.3 The Worcestershire Royal Hospital site is not fully owned by the Trust and there are therefore PFI costs associated with the carpark, with finance to repay on the original build and the annual reoccurring cost within the PFI for the maintenance of the carpark. Due to the PFI arrangements at the Worcestershire Royal Hospital there are more consistent costs for the maintenance of the carparks for this site however the amount spent on the Redditch and Kidderminster hospital carparks' vary depending on the needs of each carpark.
- 4.4 If payment machines or barriers stop working for example then the Trust loses income so they have to be repaired. Health and safety issues are also a priority so if lighting needs to be addressed or the carpark re-tarmacked these repairs have to be undertaken. The Director of Asset Management and ICT was clear that the fundamental capital elements of maintaining carparks' could not be put off.
- 4.5 The cost of maintaining and running the carpark at the Redditch hospital site was approximately £110k in pay and £113k in non-pay costs (for example gritting, repairs, security and lighting) and the costs at the Kidderminster hospital site was approximately £30k in pay and £40k in non-pay costs. This reflected the different size and usage of the carparks at the hospital sites as detailed below.
- Alexandra Hospital - total spaces 940 (split 641 staff and 299 visitors) plus 33 disabled spaces (located in visitor car park).
 - Kidderminster Hospital - total spaces 379 (split 188 staff and 191 visitors) plus 19 disabled spaces (includes some in use by the Health & Care Trust).
 - Worcestershire Royal Hospital (inc 3 Kings Court) - 1239 staff and patients including 75 disabled plus 120 at 3 Kings Court ie total of 1359 of which 778 are staff spaces and 609 are visitor spaces.
- 4.6 At the Worcestershire Royal Hospital site the costs are approximately £140k in pay and £624k in non-pay costs. Non pay costs include an expensive park and ride bus service which is used by hospital staff and £80k in rent for the Blue Carpark as this is situated on private land.

5. Income Generated

- 5.1 The Trust provided the information below regarding the income generated from car parking charges.

Table 2 - Worcestershire Acute Hospitals NHS Trust Car Parking Income & Expenditure Summary Financial Years 2013/14 - 2016/17

	2013/14	2014/15	2015/16	2016/17
	Total	Total	Total	Total
	£	£	£	£
Staff Parking Deductions	-593,219	-667,275	-647,613	-646,981
Car Parking Income - Patients	-1,540,384	-1,624,504	-1,909,468	-1,904,114
Q1 Income subtotal	-2,133,603	-2,291,779	-2,557,081	-2,551,096
Direct Revenue Expenditure	651,774	822,216	896,309	1,051,494
Depreciation	60,000	108,971	79,494	79,494
Unitary Payment		719,106	731,060	688,188
Capital Costs	280,000	15,000	298,185	208,309
Expenditure subtotal	991,774	1,665,292	2,005,049	2,027,485
Surplus Income	-1,141,829	-626,487	-552,033	-523,611

5.2 Members' noted that the Trust has made approximately half a million pounds from car parking charges each year for the past couple of years. Any surplus income from car parking charges goes back into the operation of the Trust, with the income generated included in the Trust's budget. It was acknowledged that the Trust is struggling financially and if it could not charge for parking, then the amount invested in hospital services could reduce.

6. The National Picture

- 6.1 During the course of the Board's Investigation, Members considered Hospital Car Parking Charges legislation in the United Kingdom. Reference was made to a January 2018 House of Commons Library briefing paper which summarised that; *'Trusts and Foundation Trusts in England are permitted to charge for car parking and to raise revenue from it as long as certain rules are followed: income generation activities must not interfere to a significant degree with the provision of NHS core services, they must be profitable, and this profit must be used to improve health services.'*
- 6.2 Elsewhere in the UK hospital car parking charges have been abolished. Members' considered the situation in Scotland where by a decision was made to abolish parking charges from the 31st December 2008. Although this was the case, it was noted that charges still remained at three hospitals in Scotland, built under PFI contracts.
- 6.3 Whilst the Board Investigation was underway a Private Members Bill was put forward by Robert Halfon MP to abolish hospital car parking charges in England. The Bill stated that; *'It shall be a duty of the Secretary of State to secure that, in England, health care providers do not levy charges on patients, staff or visitors for the use of car parking spaces at NHS hospitals.'* The Bill was due to have its second reading on Friday 15th June 2018 and if it passed

would move to the Committee Stage where by each clause and any amendments would be debated, raising wider awareness of the issue

- 6.4 Members noted the contents of this Bill which had cross party support and also that the matter had been debated in Parliament previously and that there were a number of Early Day Motions on the matter.

7. Background Papers

Concessionary Car Parking Tickets, Worcestershire Acute Hospitals NHS Trust, 18th February 2015

<http://moderngovwebpublic.bromsgrove.gov.uk/documents/s34412/Concessionary%20Parking%20Policy.pdf>

Hospital Car Parking Charges, House of Commons Library, 31st January 2018

<http://researchbriefings.files.parliament.uk/documents/CDP-2018-0026/CDP-20180026.pdf>

NHS patient, visitor and staff car parking principles, Department of Health and Social Care, Updated 29th October 2015

<https://www.gov.uk/government/publications/nhs-patient-visitor-and-staff-car-parking-principles/nhs-patient-visitor-and-staff-car-parking-principles>

Private Members Bill to Abolish Hospital Car Parking Charges in England, House of Commons, 14 November 2017

<https://publications.parliament.uk/pa/bills/cbill/2017-2019/0125/18125.pdf>

AUTHOR OF REPORT

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BROMSGROVE DISTRICT COUNCIL

Report of

Cllr Dr Brian Cooper, Portfolio Holder for Finance, ICT, and Enabling Services)

Aligned to “Help me to be Financially Independent”

FINANCE

The finance team’s activities include accountancy, payroll and payments. The Payroll team also provide the service for Redditch Borough Council and Wyre Forest District Council. There are 5 separate payrolls comprising of approximately 1400 staff. The Payment section ensures that all the invoices from our suppliers are paid in a timely manner and on average there are approximately 6000 invoices paid out every year. The finance team provides all financial advice and support to Members and officers, undertakes treasury management and investment activities and prepares all statutory accounting reports.

The Council’s accounts for 2017/18 were completed to the new deadline of 31st May with approval by Members by July 2018, 2 months earlier than 2016/17. The Council received an unqualified judgement for both the statutory accounts and the Value for Money assessment which was an improvement on previous years.

Officers within the finance teams continue to work with service managers and budget holders to identify savings and support the development of business cases to generate additional income to the Council. Over the next few months the focus will be financial modelling of the Medium Term Financial Plan to 2022/23.

The uncertainties relating to significant future funding streams continue to make projections more challenging. Potential changes to New Homes Bonus, Business Rate Localisation and the impact of Negative Grant from 2019/20 make robust financial planning more difficult.

Recent approval has been granted for the implementation of an Enterprise Resource Planning solution. It is apparent that over the last few years weaknesses have been identified in the financial management, planning and forecasting capabilities of the systems we currently have in place. In addition, it has been reported by officers, external and internal audit and more recently within the peer challenge report that the finance system we have does not enable the Council to make decisions based on accurate, timely and flexible information which will become increasingly important to meet the future challenges in the commercial environment. It is also recognised that there are a significant number of manual processes that are undertaken in payroll, payments and HR to ensure that data can be accessed and reported on by officers and external partners. Furthermore there are no seamless links between systems and information has to be manually transferred between the system. This could cause potential data issues when considering consistent information.

Therefore officers have considered other solutions and in particular the Enterprise System model that would provide a flexible, integrated solution for the Council. The implementation will be led by the Financial Services Manager and will ensure involvement by budget holders and managers to ensure the system meets their needs. We are currently out for clarification from companies who are within the G-Cloud procurement framework. We expect to award the contract by the end of September and implementation will be from October 2019 to allow sufficient time to redesign systems and processes for the future.

FINANCIAL SUPPORT

Revenues, Benefits and Customer Services team deliver the provision of financial support through Housing Benefits, Council Tax Support (CTS), Discretionary Housing Payments (DHP), and the Essential Living Fund (ELF). The team work with customers to identify their needs and then establish the best approach for helping the customer with their specific issues. Many customers have transactional needs such as 'collect the right amount of money owed', 'process my benefits claim in a timely manner', 'if I am entitled to financial support, help me claim the right amount', and 'make it easy for me to pay anything I have to pay the Council'. For these customers, the emphasis is on timely and accurate processing of information and claims and on providing a wide variety of payment mechanisms. However, some customers have more complex needs and we try to help them access a wider range of financial support and advice, to address their immediate needs as well as to help them improve their financial independence and make sustainable choices for the future.

The new structure, approved by Council last year, was implemented in December 2017 and the staff are now working to their new roles and responsibilities. These include:

- Financial Independence Team – the team provide personal budgeting support and advice both from Parkside and alongside BDHT. This enables the team to understand the customer need and to provide appropriate support to maximise their income. In addition this team assesses the hardship claims and the Discretionary Hardship Payments.
- Recovery Team – the team look to recover income due to the Council whilst supporting those less able with support and advice
- Welfare Support Officers – the team provide assessment support and claim processing for around 5000 claimants across the District. The roll out of Universal Credit (UC) will occur in September 2018. Staff training has been provided by DWP, and a Delivery Partnership Arrangement is in place between the authority and DWP to provide face to face, personal budgeting and online support.

It is anticipated that the move to UC will bring administrative challenges in respect to the Local Council Tax Support Scheme which will not mirror national benefits. Officers are currently reviewing the scheme to enable members to consider any changes for implementation in April 2019.

Officers will continue to review services provided to ensure that our residents have advice and support to manage their financial position despite future changes.

DEMOCRATIC SERVICES

Democratic Services team have been supporting Members in various roles throughout the year, including all Council Committees, Boards and Working Groups.:

Overview and Scrutiny

At its last meeting, Council received the Annual Report from the Chairman of the Overview and Scrutiny Board which illustrated the variety of issues which have been addressed by the Board over the past year. The number of items which have been pre-scrutinised prior to consideration by the Cabinet, has increased and the system of scrutiny is working more smoothly. Council has referred directly to the O&S Board, a number of issues arising from notices of motion, for example to enable them to be considered in greater detail and in a more meaningful way. The Finance and Budget Working Group continues to work well on a cross party basis. As portfolio holder, I try to attend the meetings regularly as I want to maintain a good relationship with the Group to help us to address the significant financial challenges that the Council faces. To date the director of finance and I have found the meetings very constructive and informative.

Member Training

The Member Development Steering Group has looked at further training sessions which will be useful and accessible to Members.. I hope Group Leaders will continue to work with officers to ensure that the Training Programme offered continues to reflect their Group Members' training needs.

LEGAL SERVICES

The legal team operate as a support service providing advice and guidance to elected Members and officers throughout the Authority and doing the legal work associated with Council services. Their aim is to ensure that the decisions of the Council are legal and proportionate, the actions and decisions of the Council are in the public interest, and all Council documentation is robust. From time to time the team represent the Council in Civil and Criminal proceedings and we also provide contracted external legal support to other public organisations.

ELECTORAL SERVICES

Polls held in Bromsgrove District Council Area in 2018

Up to this point there have been no polls held within the Bromsgrove District Council Area in 2018. The Neighbourhood Plan for Alvechurch Parish is currently under independent examination and subject to the examiner's report there will be a neighbourhood planning referendum held later in the year.

Household Enquiry Form Canvass

Even though people are required to register individually, the Electoral Registration Officer still has to conduct a canvass of all properties within the District, which needs to be completed by the end of November. Forms have now been delivered and are being returned via post, internet, phone or text, giving households as much choice as possible. At the beginning of September Electoral Services have received a response from nearly 70% of households within the District area. Reminders are due to be sent out mid September followed up by a personal canvass between October

and November. This year, wherever possible, canvassers will be using electronic tablets to save on the cost of printing.

Electoral Canvassing all year round

Electoral Services are using Government funding to improve the canvassing service all year round. Two part time canvassers are being employed to chase up registrations made throughout the year. In addition they will be visiting care homes and building up relationships to improve the accuracy of the Electoral Register.

Remaining part of the year

After publishing the revised register after the canvass finishes at the end of November Electoral Services will be preparing for the District and Parish elections in May 2019 and beginning work on the statutory Polling Districts, Places and Stations Review.

IT SERVICES

As an enabling service, the role of the IT Service is to enable other parts of the organisation to deliver against the corporate strategic purposes. IT makes a key contribution to the strategic direction of the Council by providing professional support and guidance relating to the use of technological resources now and for the future.

The main projects that IT *have worked* on over the last twelve months are:-

- Implementation of a single Revenues and Benefits system.
- Rollout of Docmail remote printing
- Security patching of PC's and servers.
- New firewall and security devices implemented.
- Implemented web site advertising.
- General Data Protection Regulation (GDPR) preparation and go-live
- Street Naming & Numbering became financially cost neutral.
- Uniform application upgraded.
- Upgraded the corporate telephone system.

The main projects IT *are working* on at the moment are:-

- New corporate enterprise application for Finance, Cash Receipting, Payroll and Self-Serve HR (Human Resources).
- Upgrading from Windows 7 to Windows 10 across the technical estate
- Implementing PSN Security Audit changes.
- Upgrade server infrastructure.
- Business case for MS Office upgrade (Office 365).
- Commercialism initiatives – e.g. Local Lottery.
- New corporate printing solution.
- Change telephone infrastructure to new SIP standard.
- Review Members IT requirements.

HUMAN RESOURCES & ORGANISATIONAL DEVELOPMENT SERVICES

As an enabling service, the role of the HR & OD Service is to enable other parts of the organisation to deliver against the corporate strategic purposes. HR & OD makes a key contribution to the strategic direction of the Council by providing

professional support and leadership relating to the use of employee resources now and in the future.

The service does this by working closely with departments to build and maintain good employee's relations. Corporately, the service also works collaboratively with the Trade Unions at both a local and regional level.

The key projects HR & OD are currently delivering are:

- Ongoing implementation of the HR & OD Strategy
- Rolling out the new Staff Benefits package – including, staff discounts, financial advice, purchasing annual leave (coming soon) etc
- Implementation and expansion of the HR self-serve system across the authority enabling managers and employees to record / apply for:
 - Expenses
 - annual leave
 - sickness
 - recording status meetings (1:2:1's)
 - appraisals
 - booking of training courses
 - management information reporting for managers
 - review of the establishment for the authority and reporting lines to enable the relationships in the self-serve system and the ability to talk to other systems going forward
- Policy review programme including reviewing the Disciplinary, Grievance and Sickness Policies
- Reviewing the Induction Process
- Rolling out the skills matrix to identify skills gaps and potential within our workforce and the ability to record the data on the self-serve
- Supported on the implementation and roll out of the System Performance Framework and Appraisal process
- Implemented online e-forms for managers
- Reviewing and updating pay spines
- Co-ordinating corporate and service based training
- Supporting service reviews & TUPE transfers (where appropriate)
- Reviewing the corporate approach to the use of agency staff and relaunching Matrix (agency system)

EMERGENCY PLANNING

As per the Civil Contingencies Act (2004) Bromsgrove District Council, who as a local authority is a Category 1 responder, continues to work actively with multi-agency partners to identify, and manage risks through the development and maintenance of response and recovery plans.

Corporately the Emergency Plan and the Business Continuity Plan are in the final stages of review and agreement via CMT in October. These will integrate the lessons identified and learned from recent local incident debriefs as well as national reports following major incidents, namely the Manchester Arena attack. Internal training of duty officers continues to take place twice yearly, briefing them on updated local and Corporate plans and arrangements and opportunities for attendance at multi-agency exercises are advertised.

The Rest Centre Plan review is currently underway and plans to include both training and exercising of newly recruited officers. Looking forward the civil contingencies and resilience manager is developing standardised training for members across the Local Resilience Forum (LRF), and potentially more detailed training for portfolio holders and the Leader etc.

Emergency Planning seeks to manage the impact of the incident through trained and exercised plans, addressing both response and recovery. Some of these arrangements are internal and others are multi-agency. The active engagement within the LRF ensures Bromsgrove District Council view is heard and appropriate actions detailed within live documentation. The Shared Service, covering the 3 Councils in North Worcestershire, remains in place until March 2020. However the current post holder will be ongoing on maternity leave in December 2018, with cover arrangements pending discussion at the Client Management Group, to ensure our statutory responsibilities remain to be actively undertaken.

BROMSGROVE DISTRICT COUNCIL

Bromsgrove District Plan - Issues and Options Consultation

Cabinet

5th September 2018

Bromsgrove District Plan - Issues and Options Consultation

Relevant Portfolio Holder	Councillor Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Ward(s) Affected	All Wards
Ward Councillor(s) Consulted	Yes – via Strategic Planning Steering Group
Non Key Decision	Yes

1. SUMMARY OF PROPOSALS

- 1.1 The Bromsgrove District Plan 2011-2030 (BDP) was adopted in January 2017. Within that Plan was a policy which required an early review. This report details the proposed Issues and Options Consultation, which is the first stage of Plan Review that is subject to public consultation.

2. RECOMMENDATIONS

- 2.1 **The Committee is asked to RECOMMEND to the Council**

1. **That the Council publishes the BDP Review, Issues and Options documentation for the purposes of public consultation, between 24th September and 19th November 2018 inclusive.**

The content being

- The BDP review Issues and Options Report (Appendix A)**
- The draft Green Belt Purposes Assessment Methodology (Appendix B)**
- The draft Site Selection Methodology (Appendix C)**
- The Sustainability Appraisal (Appendix D)**

2. **That delegated authority is given to the Head of Planning and Regeneration Services in conjunction with the Portfolio Holder for Planning and Housing, to make any minor technical corrections and editorial changes deemed necessary to aid the understanding of the Issues and Options report prior to final publishing.**

Bromsgrove District Plan - Issues and Options Consultation**Cabinet****5th September 2018**

3. KEY ISSUES**Financial Implications**

3.1 At this stage in plan preparation the financial implications are very limited and are within existing budgets. As the plan develops further financial resources will be required to develop the technical evidence which will underpin the policies of the plan review. Should further financial resources be required this will be requested through the normal budget setting process.

Legal Implications

3.2 Early consultation on development plans is required by regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012. This consultation will be carried out in accordance with the adopted Statement of Community Involvement.

Service / Operational Implications**The Purpose of the Issues and Options Consultation**

3.3 The Issues and Options consultation is the first stage in the Review of Bromsgrove's Development Plan. It is an early opportunity to check that the Council is considering the right issues through the Plan Review, and aims to seek views on the issues the Plan needs to address. In some instances, the Consultation Paper also puts forward some potential options for the future development strategy and policy development. It does not present new planning policies or allocate sites for development. The Consultation Paper outlines the emerging trends from the existing evidence base and Sustainability Appraisal Scoping Report, which are likely to face the District over the new Development Plan Period.

3.4 Alongside the Issues and Options Consultation, Officers have produced two draft methodology documents on the Green Belt Purposes Assessment, and Site Selection, which set out how the Council could undertake these key pieces of evidence to inform the Plan Review. The responses received to this consultation will be used alongside the technical evidence base to inform the development of Preferred Options for the Plan.

The Structure of the Consultation Document

3.5 The Issues and Options document contains a draft vision and strategic objectives which are informed by the Council's Strategic Purposes. The 12 Strategic Objectives build upon national planning policy and address key local challenges.

Bromsgrove District Plan - Issues and Options Consultation

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3.6 The Issues and Options themselves are split into eight sections based on topic areas and include consultation questions and potential options to inform future policy development. A brief summary of each of these sections is set out below:

1. Strategic Issues for Bromsgrove District: Identifies the five strategic issues that will be at the heart of the BDP Review as: 1) Scale and timeframe of the new Plan; 2) Growing the economy and provision of strategic infrastructure; 3) Re-balancing the Housing Market through housing growth; 4) Broad options for development distribution and allocating land uses; 5) Co-operating with the West Midlands Conurbation to address wider development needs.

2. Housing: Sets out the further housing issues as informed by emerging evidence in relation to the following areas: 1) Housing density; 2) Affordable housing; 3) Housing Mix; 4) Homes for the elderly; 5) Self build and custom housebuilding and innovative design standards; 6) Accommodation for Gypsies, Travellers and Travelling Showpeople.

3. Employment: This section addresses the following issues: 1) Growing the Local Economy; 2) Type and Location of employment land; 3) Employment opportunities in rural Bromsgrove; 4) Telecommunications.

4. Transport: Congestion is a significant issue for the District. This section looks at the following issues: 1) Car journeys and impact on the road network; 2) Accessibility to public transport services; 3) Walking and cycling opportunities.

5. Town Centre and Local Centres: Identifies the key issues around 1) Bromsgrove Town Centre; 2) Town Centre Movement and Connectivity; 3) Local Centres.

6. Social Infrastructure: Raises the challenges when it comes to ensuring communities have access to supporting social infrastructure facilities and services. It specifically focuses on: 1) Community facilities; 2) Health and Education Facilities; 3) Open space, sport and recreation.

7. Natural and Historic Environments: Officers consider that the NPPF coupled with the existing natural and historic environment policies in the BDP provide a good level of protection for our assets. The options ask whether we should leave these policies as they are or make amendments to them.

8. Climate Change and Water Resources: The policies in the current plan add a local context and complement national policy. Officers consider that they serve the District well. The options focus on whether the policies are considered to be fit for purpose or require updating.

Bromsgrove District Plan - Issues and Options Consultation

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Green Belt Purposes Assessment Methodology

3.7 In line with the adopted BDP, and as part of this Plan Review, the Council has committed to undertake a full review of the District's Green Belt. There is no national guidance on exactly how a Green Belt Assessment or Review should be undertaken. This draft methodology is the first step in this process, setting out how the Council thinks the Review should be undertaken and the purpose of the consultation is to seek views on the proposed approach, refine the methodology and gain endorsement of the process as this is a hugely important piece of work.

Site Selection methodology

3.8 The Site Selection work will have a close relationship with the Green Belt Purposes Assessment, as approximately 90% of the District is Green Belt, meaning it will be highly likely that the majority of sites needed to meet future development needs will fall within the current Green Belt. When finalised, the two resulting documents will form key components of the evidence base for the Plan Review. In order to identify land for development, the Council will need to consider a large variety of sites for potential allocation. It will be necessary to rigorously scrutinise these sites to ensure the most suitable, sustainable and deliverable sites are taken forward through the Plan Review process. This draft methodology is the first step in this process, setting out how the Council thinks the site selection process should be undertaken.

Customer / Equalities and Diversity Implications

3.9 The Issues and options documents will be widely consulted upon for an extended period of over 7 weeks to take into account the half term holiday period. Throughout that period many events will take place across the District and Officers will be present explain the content of the Issues and Options documentation. All the information will also be placed on our website at www.bromsgrove.gov.uk/districtplan and at key locations around the District such as libraries and other public buildings, where possible.

4. RISK MANAGEMENT

4.1 At this stage in Plan preparation the risks are low, although should the Plan Review not commence and proceed in a timely manner there is a risk that the Council is left without an up to date Plan. An inability to control development across the District could result in development taking place in areas which may not be the preferred locations of the Council.

Bromsgrove District Plan - Issues and Options Consultation

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5. APPENDICES

- A. The BDP review Issues and Options Report
- B. The draft Green Belt Purposes Assessment Methodology
- C. The draft Site Selection Methodology
- D. The Sustainability Appraisal

6. BACKGROUND PAPERS

The Councils website www.bromsgrove.gov.uk/districtplan contains all the background information concerning the Plan and the examination in public.

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Bromsgrove District Plan Review

Issues and Options

Document for Consultation

September 2018

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1. Introduction

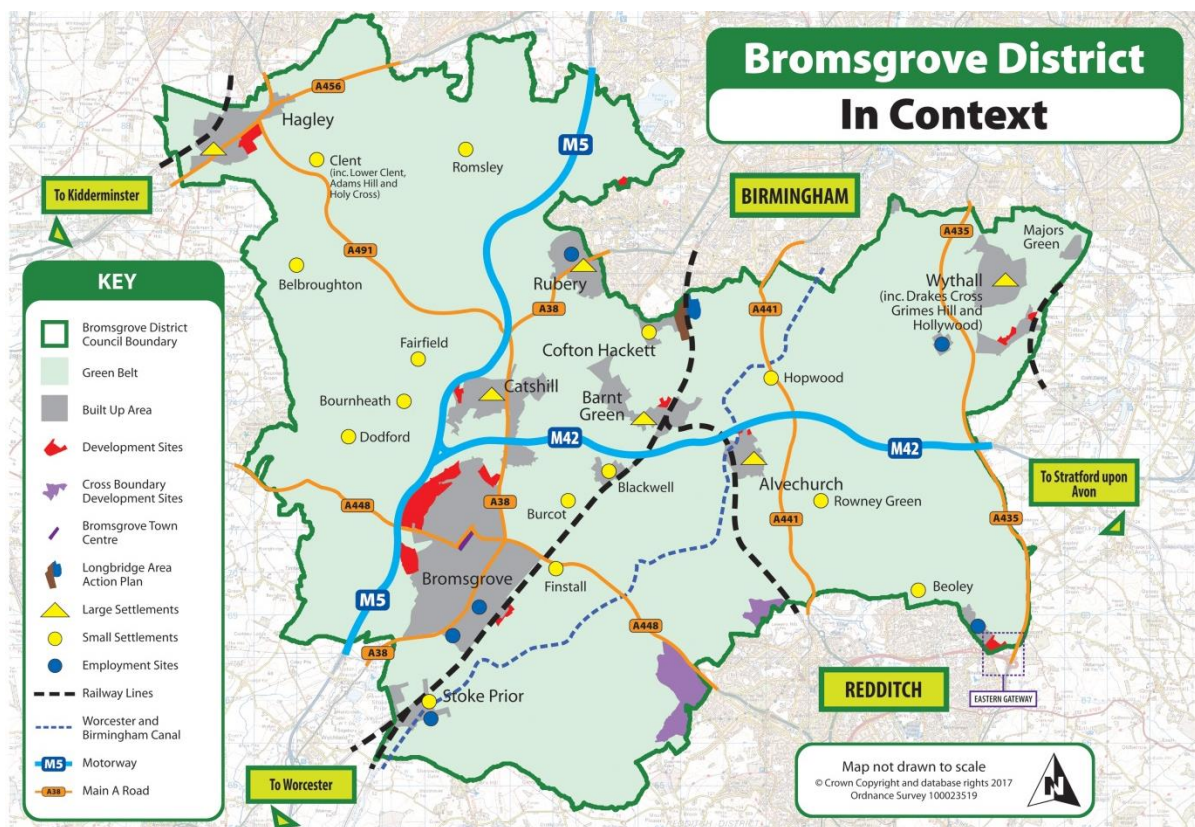
Bromsgrove District: An Overview

1.1 Bromsgrove District is situated in north Worcestershire and covers approximately 21,714 hectares. Although the town is located only 22km (14 miles) from the centre of Birmingham, the District is predominantly rural with approximately 90% of the land designated as Green Belt.

1.2 The area is well served by motorways, with the M5 running north/south (J4, J4a and J5) and the M42 east/west (J1, J2 and J3). The M5 and M42 connect with the M6 to the north of Birmingham and M40 to the east. The District also benefits from train and bus connections into Birmingham City Centre and the wider region, and Bromsgrove Town is only 34km (21 miles) from Birmingham International Airport.

1.3 The main centre of population in Bromsgrove District is Bromsgrove Town with other larger centres being Alvechurch, Barnt Green, Catshill, Hagley, Rubery, and Wythall. A series of smaller rural villages and hamlets are spread throughout the District.

Figure 1: Bromsgrove District in context



Why do we need to review the District Plan?

1.4 The current Bromsgrove District Plan (BDP) (2011-2030), was adopted in January 2017 and contained a policy which required a plan review to be undertaken by 2023 (Policy BDP3) as the BDP did not allocate enough housing land in locations not covered by Green Belt designation. The Plan Review is needed to ensure at the very least that the full housing requirement for Bromsgrove

District up to 2030 can be delivered and that safeguarded land for the longer term can be identified. Furthermore, Bromsgrove District Council has a duty to consider whether there are any realistic options to assist the West Midlands conurbation in meeting its current housing shortfall. As Green Belt boundaries should only be altered as part of plan preparation or review, and only in exceptional circumstances, the Council is taking this opportunity to review the District Plan in its entirety and to extend its longevity. We'll address all of these issues throughout this document.

How will the Plan Review affect the current District Plan policies?

1.5 When adopted, the reviewed District Plan will replace the current BDP. It is possible that some of the existing BDP policies will be carried forward in much the same way as they exist now, but we will check their appropriateness as we progress through the Plan Review process. As the reviewed Plan is expected to go beyond the 2030 time period of the current BDP, we will need to plan for additional housing and other supporting infrastructure and facilities at an appropriate level for the new Plan period, which means that some existing policies will become out of date.

National Planning Policy Framework

1.6 The Revised National Planning Policy Framework (NPPF) was published in July 2018. It sets out the Government's planning policies for England and how they should be applied. It provides a framework which sets out how development plans should be produced and what must be taken into account during plan preparation. Specifically, the District Plan Review will need to:

- Reflect the policies set out in the NPPF and associated planning practice guidance;
- Contribute towards achieving sustainable development and be supported by appropriate Sustainability Appraisal and Habitat Regulations Assessment;
- Meet the development and infrastructure requirements of the District;
- Pay due regard to other Bromsgrove District Council strategies and those of its partners;
- Consider the unmet development needs of neighbouring authorities and demonstrate that the Duty to Cooperate has been met;
- Take account of evidence relating to environmental constraints on development and the need to conserve the built and natural heritage;
- Be deliverable within the Plan period taking account of identified constraints, infrastructure requirements and viability considerations.

1.7 Many of the changes in the Revised NPPF reflect the proposals contained in the Housing White Paper Consultation and the 2017 autumn budget. The future operation of the Community Infrastructure Levy (CIL) is also under review. The Plan Review will address this matter at a later date when there is clear guidance. The following is a brief summary of the significant changes that the Plan Review will need to take account of:

- A clear distinction is drawn between strategic policies, (which can be prepared by individual authorities as part of their Local Plans or jointly with other combined authorities with plan making powers) and more local policies which can be prepared in either Local or Neighbourhood Development Plans;
- Strategic policies should be informed by a new standard local housing need assessment methodology and as a minimum should allocate sufficient sites to meet these needs;

- Planning authorities will need to prepare and maintain a Statement of Common Ground (SOCG) as evidence of the Duty to Co-operate; to meet the tests of soundness, thus strengthening the emphasis of effective joint working;
- Indicative housing need figures should be provided for designated neighbourhood areas;
- An increased emphasis on economic productivity and the inclusion of local policies for economic development and regeneration.

Strategic Planning and the Duty to Cooperate

1.8 The District Plan Review must be prepared in accordance with the Duty to Cooperate, which sets a legal duty for the Council and other public bodies to engage constructively, actively and on an ongoing basis on planning issues which affect more than one local planning authority area. Following the publication of the Revised NPPF this will now need to be evidenced through a Statement of Common Ground. To meet the Duty to Cooperate, the Council will need to work with Worcestershire County Council, neighbouring local authorities, statutory advisory bodies (Environment Agency, Natural England, Historic England and Highways England) and other infrastructure providers to ensure that the District Plan addresses cross-boundary issues and reflects wider strategic priorities, including consideration of any needs that cannot be met in adjoining areas. The Council will also consult with parish councils, residents and businesses, and those within the District who have chosen to prepare a neighbourhood plan.

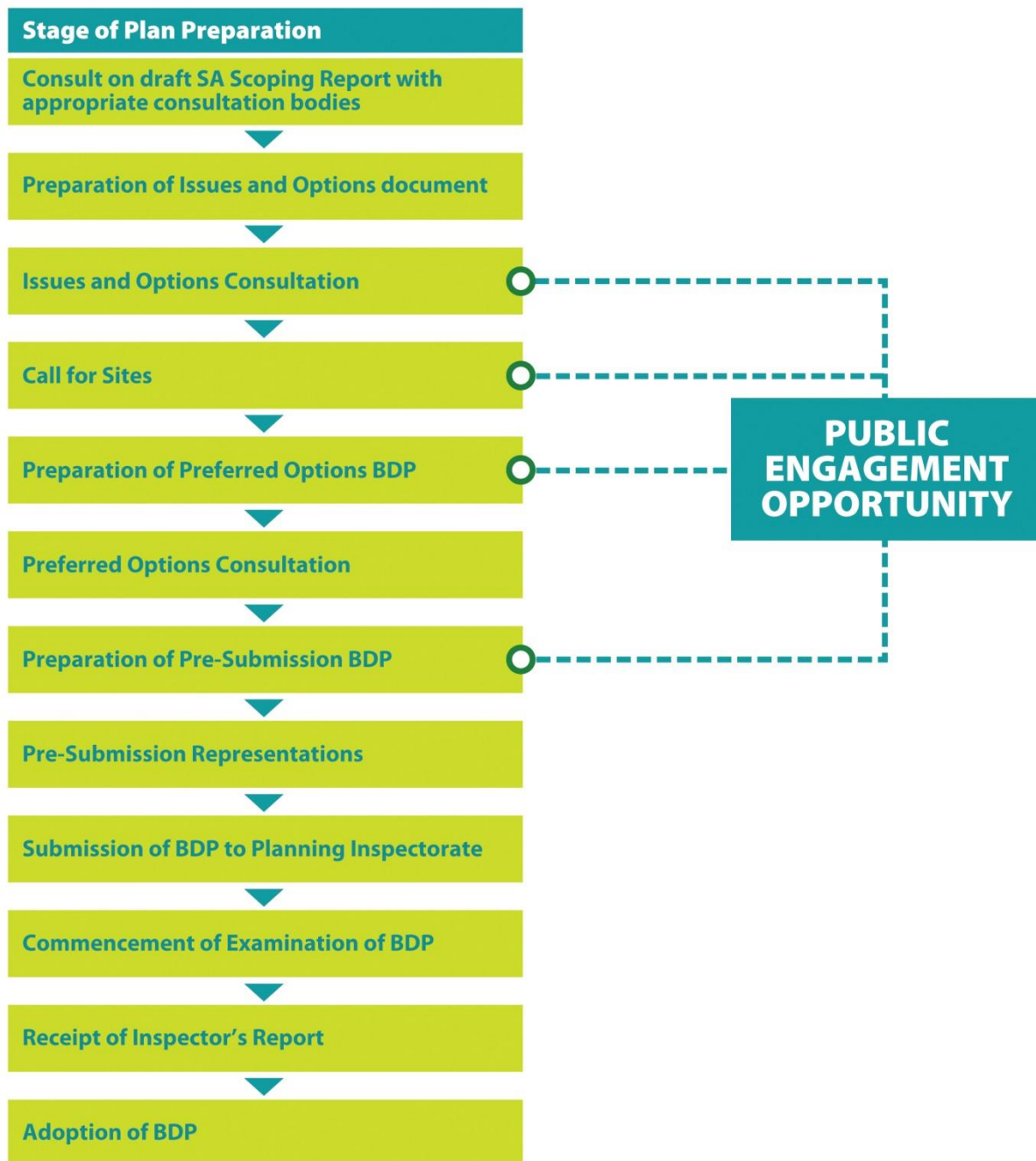
The Plan Review Process

1.9 The Council's timetable for the District Plan Review has been developed in accordance with the requirements for plan production set out in The Town and Country Planning (Local Planning) (England) Regulations 2012). Adoption of the new District Plan is hoped to take place in 2021; however any additional work that arises which needs to be carried out to inform the preparation of the Plan may mean that this timeframe will alter. The Plan Review process is set out in Figure 2 below. We have indicated where in the process you can get involved and following each consultation period, the comments we receive will inform the next draft of the Plan as it progresses.

1.10 Evidence gathering and production of the Sustainability Appraisal (SA) Scoping Report has informed the Issues and Options in this document and you can access and comment on the Scoping Report as part of this consultation process.

1.11 Issues and Options consultation is an early opportunity to check that we are thinking about the right issues to address through the Plan Review. It doesn't present new planning policies or allocate sites for development; that will come at later stages. Therefore, to accompany the Issues and Options consultation and to inform the Plan Review process, we have also produced two draft Methodology documents on the Green Belt Purposes Assessment and Site Selection. These documents set out how we intend to carry out the work required to inform the Plan Review as it progresses towards Preferred Options and beyond. Details of these methodologies can be found in the 'Evidence Base' section of this document. We also welcome comments on these Methodology documents as part of this consultation process, to see whether you agree with the approach we want to adopt to carry out the additional work. Details of how to make comments can be found overleaf under the heading '*About this consultation and how to respond*'.

Figure 2: The Plan Review Process



Evidence Base

1.12 The preparation of a local plan needs to be underpinned by an evidence base, comprising robust and up-to-date information and studies, which inform the planning policies as they are being drafted. For example: Strategic Flood Risk Assessment, Transport Modelling, Housing Needs Assessment, Employment Needs Assessment, Ecological studies, are likely to be required, to name but a few. The SA Scoping Report provides the very first level of evidence gathering, which has helped in the preparation of this Issues and Options document. The evidence base will continue to grow and inform us throughout the preparation of the Plan.

1.13 A key part of the evidence base will centre on how we justify taking land out of the Green Belt for development purposes. Our evidence base will need to include assessments of the Green Belt in Bromsgrove District and analysis of which parts of the Green Belt may be more appropriate to meet development needs. Therefore, as part of this consultation, we have produced two draft methodologies on which you can comment, to make sure we are approaching this work in an appropriate manner. The two draft methodologies we are consulting on are:

- Draft Green Belt Purposes Assessment Methodology
- Draft Site Selection Methodology

Details on where you can find these draft methodology documents and how to comment on them is detailed below.

1.14 In order to set the need for this work in context, national policy is clear that Green Belt boundaries should only be altered in exceptional circumstances through the preparation or review of the Local Plan (NPPF paragraph 83). The BDP 2011-2030 requirements for housing and employment mean that the Green Belt as identified in the current BDP has to be reviewed. The BDP requirements alone are considered to constitute the exceptional circumstance for the Green Belt to be reviewed. Because Bromsgrove town and the large settlements are tightly bounded by the Green Belt, there is nowhere else for future development to go. Policy BDP4 commits the Council to a full review of the Green Belt and this approach was found to be sound at the examination into the BDP. The release of land from the Green Belt is therefore necessary to meet the requirements of the current BDP period, before consideration has even been given to the needs of this Plan Review which will look even further ahead.

- **Draft Green Belt Purposes Assessment Methodology**

1.15 In line with the adopted BDP, and as part of this Plan Review, the Council has committed to undertake a full review of the District's Green Belt. There is no national guidance on exactly how a Green Belt Assessment or Review should be undertaken. Green Belt Review and Assessment Methodologies from other Local Planning Authorities have been considered when devising our methodology for the Green Belt Purposes Assessment for Bromsgrove District.

1.16 This draft methodology is the first step in this process, setting out how the Council thinks the review should be undertaken and the purpose of this consultation is to seek views on the proposed approach, refine the methodology and gain endorsement of the process as this is a hugely important piece of work. The Green Belt Purposes Assessment work will not be undertaken until we have considered all consultation responses and refined the methodology if/ where appropriate. The finalised methodology will be published accordingly.

1.17 You can find the full version of the draft Green Belt Purposes Assessment Methodology on our website at: www.bromsgrove.gov.uk/districtplan which contains the questions on which we would like your views.

- **Draft Site Selection Methodology**

1.18 In order to identify land for development, the Council will need to consider a large variety of sites for potential allocation. It will be necessary to rigorously scrutinise these sites to ensure the

most suitable, sustainable and deliverable sites are taken forward through the Plan Review process. As it is a given that land will need to be released from the Green Belt, the review of the existing Green Belt against the five purposes will form one element of the assessment of land for allocation. Other assessments will include:

- Flood risk
- Historic or Environmental designations
- Sustainability – distance to local facilities and public transport links
- Highways – ability to access existing highway network/serve new growth
- Deliverability – whether there is a reasonable prospect the site could come forward for development in the desired timeframe, considering availability and achievability

1.19 The Scoping Report identifies the following key sustainability issues which relate to the consideration of future site allocations:

- The need to identify additional previously developed land that could be redeveloped and to encourage development on previously developed (brownfield) land;
- The need to protect the best and most versatile agricultural land in the District;
- The need to locate new development away from areas of flood risk, taking into account the effects of climate change;
- The need to protect and enhance the Green Belt and the openness of the Green Belt.

1.20 The Site Selection work will have a close relationship with the Green Belt Purposes Assessment, as approximately 90% of the District is Green Belt, meaning it will be highly likely that the majority of sites needed to meet future development needs will fall within the current Green Belt. When finalised, the two resulting documents will form key components of the evidence base for the Plan Review.

1.21 This draft methodology is the first step in this process, setting out how the Council thinks the site selection process should be undertaken. The purpose of this consultation is to seek views on the proposed approach, refine the methodology and gain endorsement of the process as this is a hugely important piece of work. The Site Selection process will not be undertaken straight away after the methodology is finalised as this work needs to be informed by the Green Belt Purposes Assessment. It will also be informed by potential development sites submitted to us through a 'Call for Sites' exercise. We will update our website when we get to an appropriate point in time to issue the 'Call for Sites' request. At this moment in time, our focus needs to be on refining the methodology rather than on the merits of individual sites, so please do not submit site information as part of this consultation period.

1.22 It is anticipated that the Council will receive a high volume of sites for consideration, some of which may not represent sustainable locations or be consistent with the spatial strategy for the District, which will emerge as the Plan Review progresses. Therefore an agreed methodology will aid the consistent and objective assessment of these sites in a timely manner to inform the Plan Review.

1.23 You can find the full version of the draft Site Selection Methodology on our website at: www.bromsgrove.gov.uk/districtplan and we welcome your comments on any aspect of the document.

Scoping and Sustainability Appraisal

1.24 Sustainability Appraisal (SA) is a key element in developing the Plan Review strategy and policies; and Scoping is the first stage of the SA process. The Council is legally required to carry out an appraisal of the sustainability of all proposals in order to help assess how the Plan Review will contribute to the achievement of sustainable development, by contributing to relevant economic, social and environmental objectives. SA is carried out at each stage of the Plan Review process.

The Council has prepared a SA Scoping Report which includes a SA Framework for the Plan Review. In addition, we have undertaken some initial SA of the Options in this document. The results of this analysis are set out in the Bromsgrove District Plan Review Issues and Options Sustainability Appraisal, which has been published for consultation alongside this document.

About this consultation and how to respond

1.25 We have produced a Statement of Community Involvement (SCI), which sets out the ways in which the community can be effectively involved in the planning system. By involving the community, the Council will gain a greater understanding of the needs of the community and we can develop documents which better suit the needs of the people of Bromsgrove District. This consultation conforms to the standards set out in the SCI, which you can find on our website at: <http://www.bromsgrove.gov.uk/media/3691521/SCI-FINAL-Published-version.pdf>

1.26 Issues and Options is the first consultation opportunity for you to get involved in the District Plan Review, and we are asking for your comments on whether the Issues and Options we have identified across Bromsgrove District are appropriate and whether there is anything we may have overlooked that you think we might need to consider.

1.27 We have produced the following documents for the Issues and Options consultation, which are open to comment:

- Bromsgrove District Plan Review Issues and Options (this document)
- Sustainability Appraisal Scoping Report
- Bromsgrove District Plan Review Issues and Options Sustainability Appraisal Draft Green Belt Purposes Assessment Methodology
- Draft Site Selection Methodology

You can comment on any aspect of this Issues and Options document or any of the accompanying documents that have been produced for this stage of the Plan Review process.

We have also produced the following background document to provide you with more information for the Issues and Options consultation:

- Revised NPPF - Policy Review Table

In all cases, please make it very clear which part(s) of this document (or accompanying documents) you are commenting on.

1.28 The Issues and Options consultation period will run for a seven week period starting on 24th September 2018. The deadline for responses is 12th November 2018.

You can respond in the following ways:

Online form

Email: consultplanning@bromsgroveandredditch.gov.uk

Post: Strategic Planning, Bromsgrove District Council, Parkside, Market Street, Bromsgrove, Worcestershire, B61 8DA

Please note that by responding to this consultation period, we will automatically notify you of future District Plan Review consultation periods as detailed in Figure 2 above.

The Issues and Options consultation documents can be viewed at the following locations during normal opening hours:

- Bromsgrove District Council (Customer Service Centre), Parkside, Market St, Bromsgrove B61 8DA
- Alvechurch Library, Birmingham Road, Alvechurch, Birmingham, B48 7TA
- Bromsgrove Library, Parkside, Market St, Bromsgrove B61 8DA
- Barnt Green Parish Council, 80 Hewell Road, Barnt Green, B45 8NF
- Catshill Community Library, The Community Room, Catshill Middle School, Meadow Road, Catshill, Bromsgrove, B61 0JW
- Hagley Library, Worcester Road, Hagley, Stourbridge, West Midlands, DY9 0NW
- Rubery Library, 7 Library Way, Rubery, Birmingham, B45 9JS
- Wythall Library, May Lane, Hollywood, Birmingham, B47 5PD
- Redditch Town Hall, Walter Stranz Square, Redditch, Worcestershire, B98 8AH

Next steps

1.29 All representations received in response to this consultation will be considered by the Council and published on the website for information at: www.bromsgrove.gov.uk/districtplan Further information and regular updates about the District Plan Review will also be provided here.

1.30 The timetable for the District Plan Review is set out in the Council's Local Development Scheme (LDS) which can be viewed on the Council's website. It's unlikely we will be able to keep to the current timetable, therefore the LDS needs to be updated and re-published, explaining any alterations. However, we have decided to wait until after the close of this consultation so we can gauge the extent of the responses we receive. This is especially critical in relation to responses relating to the evidence base methodologies. Until the methodologies have been refined and endorsed, we can't undertake the actual assessment work, therefore it's difficult to update the LDS timeframe at this point in time.

1.31 If you have any queries regarding any aspect of this consultation, please contact a member of the Strategic Planning Team on: (01527) 587010, 881663, 881328, 881603 or 881325 or email consultplanning@bromsgroveandredditch.gov.uk

2. Vision and Objectives of the District Plan

Vision

2.1 The Vision for Bromsgrove District which will underpin the Plan Review needs to contribute towards the delivery of the Council's Strategic Purposes. Delivering a Bromsgrove District that we all want is something that the Plan cannot achieve alone, but it will provide a significant tool to guide the way towards building a District where people want to live and work and are proud of the level of services on offer.

2.2 The Council's Strategic Purposes are:

- Help me to find somewhere to live in my locality
- Help me to run a successful business
- Keep my place safe and looking good
- Provide good things for me to see, do and visit
- Help me to be financially independent
- Help me to live my life independently

2.3 The District Plan will play a leading role in delivering some of the Strategic Purposes, whilst offering a supporting and guiding role for others. Taking the Strategic Purposes into account, the following Vision for the Bromsgrove District Plan Review has been derived:

By the end of the Plan period Bromsgrove District and its communities will have become more sustainable, prosperous, safe, healthy and vibrant. People from all sections of society will have been provided with better access to homes, jobs and services. The attractiveness of the District in terms of its natural environment, built form and settlements will continue to be preserved and enhanced.

Strategic Objectives

2.4 A set of Strategic Objectives has been defined that aims to deliver the Plan's Vision, as detailed above. They build upon national policy and address key local challenges. The Strategic Objectives provide the basis for developing the spatial strategy and policies for the District, which are necessary to secure the delivery of the Vision.

2.5 The proposed Strategic Objectives, which are not in any specific order of preference, are outlined below:

SO1 Encourage the continued regeneration of Bromsgrove Town Centre to create a thriving, accessible and vibrant centre providing facilities to meet the needs of Bromsgrove District's residents

SO2 Focus new development in sustainable locations in the District

SO3 Support the vitality and viability of local centres and villages across the District

SO4 Provide a range of housing types and tenures to meet the needs of the local population, including the special needs of the elderly and the provision of affordable housing

SO5 Provide support, encouragement and connectivity for economic growth of existing and new businesses, whilst also supporting farming and rural diversification and investing in lifelong education and learning skills

SO6 Encourage more sustainable modes of travel and a modal shift in transport, for example, encouraging walking and cycling and promoting a more integrated, sustainable and reliable public transport network across the District

SO7 Improve quality of life, sense of well-being, reduce fear of crime, promote community safety and enable active, healthy lifestyles, for example, by providing safe and accessible services and facilities to meet the needs of Bromsgrove District's residents

SO8 Protect and enhance the unique character, quality and appearance of the historic and natural environment, biodiversity and Green Infrastructure throughout the District

SO9 Safeguard and enhance the District's natural resources such as soil, water and air quality; minimise waste and increase recycling including re-use of land, buildings and building materials

SO10 Ensure the District is equipped to mitigate and adapt to the impacts of climate change, for example, by managing and reducing flood risk, by ensuring water and energy efficiency and by encouraging new developments to be low or zero carbon

SO11 Promote high quality design of new developments and use of sustainable building materials and techniques

SO12 Foster local community pride, cohesion and involvement in the plan making process

Q. VO1: Do you think the Vision adequately captures what we want to achieve for Bromsgrove District and the kind of place we want it to be by the end of the Plan period? If not, what do you think we've missed?

Q. VO2: Do you think the Strategic Objectives are appropriate to deliver the Plan's Vision? If not, what changes do you think we need to make?

3. Issues and Options

3.1 The SA Scoping Report identified some Issues within the District that are particularly pertinent for the Council to address. The following Sections contain a series of topics, under which we have set out the Issues we think the Plan Review needs to address and where possible, the Options we think need to be considered at this stage of Plan preparation.

The topics are:

- Strategic Issues for Bromsgrove District
- Housing
- Employment
- Transport
- Town Centre
- Social Infrastructure
- Natural Environment
- Historic Environment
- Climate Change and Water Resources

Q. IO1: Do you think we have identified all appropriate topics? If not, what have we missed?

4. Strategic Issues for Bromsgrove District

4.1 This section identifies those strategic issues that will be at the heart of the BDP Review.

4.2 The Revised NPPF requires a sharper focus on strategic planning policies within Local Plans. Paragraph 21 states that Local Plans should make explicit which policies are strategic policies and these should be limited to those necessary to address the strategic priorities of the area (and any relevant cross boundary issues) to produce a clear starting point for any local policies that may be needed.

4.3 The Council considers the relevant strategic issues to be as follows:

- Strategic Issue 1: Scale and timeframe of the new Plan.
- Strategic Issue 2: Growing the economy and provision of strategic infrastructure.
- Strategic Issue 3: Re-balancing the Housing Market through housing growth.
- Strategic Issue 4: Broad options for development distribution and allocating land uses.
- Strategic Issue 5: Co-operating with the West Midlands Conurbation to address wider development needs.

Q. SI 1: Are there other strategic issues we need the Plan Review to address?

Strategic Issue 1: Scale and timeframe of the new Plan

What should the scale of the Plan be?

4.4 The Revised NPPF introduces flexibility to the way areas can plan for their development needs. Plans can be produced at different spatial scales. The minimum requirement is for strategic policies to be in place, which can either be prepared by individual Local Planning Authorities or jointly by a mayor or combined authorities with plan making powers. Local policies which set out more detailed policies for specific areas, neighbourhoods or types of development can be set out in a Local Plan or Neighbourhood Plan.

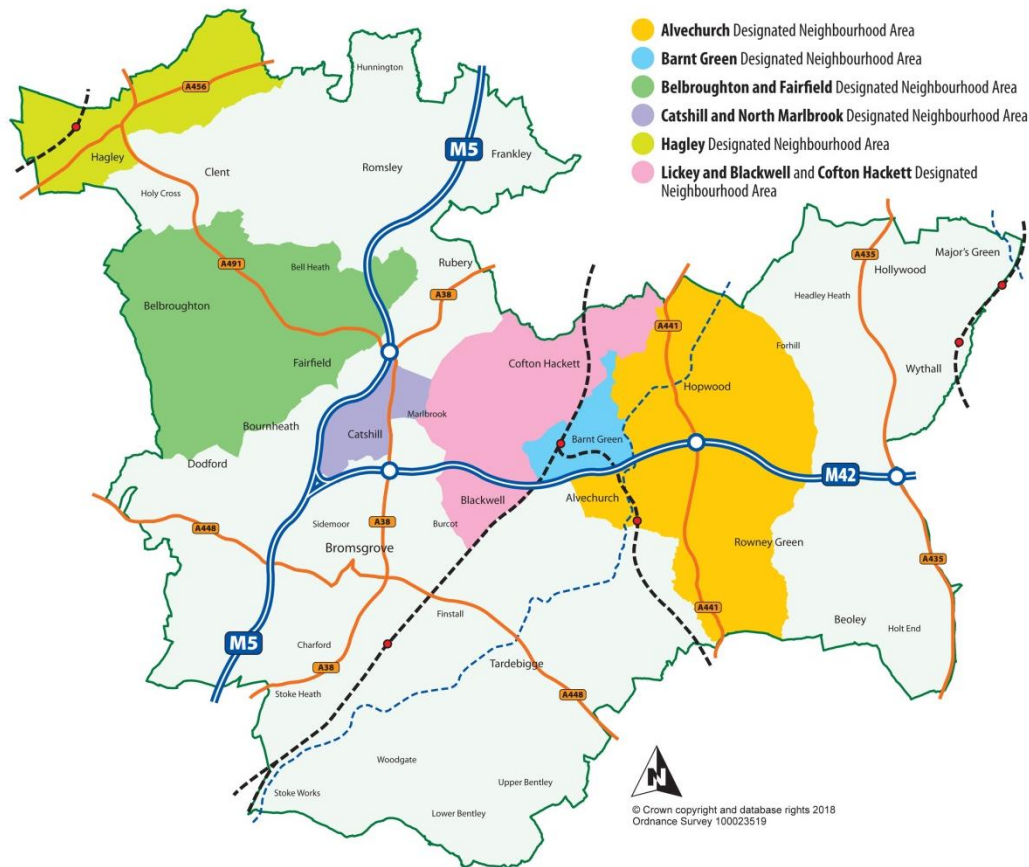
4.5 The current Bromsgrove District Plan has been prepared by the Council as a Local Plan to meet the District's own development needs. Cross boundary co-operation took place with Redditch Borough Council to allocate some land within Bromsgrove District on Redditch's boundary to meet Redditch's housing needs. For the purposes of this Plan Review consultation, it is important that the spatial scale of its coverage is established at an early stage. The Council is keen to hear views on whether the Plan should be prepared jointly with other authorities, or take the form of a District-only Plan. Prior to receiving these views, we have prepared this initial consultation paper under the assumption that the Plan will be taken forward as a District-only Plan. Bromsgrove District Council is not a member of the West Midlands Combined Authority (WMCA) and the WMCA/Mayor does not have planning powers so the option of allowing the strategic policies to be set at that level is not open to the Council.

4.6 The Revised NPPF makes it clear that Neighbourhood Plans can be used to set out more detailed local policies such as design standards and that they should allocate sites to meet local housing needs. It advises that Councils should set out housing requirements for Designated Neighbourhood Areas as part of their strategic policies. The Government is keen to provide the opportunity for

neighbourhoods to shape new development in the area to help meet housing, employment and community needs.

4.7 Bromsgrove District has six Designated Neighbourhood Areas which are progressing Neighbourhood Plans. These areas are: Alvechurch, Barnt Green, Belbroughton and Fairfield, Catshill and North Marlbrook, Hagley, Lickey & Blackwell and Cofton Hackett. The six Designated Neighbourhood Areas plus any further areas designated could play an important role in the District's future development strategy.

Figure 3: Designated Neighbourhood Plan Areas in Bromsgrove District



Q. SI 2: Do you think the Plan should cover the Bromsgrove District only and continue to take the form of a District Plan (like the current one) or are there wider geographical areas that the Plan should also take account of?

Q. SI 4: What role do you think Neighbourhood Planning and communities could play in delivering new development within the District?

How long should we be planning for?

4.8 The District Plan will set out a long term vision for Bromsgrove District looking at least 15 years ahead. National policy advises that we need to plan for a minimum of 15 years from adoption of the Plan. We're hoping to adopt the new District Plan in 2021, which would mean a plan timescale until at least 2036. However, it may be more sustainable for the Plan period to be longer to ensure long

term commitment to deliver key infrastructure projects to support growth. In other words, a plan which seeks to deliver strategic infrastructure such as new roads and schools which will require longer lead-in times, would need to cover a longer time frame to help achieve this.

1) 2018 - 2036

2) 2018 - 2041

3) 2018 - 2046

Q. SI 5: What timescale do you think the Plan period should cover and why?

Strategic Issue 2: Growing the economy and the provision of strategic infrastructure

4.9 Bromsgrove District is a successful economy, but not for everyone. Growth has been lagging behind others and future growth potential is limited due to employment land availability. Wage growth at Bromsgrove District firms has been very low over the last ten years. Higher residents' wages are a product of out-commuting to higher wage economies. Those residents who are unable or unwilling to commute receive lower wages and also continue to be exposed to high housing costs within the District.

4.10 Whilst Bromsgrove District is unlikely to compete with Birmingham for large offices and very highly paid employment, existing employment stock is well used and there is evidence of investment and renewal on most of the employment sites. There is very little vacant property for firms to expand into, or move to from outside of the District.

4.11 Bromsgrove District is currently a net out-commuter of jobs. This presents challenges for the District, in particular concerning issues such as traffic congestion at peak times ('rush hour') through a high demand for travel between Bromsgrove District and surrounding destinations, particularly to the West Midlands conurbation to the north. More detail on transport infrastructure is provided in Section 7 of this document.

4.12 Providing the right sites to enable business growth in the District, whether by attracting new inward investment from businesses located outside the District or allowing existing Bromsgrove District businesses to expand, will be crucial to rebalancing the local economy in the District. Inevitably this is likely to involve some difficult decisions around the suitability and availability of land to accommodate employment development in the District, particularly in the context of existing Green Belt coverage.

4.13 The M42 is an economic advantage which could be better used to attract high value industrial firms. Within Bromsgrove District, M42 J2 (Hopwood) and J3 (A435) are reasonably unconstrained and undeveloped. Land at these junctions could offer a distinct competitive advantage where there is a regional shortage of similar accessible sites. Two high level questions have been posed below; further more detailed questions can be found in Sections 6 and 7 of this document.

Q. SI 6: Do you think the Council should plan for significant employment growth above previous levels within the District or do you think Bromsgrove's residents should continue the trend of out commuting to access jobs?

Q. SI 7: Are there infrastructure improvements that will specifically help to encourage employment growth within the District?

Strategic Issue 3: Re-balancing the Housing Market through housing growth

4.14 At the national level, the Government is seeking to significantly increase new house building and is giving high priority to increasing housing delivery. The Government is taking steps to implement this initiative through a number of planning tools such as: revisions to the NPPF, a standardised methodology to calculate housing need, a housing delivery test, changes to the Duty to Co-operate with neighbouring local authorities, promoting custom and self-build housing, and addressing the affordability gap, amongst others. Like every area, Bromsgrove District is expected to address these issues and take its share of new development.

4.15 The NPPF (paragraph 67) is clear that local authorities should significantly boost the supply of housing through the plan making process and we should be identifying housing land for 10-15 years.

4.16 The UK will always need to build more homes as the needs of the population changes. The pace of housebuilding has not kept pace with population rises; people are living longer, internal and international migration plays a more contributory factor and the model family unit with 2.4 children is no longer the norm. As a result the Bromsgrove Housing Market offers little choice and has high affordability ratios.

4.17 The way local authorities have historically calculated their housing requirement was often a complex and time consuming process, which could be subject to challenge from many different parties. Therefore, the Government is introducing a standard methodology for calculating Local Housing Need later this year. The new method will set out a prescribed way to calculate the amount of housing needed, based on household projections and an adjustment for local affordability ratios. This means that the method will be consistent across all planning authorities and should not be subject to challenge, thus, speeding up the plan-making process so homes can be built quicker.

4.18 We need to plan for a minimum of 15 years from adoption of the Plan. We're hoping to adopt the new District Plan in 2021, which means planning until at least 2036.

4.19 We have based our housing need calculation on the standard methodology for the purposes of this Issues and Options Consultation.

4.20 Depending on how long our Plan period is (please refer to Section 1, Question 8) , and by using the standard methodology, we will need to plan for about the following number of dwellings purely to meet Bromsgrove District's local housing needs (excluding any cross boundary growth and any housing associated with higher economic growth):

1) 2018 - 2036 = 6,500 dwellings

2) 2018 - 2041 = about 8,350 dwellings

3) 2018 - 2046 = about 10,200 dwellings

Land for about 2,500 dwellings is already allocated in the current District Plan and will count towards the above figures.

4.21 The Government's standard methodology for calculating local housing need makes it clear that providing fewer homes than this isn't an option.

Q. SI 8: Do you think we have interpreted the standard methodology correctly?

Q. SI 9: Which of the following options do you consider is most appropriate and why?

Option 1: Allocate land for about 6,500 dwellings up to 2036

Option 2: Allocate land for about 8,350 dwellings up to 2041

Option 3: Allocate land for about 10,200 dwellings up to 2046

Option 4: Irrespective of the length of the Plan period, allocate land for more homes than recommended by the standard methodology

Q. SI 10: Do you have any other comments on the above options?

Strategic Issue 4: Broad options for development distribution and allocating land uses

4.22 The District Plan Review will need to test a number of development distribution options before progressing with the most appropriate sustainable development strategy for the District. Given the scale of development needed and the timescale covered, it is highly likely that a combination of options will be needed. Broad options to test could include the following:

Option 1: Focus development on Bromsgrove town - this could take the form of an urban extension or extensions to the built up area and would include homes and possibly community infrastructure and employment depending on the scale of the housing development;

Option 2: Focus development on transport corridors and/or locations with good transport links - this could focus on good accessibility to the primary road network, rail and other sustainable modes of transport in a bid to ease road traffic congestion within the District;

Option 3: Focus development on the Large Settlements, as identified in the existing BDP - this could take the form of infilling and urban extensions to the Settlements but likely to be on a smaller scale than Option 1 above. The amount of development which could be attributed to the Settlements would need to take account of current Settlement size, existing facilities and whether there is an opportunity to increase services and facilities, meaning that the levels of distribution may not be the same for all Settlements;

Option 4: Disperse development around the District, allocating some new growth to a variety of settlements to allow them to grow - this could distribute development throughout the District according to local assessments of capacity (particularly existing facilities). Distribution would be of different scales and/or infilling taking account of the size of the existing developed area;

Option 5: Focus development on the edge of the West Midlands conurbation, along our border with Solihull/Birmingham/Dudley - this could take the form of an urban extension to the built up area and would include homes and possibly community infrastructure and employment depending on the scale of the housing development;

Option 6: Focus development on the edge of Redditch - this could take the form of an urban extension to the built up area and would include homes and possibly community infrastructure and employment depending on the scale of the housing development;

Option 7: A new settlement - development of a significant scale which would also be able to support new community infrastructure and employment development;

Option 8: Reconsideration of existing unconsented allocations on the boundary with Redditch Borough - reassess existing site allocations in Bromsgrove District that have not been developed to meet Redditch's needs. This follows the publication of the Revised NPPF which has brought in the standardised local housing need methodology which calculates a lower level of housing need for Redditch than is included within the Adopted Local Plan. Consider their availability, deliverability and appropriateness as site allocations to meet the needs of either Bromsgrove District or Redditch Borough;

Option 9: Urban intensification - development in existing urban areas and the potential to increase densities on allocated sites in the current BDP. Varying scales of development according to opportunities, however this option is highly unlikely to deliver the housing numbers needed on its own.

4.23 All of the options above will require changes to the Green Belt boundaries, details on the Green Belt Purposes Assessment and Site Selection methodologies can be found in Section 13 below. When assessing these options the Council will be considering a wide range of factors which are highlighted in these methodologies. At this stage we are not looking for site specific responses, we are looking to ensure that sufficient options have been identified, and the correct criteria established for robust decisions to be made on the spatial distribution of growth across the District.

Q. SI 11: Which combination of the above options do you feel are the most appropriate and sustainable to meet the District's future needs and why?

Q. SI 12: Are there any other options for development that haven't been identified above?

Safeguarded land

4.24 National planning policy emphasises the permanence of Green Belt boundaries (NPPF paragraph 136). In order to establish boundaries which endure beyond the Plan period, it is necessary to consider not only the development needs of the current plan, but also the longer-term development needs stretching well beyond the Plan period. National policy states that land should be safeguarded for these longer term needs, making clear that it is not allocated for development at the present time.

4.25 However, there are downsides to this approach. Removing land from the Green Belt in sustainable locations where development has been earmarked for the future, increases their profile and the potential for speculative planning applications in the short to medium term. If some allocated sites are more difficult to deliver, such sites risk being overlooked in favour of safeguarded land which may present fewer obstacles to delivery. Recent pressures on housing land supply in Bromsgrove District meant that this was the case for land that was previously safeguarded for longer

term use. With the new regulations now stipulating that Local Plans should be assessed at least every five years to ensure they are still up to date, it may prove difficult for safeguarded land to have the longevity desired in national policy.

Q. SI 13: Do you think the Plan Review should remove land from the Green Belt to be designated as 'safeguarded land', to meet longer-term development needs beyond this Plan Review period? If so, how far ahead should we look?

Strategic Issue 5: Co-operating with the West Midlands Conurbation to address wider development needs

4.26 Bromsgrove District forms part of the Birmingham and Black Country Housing Market Area (HMA). The Birmingham and Black Country HMA covers the following Local Authority areas: Bromsgrove, Birmingham, Cannock Chase, Dudley, Lichfield, North Warwickshire, Redditch, Sandwell, Solihull, South Staffordshire, Tamworth, Stratford-on-Avon District, Walsall and Wolverhampton. Some of the HMA authorities in the West Midlands conurbation have been unable to identify enough land to meet their housing needs within their own administrative boundaries and under the Duty to Cooperate, neighbouring authorities in the HMA will need to see if the housing shortfall can be accommodated elsewhere. Identifying where (beyond the conurbation) the housing shortfall should go has so far proved difficult due to the lack of established strategic planning mechanisms.

4.27 Across the West Midlands it has been accepted, and as a result, is reflected in a number of recently adopted Local Plans, that land which is currently Green Belt will need to be reallocated for the wider development needs of the region. Whilst every effort is made to ensure that as much brownfield land as possible is built on, the fact remains that there is not enough deliverable brownfield land to meet these housing needs, even if new houses were built at high densities.

4.28 The Greater Birmingham Housing Market Area Strategic Growth Study (SGS) has revisited the overall housing need and the ability of urban areas and brownfield land to accommodate this need. Once again, it has been established that land is going to be required beyond the West Midlands conurbation, which will mean looking within currently designated Green Belt land to meet the shortfall.

4.29 The Revised NPPF provides a clear indication of the Government's desire for joint working to address housing need and that it intends to close the loop whereby difficult matters are deferred to future plan reviews. The BDP includes a commitment at Policy BDP3 (Future Housing and Employment Growth) to undertake a review of the Local Plan by 2023 at the latest which will address the District's role in accommodating some of the Greater Birmingham HMA's housing needs.

4.30 The SGS recommends a number of Areas of Search for strategic development, which should be taken forward for further assessment through the plan making process as having potential to contribute to meeting the housing needs shortfall.

4.31 It must be stressed that the SGS is an independent study and it is **not the work of the District Council**. Therefore its findings do not represent the Council's views. The SGS is available to view and download from: <http://www.bromsgrove.gov.uk/council/policy-and-strategy/planning-policies/greater-birmingham-housing-market-area-strategic-growth-study.aspx> The questions below ask for your views on its approach and content.

Q. SI 14: What are your views on the approach taken in Greater Birmingham Housing Market Area Strategic Growth Study (SGS)?

Q. SI 15: Do you have any comments on its outcomes or any views on the further work that needs to be undertaken to fully test the options presented in the SGS?

5. Housing

5.1 Providing sufficient homes in the right places has always been a key issue in planning terms across the country, and this Plan Review for Bromsgrove District is no different. We now find ourselves in a time where people are living longer and modern families don't necessarily all live under one roof. Furthermore, the affordability gap is widening, which is also compounding the access to housing issue, forcing grown-up children to remain in parental homes for longer in a bid to save enough money to take that first step onto the property ladder. Bromsgrove District Council needs to play its part in addressing these, amongst many other housing issues.

Implications of SA Scoping information

5.2 The SA Scoping Report identifies the following key sustainability issues:

- The UK population will continue to grow;
- The aging population is set to increase;
- There is a need to create places to live in sustainable locations;
- There is a need to enable housing growth and plan for a mix of housing types and tenures to meet the requirements of all households.

5.3 Based on the information we have gathered in the Scoping Report and our understanding of the broad housing issues facing the country as a whole, we think we need to focus on the following issues in a local context, to explore how they may impact on our District and how the Plan Review could address them:

- Housing Density
- Affordable Housing
- Housing Mix
- Homes for the Elderly
- Self-build & Custom Housebuilding and Innovative Design Standards
- Accommodation for Gypsies, Travellers and Travelling Showpeople

Housing Density

5.4 The NPPF advises local authorities to set their own approach to housing density to reflect local circumstances. Although no specific densities are required in the adopted District Plan, Policy BDP7 states that the density of new housing will make the most efficient use of land whilst maintaining character and local distinctiveness. Bromsgrove District is known for a considerable number of large properties, which is clearly a locally distinctive feature of the District. However, this isn't making best use of such a finite resource. The Revised NPPF is steering more strongly towards the use of minimum density standards, which should optimise land in town centres and other locations which are well served by public transport.

5.5 Based on the housing requirement figures detailed above, we will need to identify additional land for about: (1) 4,000 dwellings (2018-2036), (2) 5,850 dwellings (2018-2041), or (3) 7,700 dwellings (2018-2046) as land for about 2,500 dwellings has already been allocated through the BDP and will count towards the housing requirement.

5.6 Of the homes completed between 2011 and 2017:

- 61% were built at less than 30 dwellings per hectare (dph);
- 21% were built at 30-50 dph;
- 18% were built at more than 50 dph.

5.7 The lower the build-density, the higher the land-take. We need to strike a balance between preserving the differing characteristics of Bromsgrove District's built environment whilst being mindful of the amount of land we will need to build on.

Q. H1: Which of the following options do you consider is most appropriate and why?

Option 1: Set a specific minimum density requirement for the District as a whole

Option 2: Set different minimum density requirements for different parts of the District

Option 3: Rely on local distinctiveness and character within the District so that new housing fits in with its surroundings

Option 4: Influence site density through good design

Q. H2: Do you have any other comments on the above options?

Affordable Housing

5.8 In December 2017, the Land Registry published figures which illustrated that the average house price in England was £243,582 compared with £276,713 in Bromsgrove District. Delivering a wide choice of high quality homes extends to the provision of affordable housing. These homes are for people in housing need (on our housing waiting list) who cannot afford to buy their own home or privately rent.

5.9 On housing developments of 11 dwellings or more in the District, we aim to secure up to 40% affordable housing units on site. Of the affordable housing provision secured, we generally specify 70% social rented and 30% intermediate properties. Since the start of the BDP period (2011), 470 affordable housing units have been built, which is currently 28.9% of all housing completions.

Affordable housing units tend to be clustered together within our larger development schemes. However, another approach is ‘pepper-potting’ where private market and affordable housing tenures are located side-by-side and are indistinguishable from each other. This is often referred to as ‘tenure blindness’.

5.10 As the housing affordability gap continues to rise, the term ‘affordable housing’ is now being extended as it is also expressed in relation to those people who don’t qualify to be on housing waiting lists. These are people who need to buy or privately rent through the open market and includes those classed as essential local workers. Therefore, as well as provision for those people on housing waiting lists, the Government is committed to improving the accessibility of home ownership for first time buyers. For aspiring home owners who are struggling to obtain mortgages for the full market price of a home, the Government wants to ensure that there is a range of affordable homes to support their aspiration to buy. They aim to do this through the Starter Home Initiative.

5.11 Affordable home ownership (Starter Homes) is likely to form at least 10% of all dwellings on site as part of our overall affordable housing contribution (up to 40% of all dwellings on site). Whilst the Starter Home Initiative positively addresses a previously overlooked housing sector, this means that the number of social rented/ shared ownership dwellings available to meet the needs of those people on our housing waiting list will be reduced.

5.12 Furthermore, the Government is committed to increasing the private rental market through the Build to Rent Initiative. It should make the rental market more service-focused, which will mean that living standards are generally higher. The private rental sector is relatively small in Bromsgrove; however we’re unsure whether that is due to limited demand or limited supply.

5.13 The NPPF (paragraph 77) supports housing development in rural areas, such as the small settlements in Bromsgrove District’s Green Belt, where they offer affordable housing for those with a genuine link to a particular settlement (rural exception housing). As the housing affordability gap widens, there may be younger generations of families who are being forced out of generational family locations into more affordable locations, placing a strain on the accessibility of their family support network for things such as childcare needs.

Q. H3: Do you think that we should continue to try to secure up to 40% affordable housing on development sites?

Q. H4: Do you think the social rented/ intermediate housing split is appropriate? If not, why not?

Q. H5: Do you think we should continue to have small ‘clusters’ of affordable housing properties or ‘pepper-pot’ them within development schemes? What is the reason for your response?

Q. H6: Do you think we should allocate a proportion of the affordable housing for essential workers?

Q. H7: What level of Starter Home provision do you think we need in the District?

Q. H8: Do you think that sites should be allocated specifically for Starter Home provision in the District? If so, where?

Q. H9: Do you think that more homes should be built specifically for private rent in the District?

Q. H10: Are you aware of any of Bromsgrove District’s rural settlements that have a specific shortage of affordable homes for local, newly forming households? If so, where?

Housing Mix

5.14 The NPPF (paragraph 61) steers local authorities towards delivering a wide choice of high quality homes by planning for a mix of housing based on current and future demographic trends and addressing the needs of different groups in their communities to reflect local demand.

5.15 Background studies for the current BDP indicated that the District was lacking in smaller properties (including those for our aging population) but there would still be a sustained demand for 3 and 4 bedroomed properties. The 2011 Census revealed that the dwelling composition in the District was: 1 bedroom (8%), 2 bedrooms (19%), 3 bedrooms (45%) and 4+ bedrooms (28%). Since the start of the BDP period, we have been trying to redress this imbalance, and on sites which have been completed so far, the following proportions of dwellings have been built: 1 bedroom (18.6%), 2 bedrooms (30%), 3 bedrooms (22.7%) and 4+ bedrooms (28.7%). This gives a clear indication that we are working towards addressing the imbalance and providing more choice within the housing market. However, we may see a continued need for larger homes if there are increases in home-based working or a desire for multi-generational family living.

5.16 The 2011 Census also revealed the following proportions of housing types, indicating that Bromsgrove District has a higher than average stock of detached properties, whilst all other house types are lower than average stock levels.

Type	England	West Midlands	Bromsgrove
Detached	28%	29%	39%
Semi Detached	38%	44%	37%
Terraced	29%	27%	15%
Flats	18%	11%	9%

5.17 Whilst Bromsgrove District is predominantly rural with a prosperous history, we need to ensure that the District's vibrancy continues in the future. In both our rural and urban settlements, newly forming households may want to live in close proximity to their parental home to take advantage of the support network it offers. Also, our aging residents may want to downsize whilst remaining part of a familiar community. Addressing these issues will ensure that we have a vibrant housing stock which meets the needs of Bromsgrove District's population as it changes over time, in order that the District continues to thrive.

Q. H11: Which of the following options do you consider is most appropriate and why?

Option 1: Be guided by market signals to determine the size and type of homes the District needs

Option 2: Set size and type guidance for different parts of the District including Homes for Life.

Q. H12: Do you have any other comments on the above options?

Q. H13: Should we be encouraging a wider range of homes in our rural settlements to ensure their long term vibrancy?

Homes for the Elderly

5.14 People are living longer and would benefit from a wider range of housing options to suit their changing needs. Since the start of the current Plan period we have made provision for more homes specifically for the elderly, such as the care home and independent living facilities on Recreation Road in Bromsgrove Town Centre which was completed in 2018, and extra care provision on allocated sites for future development. This shows that we are already responding to the needs of our aging population.

5.15 However, there may be members of our aging population that want to downsize independently but don't want apartment living, perhaps preferring a small bungalow, which offers future options for live-in carers with a smaller garden or communal outdoor space or even a 'retirement village' type of development. Equally there are people who need greater levels of care than those on offer in independent living complexes.

Q. H17: What would encourage you to downsize if your current home is bigger than you need?

Q. H18: What type of home would you want or need as you get older?

Self-build & Custom Housebuilding and Innovative Design Standards

5.16 The Government introduced the Self-build and Custom Housebuilding Initiative to help boost the supply of homes and provide diversity in the market. Councils are required to grant sufficient planning permissions to meet the demand for self-build plots. However, this doesn't necessarily mean that those people with self-build aspirations can acquire those plots with planning permission.

5.17 Some Councils are proactively requiring serviced plots on larger housing sites specifically for the self-build market. There are currently 19 entries on the Council's Self-build and Custom Housebuilding Register, requiring serviced plots within the District.

5.18 Furthermore, the Government wants to encourage custom built homes which tend to be built to a higher quality than some other homes. Builders are more likely to use modern construction techniques alongside innovative design and energy efficient measures to build themselves life-long homes that can adapt to their changing needs whilst being cost effective to run and maintain.

5.19 There are also people who may like a life-long home that adapts to their changing needs without having to build it themselves. Whilst the building industry has minimum build standards to meet, there are beneficial additions that could be provided, such as wheelchair adaptable/ accessible dwellings, which includes specifications for minimum door widths and space standards, for example. Also, there are optional requirements to reduce daily water consumption.

5.20 As we try to meet the demand for new homes, developments are often perceived to be 'crammed in'. One tool for assessing and improving the design of development is 'Building for Life', which aims to ensure that the design of new homes and their neighbourhood are as attractive, functional and sustainable as possible.

Q. H19: Which of the following options do you consider is most appropriate and why?

Option 1: Allocate sites purely to meet the provisions of the self-build market

Option 2: Ask developers to provide a number of plots for the self-build market on larger housing sites

Q. H20: Do you have any other comments on the above options?

Q. H21: Do you think we should be aspiring to achieve higher than minimum design standards? If so, should this be 100% of all new homes built or just a proportion to make future adaptations easier?

Q. H22: Are there any specific design standards or innovative building techniques that you think we need to address or encourage? If so, what are they?

Accommodation for Gypsies, Travellers and Travelling Showpeople

5.21 When we are considering the housing needs of the District, we also need to take into consideration the housing needs of different groups in the community, which includes gypsies, travellers and travelling showpeople (NPPF paragraph 61). Alongside the NPPF, the Government published *'Planning policy for traveller sites'* (August 2015) which gives us a better understanding of how we should approach their differing housing needs, whilst ensuring they have access to education, health, welfare and employment infrastructure.

5.22 We currently have 24 permanent gypsy and traveller pitches in the District. The Worcestershire Gypsy and Traveller Accommodation Assessment (GTAA) (November 2014), recommends that Bromsgrove District needs to identify land for up to 9 permanent pitches between 2019/20 and 2033/34 (p.96). No additional need has been identified for Showperson yards or transit plots during this same period, however anecdotal evidence seems to suggest that there is a need.

Q. H23: Which of the following options do you consider is most appropriate and why?

Option 1: Extend existing facilities within the District

Option 2: Allocate a new site for permanent pitches within the District

Option 3: Allocate land for a transit site for families passing through the District

Q. H24: Do you have any other comments on the above options?

Q. H25: Do you think there are any Housing Issues that we have missed? If so, please tell us what they are.

6. Employment

6.1 Bromsgrove District is home to a successful labour force, with employment levels being amongst the highest in the West Midlands. However whilst the average earnings of residents is very high in comparison to national and regional data, local wages earned within the District are amongst some of the lowest in the West Midlands region. This disparity is largely due to the desirability of many places within the District to live which are within commuting distance of larger urban areas offering more employment opportunities, such as Birmingham.

6.2 Bromsgrove District has an ageing population which has implications for the local labour force. The economic activity rate and employment rate for the District have both fallen in recent years, primarily due to people leaving the labour force through retirement. This is supported by the fact that the unemployment rate has not increased during this time. However a shrinking labour force has implications for the productivity of the local economy, with a real risk that without attracting younger people to live and work in Bromsgrove District, trends will continue and local businesses will find it difficult to access a sufficiently skilled pool of local employees.

6.3 The local business base is very stable with a high number of successful start-ups and expanding businesses within the small and medium enterprise (SME) bracket. However, it is apparent from consultation with local businesses that within the District there is a lack of space for expansion, often termed as 'grow-on' space, meaning companies may be forced to leave the District for premises in adjacent local authorities in order to expand their businesses. Only 1.25% of firms employ over 50 workers in the District.

6.4 Within the District there is a large supply of small office units, including many on existing industrial estates and business parks. The vacancy rate for offices is around 5.5%, whereas a vacancy rate of 7.5% is considered to be healthy. By contrast there is a much smaller supply of larger employment units in sectors connected to manufacturing industries or storage and distribution. A recent survey of local businesses highlighted the need for a wider range of units, freehold property, serviced plots and office property that is in accessible locations. Crucially for attracting investment and job creation into the District is the fact that it is advantageously located for businesses, being connected to major motorway junctions. However, infrastructure capacity is a concern for local businesses. The District is also home to a number of railway lines and train stations with direct services to Birmingham, Worcester, and Kidderminster and connections beyond.

6.5 The NPPF makes sustainable economic growth a key issue for plan making, stating that "significant weight" should be placed on the need to support economic growth through the planning system. Site allocations for employment uses should be reviewed regularly to ensure the most appropriate sites are protected for employment uses to meet Bromsgrove District's business needs.

6.6 In April 2017, the District Council adopted corporate economic priorities to ensure a commitment to addressing current barriers and capitalising on opportunities for growing the local economy in the coming years. There are nine economic priorities with cross-cutting themes connected to issues such as transport and connectivity, the local housing market, and improving centres within the District.

6.7 The District Plan Review process needs to identify and plan for how Bromsgrove District's economy should grow in the future, including the relationship between Bromsgrove District's local economy and the wider West Midlands regional economy.

Implications of SA Scoping information

6.8 The SA Scoping Report identifies the following key sustainability issues:

- Average weekly employee earnings for people working in Bromsgrove District are significantly lower in comparison to West Midlands and national averages;
- There is a need to attract higher paid jobs to the District to encourage more people to live and work in the District and reduce out-commuting;
- The District's existing employment land supply is limited to a small number of historical sites with low levels of completions in recent years;
- There is a need to improve and retain skills in the local labour force;
- Retention and expansion of the manufacturing sector in the District, particularly higher value, skilled manufacturing, could have a positive impact on other supply-chain industries and small, local businesses.

6.9 Based on the information we have gathered in the Scoping Report and our understanding of the wider employment issues, we think we need to focus on the following issues in a local context, to explore how they may impact on our District and how the Plan Review could address them:

- Growing the Local Economy
- Type and Location of Employment Land
- Employment Opportunities in Rural Bromsgrove
- Telecommunications

Growing the Local Economy

6.10 As stated in paragraph 4.11 above, Bromsgrove District is currently a net out-commuter of jobs; there are a higher number of people who live in the District but choose to commute to jobs elsewhere, than there are people who live in other areas but commute into Bromsgrove District to work.

6.11 In order to address this situation there are a number of issues for the Plan Review to investigate around where and how much employment land should be provided in the District, how many jobs are being created and sustained by local businesses, and what type of jobs these are or should be in the future.

6.12 Providing the right sites to enable business growth in the District and to provide a wider range of local employment opportunities for those who don't wish to commute, whether by attracting new inward investment from businesses located outside the District or allowing existing resident businesses to expand, will be crucial to reducing the discrepancy between average weekly employee earnings and average weekly resident earnings. The local economy lacks a whole tier of medium and larger sized firms and the District lacks property and land for such firms to grow into. For

Bromsgrove the M42 is an economic advantage which could be better used to supply chains feeding the West Midlands manufacturing economy.

However rebalancing the local economy in Bromsgrove District may also involve some difficult decisions around the suitability and availability of land to accommodate employment development in the District, particularly in the context of existing Green Belt coverage.

6.13 More up-to-date evidence on employment needs for the District is required to inform the Plan Review. Evidence will need to consider how the existing local economy functions, what future jobs growth forecasts over a given time period will look like, the available supply of labour force in the District to take up new employment opportunities, and how historical rates of take-up of employment land in the District relates to future projections of need.

6.14 Considering these factors will ensure the Plan Review and supporting evidence base provides a robust basis to allocate the appropriate amount of land for employment development to ensure sustainable economic growth in the District. The Revised NPPF states that “planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt”. Therefore, it is not reasonable for the Plan Review to ignore options for economic growth.

Q. E1: Which of the following options do you consider is most appropriate and why?

Option 1: Plan for a minimum level of employment development across the Plan period, relating to assessed needs

Option 2: Plan for a small uplift in jobs and land requirement, in the region of 10% above minimum evidence requirements

Option 3: Plan for a large uplift in jobs and land requirement, in the region of 25% above minimum evidence requirements

Option 4: Plan for a level of employment development that aligns with levels of housing growth in the District over the course of the Plan period, including consideration of any housing or employment shortfall arising from neighbouring local authorities

Q. E2: Do you have any other comments on the above options?

Type and Location of Employment Land

6.15 The employment land requirement in the BDP is 28 hectares of land allocated to meet the employment needs of the District up to 2030. The most recent employment land availability study for Bromsgrove District (2016), shows an employment land supply for the District of approximately 35 hectares. However as this land is built out for employment purposes, it is likely that new locations for employment development will be required to meet needs beyond the current BDP period. Equally, if some employment land fails to be built out, we will need to review whether it is still appropriately allocated for future employment growth.

6.16 Being situated adjacent to the West Midlands conurbation, it is important for Bromsgrove District to create a resilient and sustainable local economy. Competition with surrounding local

authorities to attract investment in the District may be appropriate for certain employment sectors. However it may also be necessary to plan for the local economy in such a way that avoids the risk of market saturation for other employment sectors that are already well established within the wider region.

6.17 It is important that the Plan Review is based on an understanding of business needs operating within the District and wider region, in order for land allocations to be identified based on qualitative needs as well as solely quantitative evidence. The North Worcestershire Economic Development and Regeneration (NWEDR) team and the well-established Bromsgrove Economic Development Theme Group are important forums to provide information about local business needs across the District.

6.18 Reference to the 'employment land supply' for the District in this section is related to B use development only. There are however other uses in planning terms that provide job opportunities across the District and it is appropriate for the Plan Review to consider the pros and cons of planning for these types of employment generating uses alongside traditional B use employment development. Examples would include car repair garages, food and drink outlets or leisure uses such as gyms, which despite having a much lower density of employees than many B use development, still provide local employment opportunities and thus make a contribution to the local economy.

6.19 The Bromsgrove economy is constrained by a lack of labour and a lack of commercial floorspace and land. In growing the employment base, the Council could look at how it can support the continued improvement in the West Midlands manufacturing economy by providing new sites to meet footloose demand. The provision of sites around 25 hectares would help to meet this demand and also meet the needs of local firms who are seeking to expand. There is an opportunity for land in Bromsgrove to complement the West Midlands Combined Authority Strategy, but also to directly compete with the core of the Combined Authority if the District offers land supply that is commercially more attractive.

6.20 The future challenge for the District's Office market is to encourage SMEs to mature in the area. Helping them grow from small to medium firms and providing a wider range of local employment opportunities across the whole spectrum of skills. A focus on smaller and medium sized flexible workshop property which could be used for both offices and light industrial uses could help address the strongest local demand for industrial workspace which is between 150 and 350 sq.m

Q. E3: Which of the following options do you consider is most appropriate and why?

Option 1: Meet as much employment need as possible on existing designated sites where intensification opportunities exist (these opportunities may only meet a small proportion of need)

Option 2: Expand existing employment sites around currently designated employment land, to increase land supply beyond that offered by Option 1

Option 3: Allocate new freestanding employment sites in sustainable locations, including transport corridors and motorway junctions

Option 4: Allocate new employment land for approximately 25 hectare sites to meet the needs of medium and larger sized firms as part of mixed use strategic allocations, where large scale housing allocations are proposed in the Plan review. This could include wider employment generating uses as well as more traditional B use employment development

Q. E4: Do you have any other comments on the above options?

Q. E5: Do you think we should pursue a flexible approach to allowing alternative business uses on land designated for traditional employment use? If so, how do we ensure that we retain sufficient land allocations for traditional B use employment?

Employment Opportunities in Rural Bromsgrove

6.21 The sites within the District's employment land supply designated for protection as B use employment land are those considered to be sites of strategic importance. These are located nearer to the more built up areas of Bromsgrove District's main urban area, the southern edge of Birmingham, and the edge of Redditch (with some sites within Bromsgrove District serving the employment needs of Redditch Borough).

6.22 Other sites are located in the District which provide for smaller scale employment development and include both B use employment uses and wider employment generating uses. These sites are in Green Belt locations and are located in both open countryside and within or adjacent to smaller rural settlements and therefore may not always be in the most sustainable locations and may only meet a small proportion of the District's employment need. However, they are still likely to make a contribution to the local employment offer and are important in supporting a prosperous rural economy.

6.23 It will be important for the Plan Review to support the proportionate expansion of rural businesses, including proposals for conversion, taking into account the impact on the inherent nature of rural areas, including Green Belt considerations. Furthermore, supporting the growth of the rural economy and local employment opportunities in more rural locations may be a consideration for local communities engaged in the neighbourhood planning process.

6.24 In the context of the Plan Review and setting an overall target for strategic employment land, it may be necessary to review whether the current amount and distribution of employment development is the most appropriate for the future. If evidence finds that existing sites in supply provide a suitable level of jobs for the Plan period, or suitable sites are available within or on the edge of existing urban areas, then it is unlikely that the identification of potential employment sites in the more rural parts of the District would be necessary.

6.25 However, should evidence suggest that more employment sites are required to support other forms of development in the Plan period, particularly new housing, it may be the case that further (Green Belt) land across the District will have to be considered as potential development locations.

Q. E6: Which of the following options do you consider is most appropriate and why?

Option 1: Encourage rural enterprise, through supporting diversification, conversion and infill opportunities

Option 2: Allocate larger parcels of land in rural areas for employment development, where proven to be a sustainable location and attractive to the market

Option 3: Provide a mix of both of the above options

Q. E7: Do you have any other comments on the above options?

Telecommunications

6.26 Advanced, high quality and reliable telecommunications infrastructure is essential for economic growth and, subsequently brings improvements to residential networks. We need to support the expansion of electronic communications networks, including next generation mobile technology and high speed broadband connections, especially if we want to encourage growth within the District's economy.

Q. E8: Is there anywhere in the District that would particularly benefit from upgraded telecommunications infrastructure? If so, where?

Q. E9: Do you think there are any Employment Issues that we have missed? If so, please tell us what they are

7. Transport

7.1 Bromsgrove District's location in the centre of the country means the District has excellent connectivity to major transport networks. Significant motorway junctions are located within the District, as a result of both the M5 and M42 motorways passing close to Bromsgrove town. This can cause issues across the District in the event of disruption on the Strategic Road Network. Major A-roads that cross the District and link Bromsgrove District's settlements to large settlements in adjacent local authority areas include the A38, A456, A448, A491, A441 and A435.

7.2 A number of railway lines run through the District, including the cross-city line. Train stations are found at the larger village settlements of Alvechurch, Barnt Green, Hagley and Wythall in addition to Bromsgrove Town train station. Work is already underway to extend the cross-city line to Bromsgrove Town train station from its current route through Barnt Green, with completion expected later in 2018. Therefore connectivity with the conurbation is very good, although it is poorer to the south towards Worcester, Cheltenham, Gloucester, Bristol and London and requires investment in both infrastructure and rolling stock. Bus services link Bromsgrove Town with Birmingham to the north, Redditch to the east, Droitwich (and connections to Worcester) to the south and Kidderminster to the west.

7.3 Whilst Bromsgrove District's location in relation to the transport network is advantageous in terms of accessibility and choice of travel modes, it also creates challenges for how the network continues to operate smoothly, in particular where demand is growing.

7.4 Transport infrastructure is often complex to plan for and expensive to install and maintain. Growth in the economy offers the opportunity for significant financial contributions to be secured from new development as a means of funding additional infrastructure. In the context of the future growth of Bromsgrove District, as well as the wider sub-region, transport infrastructure is a crucial component of delivering economic growth plans and enabling new development to be delivered.

7.5 Opportunities also exist through other funding sources to improve transport infrastructure, including where greater provision of walking and cycling options offer more sustainable alternatives to other transport modes. Investing in this type of transport infrastructure has a number of benefits.

It seeks to address the challenge of reducing demand on congested sections of road with the aim of reducing journey times. It also has the potential to provide recreational opportunities for local communities, for example new cycle routes/paths, and to contribute to schemes attempting to address areas of poorer air quality (Air Quality Management Areas) within the District.

7.6 It is important for local authorities to undertake an assessment of the transport implications in developing or reviewing their Local Plan. As a minimum, the transport evidence supporting the Plan Review should identify the opportunities for encouraging a shift to more sustainable transport usage, and should include future transport infrastructure requirements within infrastructure spending plans, linked to financial contributions from new development as well as other funding sources.

7.7 Worcestershire County Council Local Transport Plan 4 (LTP4) states that within the County, there is “significant strategic demand to travel, particularly on key interurban road and rail networks which provide direct connections between major economies including Greater Birmingham, Greater Bristol, Cardiff and South Wales, Oxford, London and the South East and further afield.”

7.8 The District Council has a set of key priorities and strategic purposes for the period 2017-2020. Transport is a key element of these corporate aims, with specific reference made to reducing congestion, particularly along the A38 corridor. The Council also has a set of adopted economic priorities for the District, which acknowledges the importance of ‘connectivity’ to enabling continued economic growth in future years by making it easier and quicker for people to move between homes, jobs, essential services and leisure uses around the District.

Implications of SA Scoping information

7.9 The SA Scoping Report identifies the following key sustainability issues:

- The need to address issues with the capacity of the road network and improve congestion hotspots;
- The need to ensure interconnection between public transport services, e.g. connections from the Town Centre to Bromsgrove Town train station or between rural bus routes;
- The need to address the location of key public transport nodes, e.g. Bromsgrove Town train station, and where development is located in relation to sustainable transport options;
- The need to encourage more walking and cycling, including provision of safe and interconnected routes;
- The need to improve coverage of broadband in rural parts of the District, enabling more access to services and potential for home working.

7.10 Based on the information we have gathered in the Scoping Report and our understanding of wider transport issues, we think we need to focus on the following issues in a local context, to explore how they may impact on our District and how the Plan Review could address them:

- Car journeys and impact on the road network
- Accessibility to public transport services
- Walking and cycling opportunities

Car Journeys and Impact on the Road Network

7.11 Bromsgrove District is relatively affluent in comparison to both national and regional averages and perhaps as a result of this, has high levels of car ownership per household. When combined with the fact that the District sits adjacent to the West Midlands conurbation and there is a high level of out-commuting of Bromsgrove District residents to jobs in the conurbation, this means demand for road travel is high, particularly during peak hours. Of all Bromsgrove District residents who travel to work by car, the largest proportion travel in the range of 10-20km (6-13 miles) to their places of employment. In addition to the commuting patterns of Bromsgrove District residents, the road network is important for economic growth and the success of local businesses, as well as how services and leisure uses are accessed by both the local population and visitors to Bromsgrove District.

7.12 Congestion occurs at key junctions on the network such as M42 J1, the 'Oakalls/ Slideslow roundabout' (A448/A38), A38 - Charford Road, and A38 - Austin Road, all of which connect with the A38 running through the centre of Bromsgrove District's urban area. Significant investment is already being made on the A38 route in the form of a Major Scheme bid with funding from a number of different sources already secured, and other funding options being considered.

7.13 Other parts of the District also suffer from congestion hotspots, such as stretches of the A456 through Hagley and sections of the A441 and A435 around motorway junctions. This congestion principally occurs for two main reasons: the volume of vehicles using a particular route, and the overall capacity of that route.

7.14 We think that transport planning for the District Plan Review needs to consider both travel demand and network capacity.

Factors that are likely to affect travel demand and the issues inherent within these are:

- Scale and location of new development – where will people be living, where will they travel for work or to access other services such as retail, how many trips will take place by car, what times of the day will these trips mostly take place?
- Availability and attractiveness of other modes of transport – what public transport services run locally, how frequent and reliable are these services, how much does the service cost, do they link to significant services or employment opportunities?
- Behavioural change – would people be happy to walk or cycle locally to access jobs or services, would people consider sharing car journeys, can people work from home if it means a reduction in commuting?
- Ease of access to and cost of car parking – the availability of low cost car parking is a significant factor in influencing decisions to take alternative forms of transport.

Factors that are likely to affect network capacity and the issues inherent within these are:

- Suitability of existing road network – is existing infrastructure in need of investment due to age, condition, size or location? Can existing infrastructure be updated or maintained or is new development necessary to incorporate new infrastructure? Will a part of the network operate differently with new development nearby than it does currently?

- Importance of the network – will a part of the network enable important housing, employment or other development to take place, does a particular part of the network link to large and/or important places for services, jobs, or housing?
- Infrastructure constraints – can schemes be delivered based on physical or technical feasibility such as land availability, who is responsible for a junction or link on the road network, what funding sources are available to contribute to the cost of new or improved transport infrastructure?

7.15 In addition to addressing congestion, the Plan Review will need to address other road network issues in relation to new development within the District. Issues such as road safety for drivers and how the pedestrian environment interacts with the road network are also important considerations for the Plan.

7.16 To enable the effective operation of an entire transport network, rather than one small part of the network in isolation, it is important that planning for infrastructure provision is done strategically by considering the operation of the transport network within a larger part of the District or even across the sub-region.

7.17 Working together with Worcestershire County Council (as the responsible Highways Authority for Bromsgrove District) and other relevant organisations such as Highways England, the District Council will ensure the issue of transport is a key consideration when determining how and where growth is planned for, and what supporting infrastructure is required to support it.

Q. T1: Are there any parts of the District’s road network you think are a priority for addressing in terms of congestion issues? If so, where are these located?

Q. T2: Are there any parts of the District’s road network you think are a priority for addressing in terms of road safety (including pedestrian and cycling safety), air quality and pollution, or enabling development sites? If so, where are these located?

Q. T3: Do have any ideas or solutions for addressing the parts of the road network you have identified as requiring action or investment?

Q. T4: Should existing transport issues and future infrastructure requirements be a key factor in where new development is located in the future?

Q. T5: Do you think more radical transport infrastructure solutions should be considered for increasing capacity on the road network? What do you think these could be?

Accessibility to Public Transport Services

7.18 Key to a choice in travel modes is cost effective and efficient public transport options within the District. The convenience of private car travel means this mode of transport will remain the most popular, by some margin, for commuting as well as general travel. However, the more cost effective and efficient the local public transport options are in and around Bromsgrove District, the more likelihood of attracting people to use other forms of transport such as rail or bus services.

7.19 Travel to work data from the 2011 census shows that approximately 4% of work journeys by Bromsgrove District residents are by train. Whilst this figure is low compared to car journeys, it is actually a higher proportion than many surrounding areas in Worcestershire and the West Midlands. Bromsgrove Town train station was recently rebuilt to enable the station platforms to accommodate larger passenger carrying capacity and also provide a revamped station building and car parking facilities. The new station opened in July 2016.

7.20 The extension of the West Midlands conurbation cross-city line later in 2018 will provide more services per hour between Bromsgrove Town and central Birmingham, including stations in between such as Longbridge, Selly Oak, and University. This is a significant event and will offer far more opportunities for travel by train from Bromsgrove Town, in particular to access job opportunities, larger retail and leisure services, and higher education opportunities. Recent research by 'Zoopla' found that Bromsgrove Town was one of the most cost effective places to commute by train to a nearby conurbation (West Midlands) in the entire country, based on house value uplift in comparison with rail fare season ticket costs.

7.21 In terms of bus transport in Bromsgrove District, there are a number of established services which offer regular links between Bromsgrove Town and surrounding centres in all directions. Bus travel to access onward rail services is also important in reducing car demand, particularly bearing in mind that Bromsgrove Town's train station sits just over a mile away from the Town Centre. Whilst both rail and bus services are privately owned and operated and therefore beyond the scope of the planning system, the extent and location of new development proposed through the Plan Review will be an important factor in determining the current and future viability of public transport provision, including the potential for expansion plans in the future.

Q. T6: Which areas of the District do you consider to be most sustainable in terms of public transport accessibility?

Q. T7: At what size and scale of development do you think it is necessary to directly provide for public transport provision?

Q. T8: Is there anything specific that would encourage you to use public transport services more as opposed to travelling by car?

Walking and Cycling Opportunities

7.22 In addition to the issues discussed above, sustainable transport modes include the ability of people to travel between homes, places of employment and services by walking or cycling. Clearly this form of travel is more relevant to shorter, local trips although in recent years the increasing popularity of cycling in the UK has meant longer commuting distances may well be undertaken by bicycle for some people.

7.23 These forms of travel have clear advantages over other forms, being much cheaper and also generally beneficial to health as a source of regular exercise. However, many people have concerns over safety when considering longer distance walking and cycling, as well as the inconvenience of poor weather or not being able to carry larger or heavier items while travelling.

7.24 Issues such as lighting, maintenance of surfaces, quality of the environment and severance of routes (and how these are crossed) are all important considerations to address when deciding whether to make a journey on foot or bicycle as opposed to the car, bus or train. In particular where severance is concerned, it is important that planning for this form of transport takes a strategic approach to determining scheme locations and the extent of infrastructure required, to ensure full journeys can be made between important destinations rather than people being 'cut-off' partway through a journey.

7.25 Funding has been secured by Worcestershire County Council through the National Productivity Investment Fund (NPIF), announced in October 2017, to implement a number of new sustainable transport infrastructure improvements to provide a better walking and cycling experience in and around Bromsgrove District's urban area. The proposed schemes are still in the early stages of planning, however they will include proposals for new stretches of infrastructure as well as improvements to existing stretches such as along National Cycle Route 5 which runs through the centre of Bromsgrove Town.

Q. T9: What would encourage you to walk or cycle more as opposed to travelling by car, especially for shorter journeys in and around Bromsgrove Town and the District's larger villages?

Q. T10: Are there any areas of the District you think would benefit most from potential funding sources to deliver new walking and cycling routes?

Q. T11: Are there any areas of the District where funding sources could help fund the improvement of any existing walking or cycling routes?

Q. T12: Do you think there are any Transport Issues that we have missed? If so, please tell us what they are.

8. Town Centre and Local Centres

8.1 Once a medieval market town, Bromsgrove Town Centre lies at the heart of the District and is a thriving centre with shops, employment, leisure and tourism, cultural and social facilities. Whilst the Council aims to maintain and enhance the vitality and viability of the Town Centre through an increase in the retail and social facilities on offer, modern consumer behaviour in the UK has become far more complex over recent years. We are increasingly shopping in different ways, buying from a variety of different channels and locations dependent on where we are in the day and what we are doing. Buying patterns are also driven by convenience; there is now a diverse range of shopping opportunities, whether it is locally, town centres, out-of-town, service stations, online, TV shopping, mobile shopping, travel locations or many more places, and the choices are increasing all the time.

8.2 The NPPF advocates that local authorities should plan positively, to support town centres to generate local employment, promote beneficial competition within and between town centres, and create attractive, diverse places where people want to live, visit and work. They should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality.

8.3 The NPPF is clear that there should be a 'town centre first' policy giving preference to sites which are well connected to the town centre, as opposed to edge of centre and out of centre proposals. We also need to consider the individuality of town centres in terms of competition, consumer choice and diversity and where town centres are in decline, future economic activity should be encouraged. Residential developments and bringing vacant floor space above shops back into use could make a significant contribution to the enhancement of town centre locations and offer opportunities for supporting regeneration and increasing footfall at different times of the day.

Implications of SA Scoping information

8.4 The Scoping Report identifies the following key sustainability issues:

- The need to ensure appropriate services and facilities are available and accessible to meet the needs arising from new residential development, whether through new provision or expansion of existing services and facilities;
- The need to support and enhance the existing local centres;
- The need to ensure interconnection between public transport services, e.g. connections from the Town Centre to Bromsgrove Town train station or between rural bus routes;
- The need to encourage more walking and cycling, provision of safe and interconnected routes.

8.5 Based on the information we have gathered in the Scoping Report and our understanding of the broad issues facing town centres generally, we think we need to focus on the following issues in a local context, to explore how they may impact on our District and how the Plan Review could address them:

- Bromsgrove Town Centre
- Town Centre Movement and Connectivity
- Local Centres

Bromsgrove Town Centre

8.6 As part of the Bromsgrove Town Centre Regeneration programme, Bromsgrove Town Centre has had major investment and seen a number of improvements to the public realm and additions of high quality retail such as Waitrose at the old Market Hall site. There has also been major investment in its health services with the opening of the new multi-million pound Town Centre Health Centre (Churchfields) and the new Bromsgrove Leisure Centre (completed in November 2017). There are also a number of other developments within the Town Centre currently under construction, including the refurbished Bromsgrove Retail Park on the Birmingham Road and a new Aldi store opposite. Along with the addition of new retail and health facilities, there has also been an increase in the number of independent bars and restaurants on offer, which has supported the growth of the Town Centre's evening economy.

8.7 Whilst the growth of the Town Centre's evening economy is a positive enhancement, we need to be mindful of the wider structural shift that is underway, which might affect the future use of town centres. There is an increase in online shopping and banking, which might impact on our Town Centre's daytime economy. Bromsgrove Town Centre currently lacks a worker economy, which could add vibrancy to the daytime economy, especially during the lunchtime period.

8.8 The vibrant market days attract a number of visitors and has helped increase footfall to the primary shopping area of the Town. The High Street also contains a number of historic buildings of which some are listed and/or are protected by Conservation Area status and a number of historic buildings in the Town Centre have benefitted from being part of the Townscape Heritage Initiative (THI) programme which has funded improvements to historic shopfronts in the town and will run until December 2018. The Town Centre is also home to the Artrix Arts Centre which hosts events and offers the creative sector opportunities to be involved in creating distinct spaces that develop links and synergy across the Town Centre.

8.9 The District Council in partnership with NWedR has adopted a Centres Strategy <http://www.betterbromsgrove.com/wp-content/uploads/2017/05/BromsgroveStrategyWEB.pdf> with a key focus on identifying and co-ordinating opportunities which will inject new vibrancy into Bromsgrove Centres, strengthen communication and support local businesses. This Strategy along with the BDP identifies key issues and improvements needed for the Town Centre whilst creating a town where people want to live, work and socialise. Enhancing connectivity in Bromsgrove Town Centre to existing leisure facilities and the Bromsgrove Town train station will help promote a positive image for the Town helping it to continually grow, increase dwell times and encourage inward investment.

Q. TC1: Do you feel positive about what Bromsgrove Town Centre has to offer? If not, why not?

Q. TC2: Do you think Bromsgrove Town Centre should be promoted for more retail, commercial and leisure, office/employment generating uses or residential led development?

Q. TC3: Do you think that the current policies in the Bromsgrove Development Plan are promoting effective change and flexible enough to respond to rapid change in retailing trends?

Town Centre Movement and Connectivity

8.10 Bromsgrove Town's train station is located approximately one mile from the Town Centre and has undergone recent refurbishment. The Town Centre is home to the bus interchange, which provides Bromsgrove Town with regular links between the surrounding residential areas and the wider region. There is however still an increased reliability on car use in and around the Town Centre and there are poor pedestrian, cycle and bus linkages between the Town Centre and Bromsgrove Town train station. There is a need to plan for and encourage better connectivity and increase 'walkability' and cycle routes in and around the Town from the surrounding residential areas. Some public realm improvements have been made recently, but there is still some improvement needed in some of the connecting streets and spaces and also in relating to signage and way marking.

8.11 The previous section touched on the diverse variety of uses on offer in Bromsgrove Town Centre, but how many of our visitors treat our Town Centre as a go-to destination and stay long enough to enjoy it and make new discoveries? Hectic lifestyles see visitors 'popping in' for food shopping or a medical appointment, for example, but visitors may be missing opportunities to stop and discover more of what's around them. For example, it's only typically an 8 minute walk to Sanders Park from Asda via the St. John's Conservation Area and it only takes typically 20 minutes to walk from one end of the Town Centre retail zone to the other. If the future of town centres in general relies on diversifying how and why they are used, we need to ensure that people can easily navigate around Bromsgrove Town Centre once they have arrived. We need to encourage people to visit our Town Centre as a longer-stay destination rather than as a short-term convenience.

Q. TC4: Do you think pedestrian priority, linkages and mobility within and across the Town Centre could be improved and also to the centre from housing developments? If so, how?

Q. TC5: Do you feel that the Town Centre is safe and accessible to all? Where do you feel improvements should be made?

Q. TC6: Do you think we need to improve the general connectivity between Bromsgrove Town train station and the Town Centre? If so, how?

Local Centres

8.12 The Local Centres in the District are important and provide essential local services to residents, as well as connecting more rural areas of the District. There is a hierarchy of smaller local centres, catering largely for the day to day needs of residents. These shopping locations are in Alvechurch, Aston Fields, Barnt Green, Catshill, Hagley, Rubery, Sidemoor and Wythall.

8.13 Some of the District's Local Centres have seen a rise in vacancy rates in recent years, so it is important that they are safeguarded for retail use into the future in order to ensure the long term sustainability of the Centres. The NPPF promotes town and other centres as important places for communities and the Government wants new economic growth and development for main town centre uses to be focused in existing centres to ensure their vitality and viability.

Q. TC7: Do you think your Local Centre provides everything you need? If not, can you identify your

Local Centre and tell us what you think it needs?

Q. TC8: Do you think there are any Town Centre & Local Centre Issues that we have missed? If so, please tell us what they are.

9. Social Infrastructure

9.1 Bromsgrove District, being rural, makes it a much sought after and desirable place to live, which makes it more of a challenge when it comes to ensuring communities have access to supporting social infrastructure, facilities and services. This can be a particular issue in the District's smaller settlements, some of which are relatively isolated. Settlements work by providing services for a wider area; the bigger the settlement, the more services it tends to have. Over time a settlement hierarchy has been established in the District, with Bromsgrove Town providing most of the services, whilst the smaller settlements have been limited to providing local services. As car ownership has increased, service provision in the smaller settlements has tended to decline as people choose to go further afield for services and facilities.

9.2 The NPPF highlights the important role that the planning system has in creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being. As part of its economic role, the planning system should be identifying and coordinating development requirements, including the provision of infrastructure.

9.3 New development inevitably creates additional demands on existing social infrastructure; therefore it is important to plan for the delivery of these supporting services to ensure our communities continue to function successfully.

Implications of SA Scoping information

9.4 The Scoping Report identifies the following key sustainability issues:

- The need to ensure provision of suitable and accessible health care services;
- The need to address the following Health Priority Area Projects for Bromsgrove District:
 - Improve mental wellbeing;
 - Increase physical activity;
 - Reduce harm from alcohol; and
 - Ageing well.
- The need to address the following Indices of Multiple Deprivation issues in the District's most deprived areas: low incomes, high unemployment, low educational attainment and skills and poor health;
- The need to create safe and secure living environments by reducing the level of crime in the District;
- The need to ensure that good design principles are implemented for new development to reduce crime and improve safety;

- The need to improve connectivity and accessibility in the District to reduce the chance of crime related incidents;
- The need to ensure appropriate services and facilities are available and accessible to meet the needs arising from new residential development, whether through new provision or expansion of existing services and facilities;
- The need to protect and enhance open space provision across the District.

9.5 Based on the information we have gathered in the Scoping Report and our understanding of social infrastructure issues, we think we need to focus on the following issues in a local context, to explore how they may impact on our District and how the Plan Review could address them:

- Community Facilities
- Health and Education Facilities
- Open Space, Sports and Recreation

Community Facilities

9.6 Community facilities can play an important role in our health and well-being and offer opportunities for social integration, which in turn can tackle the feeling of isolation. This may be particularly important in some of our more rural and remote small settlements. Some growth can therefore have a positive impact on a settlement's ability to support new and existing community facilities.

9.7 The settlement hierarchy in Bromsgrove District means that most community facilities are currently focussed in and around the Town Centre and larger settlements, therefore more localised access to community facilities varies significantly across the District.

9.8 One of the challenges for the District in terms of the provision of community facilities is ensuring existing and new residents have access to the facilities they require, but also ensuring that these facilities can be sustained, particularly in some of the smaller settlements. While some of the smaller settlements have local access to some facilities, they can be limited.

Q. SOI1: What types of community facilities do you think are important for the District? Do you think Bromsgrove District has enough of them? Are they in the right locations and are they sufficiently well equipped and fit for purpose?

Q. SOI2: Are there any community and leisure facilities that you don't currently have easy access to that you feel would improve your quality of life or benefit your local community? If so, please specify what and where you think it should be provided.

Q. SOI3: Do you feel that there are enough things to do for different age groups? ? Are there any age groups that you feel aren't provided for?

Health and Education Facilities

9.9 Ensuring the District's communities have good health and well-being is important to the Council, and making sure we have the right health facilities in the right locations is key to achieving this. Health facilities include hospitals, medical centres and specialist units and outpatient care centres. As Bromsgrove District's population grows and lives longer, it is inevitable that there will be a higher demand for healthcare facilities.

9.10 The general health of people living in Bromsgrove District varies. While Bromsgrove District performs better than the national average for many health outcome indicators, there are some areas of concern where Bromsgrove District is much worse than the national average. This includes an increasing numbers of adults being classified as overweight or obese, high levels of diabetes, high levels of alcohol related liver disease, and injuries due to falls in some of the District's older residents. In order to ensure that we plan for the health of the District we need to look at the existing healthcare provision, find out what works well, and look at whether we should be allocating new sites or expanding existing facilities to meet future demands.

9.11 The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Worcestershire County Council is the responsible Local Education Authority and commissioner of school places for Bromsgrove District, and advises on the current educational capacity and future needs within the District. The District's schools are currently very close to capacity and forecasts indicate that pupil numbers are set to increase, which could result in a shortage of school places, if the issue is not tackled directly. Forecasted pupil numbers and future growth in the District will require additional provision through new schools, or the expansion of existing schools.

Q. SO14: Do you think there is a good range of health facilities in the District? Do you think there are the right types of facilities/services in the right locations and are they easy to access? (e.g. locating healthcare facilities close to homes for the elderly). Please explain your response.

Q. SO15: What educational facilities do you think are needed in the District to support existing and new communities and to help address skills shortages within the local economy?

Open space, sports and recreation

9.12 Planning can assist in encouraging people to lead more active lifestyles, through the provision of open space and facilities for sports and recreation. We currently support proposals and activities that protect, retain or enhance existing sport, recreational and amenity assets, lead to the provision of additional assets, or improve access to facilities.

9.13 Whilst physical activity levels in the District are slightly above the national average, good access to natural open spaces can positively impact on our mental well-being and social inclusion as well. In order to plan for a more physically and mentally healthier population, we need to understand the needs for, and uses of, our open space, sports and recreation facilities and look at opportunities for new and improved provision. For example, encouraging 'countryside walks' through our natural open spaces and taking advantage of available allotment facilities.

Q. SOI6: Are there any existing parks or areas of open space within the District that you think could have a multi-use? e.g. for recreation uses alongside green infrastructure.

Q. SOI7: The Council has been focussing on creating fewer, higher quality open spaces and play spaces where more play equipment is provided in concentrated areas, rather than providing lots of smaller play areas Do you agree with this approach? If not what other approach would you suggest?

Q. SOI8: Do you think the Plan could do more to protect important open space areas in the District? If so, which particular areas are you concerned about and what do you think the Plan could do?

Q. SOI9: Do you think there need to be more allotment facilities within the District? If so, where?

Q. SOI10: Should we be thinking about the provision of multifunctional community 'hubs', (in existing settlements and new developments) which could provide all or some of the above services and facilities in one location? Might this be a solution to ensure their longevity and viability? What types of functions do you think a community 'hub' should provide?

Q. SOI11: Do you think there are any Social Infrastructure Issues that we have missed? If so, please tell us what they are.

10. Natural Environment and Historic Environments

Natural Environment

10.1 Bromsgrove District is fortunate to benefit from an attractive setting within the Worcestershire countryside, which contains a diverse range of biological and geological assets. Our natural environment contains statutorily protected SSSIs, species and habitats, which are supplemented by locally protected assets such as local wildlife sites.

10.2 This statutory protection means that in general terms our natural environment is afforded a reasonable level of consideration, protection, mitigation and enhancement throughout the plan-making and decision-taking processes. It is essential for us to ensure that our natural environment is protected and enhanced as much as possible, and mitigation measures are seen as a last resort if there are no reasonable alternatives.

Implications of SA Scoping information

10.3 The Scoping Report identifies the following key sustainability issues:

- The need to conserve and enhance biodiversity including sites designated for their nature conservation value;
- The need to maintain, restore and expand the District's priority habitats;
- The need to protect and enhance sites designated for their geological interest;
- The need to safeguard and enhance the green infrastructure network, helping to meet the priorities of the Worcestershire Green Infrastructure Strategy;
- The need to conserve and enhance the District's landscape character.

10.4 Whilst we are mindful of the need to allocate land for development in the District, we think that the NPPF coupled with the Natural Environment policies in the BDP, are serving our assets well and addressing the key sustainability issues identified above. However, the Government's 25 year Environment Plan (2018) seeks to expand net gain approaches used for biodiversity and advocates a natural capital approach to help inform planning choices. The Plan encourages Local Planning Authorities to develop locally tailored approaches that recognise the relationship between the quality of the environment and development. The policies we have in the BDP are:

- BDP21: Natural Environment
- BDP24: Green Infrastructure

10.5 Worcestershire County Council has undertaken comprehensive Landscape Character Assessment across the County which can be used to help inform future design guidance for new development in different areas of the District.

Q. NE1: Which of the following approaches do you think we should adopt as we review the District Plan?

Option 1: Leave the policies as they are if they are fit for purpose and only consider amending them when national legislation and planning policy renders them out of date

Option 2: Rewrite the policies

Q. NE2: Do you think our current policies (detailed above) are ineffective in any way? If so, how?

Q. NE3: How do you think the policies in the Plan could help to develop a nature recovery network and deliver net gains for biodiversity in the District?

Q. NE4: Do you think there are any Natural Environment Issues that we have missed? If so, please tell us what they are.

Historic Environment

10.6 Bromsgrove District's attractive setting within the Worcestershire countryside contains an extensive historic environment, which offers a variety of unique and distinctive characteristics throughout our District.

10.7 The historic nature of Bromsgrove District means that we have a significant number of statutorily protected assets such as listed buildings, conservation areas and scheduled monuments, amongst others.

10.8 This statutory protection means that in general terms our historic environment is afforded a reasonable level of consideration, protection, mitigation and enhancement throughout the plan-making and decision-taking processes.

Implications of SA Scoping information

10.9 The Scoping Report identifies the following key sustainability issues:

- The need to avoid harm to both designated and non-designated heritage assets including with respect to impact via their setting ;
- The need to recognise the contribution made by the historic environment to the character of landscapes and townscapes;
- The need to promote high quality design that respects local character;
- The need to protect and enhance the District's townscapes;
- The need to protect and enhance the District's cultural heritage assets and their settings;
- The need to tackle heritage at risk, particularly those assets on the heritage at risk register classed as at highest risk.

10.10 Whilst we are mindful of the need to allocate land for development in the District, we think that the NPPF coupled with the Historic Environment policy in the BDP, are serving our assets well and addressing the key sustainability issues identified above. At this stage of the Plan Review, we don't think we need to consider altering it. The policy we have in the BDP is:

- BDP20: Managing the Historic Environment

Q. HE1: Which of the following approaches do you think we should adopt as we review the District Plan?

Option 1: Leave the policy as it is if it is fit for purpose and only consider amending it when national legislation and planning policy renders it out of date

Option 2: Rewrite the policy

Q. HE2: Do you think our current policy (detailed above) is ineffective in any way? If so, how?

Q. HE3: Do you think there are any Historic Environment Issues that we have missed? If so, please tell us what they are.

11. Climate Change and Water Resources

12.1 As we review the BDP and plan for future development, we also need to be sensitive to the effects development can have on our climate. We need to encourage measures to reduce and mitigate against the impacts of climate change and promote climate resilience. There is a history of over extraction of our water resources and a continued need for aquifer protection within the District.

11.2 Meeting the challenges of climate change and flood risk is enshrined in national and international legislation. These statutory requirements mean that in general terms we are playing our part in helping to address climate change.

Implications of SA Scoping information

11.3 The Scoping Report identifies the following key sustainability issues:

- The need to ensure that new development is adaptable to the effects of climate change;
- The need to mitigate climate change including through increased renewable energy provision;
- The need to protect and enhance the quality of the District's water sources;
- The need to promote the efficient use of water resources;
- The need to ensure the timely provision of new water services infrastructure to meet demand arising from new development;
- The need to ensure the timely provision of flood defence/management infrastructure.

11.4 The policies we have in the BDP add a local context and supplement the higher statute. We think that this combination is serving our District well and at this stage of the Plan Review, we don't think we need to consider altering our policies. The policies we have in the BDP are:

- BDP22: Climate Change
- BDP23: Water Management

Q. CC1: Which of the following approaches do you think we should adopt as we review the District Plan?

Option 1: Leave the policies as they are if they are fit for purpose and only consider amending them when national legislation and planning policy renders them out of date.

Option 2: Rewrite the policies

Q. CC2: Do you think our current policies (detailed above) are ineffective in any way? If so, how?

11.5 In terms of air quality, within the District, we have three AQMAs (M42, Lickey End; Redditch Road, Stoke Heath; Worcester Road, Bromsgrove), which have been declared based on poor air quality in relation to road traffic emissions. There is a strong emphasis in the BDP High Quality Design policy in mitigating air quality effects from traffic emissions. However, there are other contributing factors to poor air quality such as Nitrogen compounds from fertilisers and animal waste in relation to farming activities, which aren't addressed in the BDP.

Q. CC3: Do you think we have any air quality issues from other pollutants within the District? If so, how should we address them?

Q. CC4: Do you think there are any Climate Change & Water Resource Issues that we have missed? If so, please tell us what they are.

Green Belt Purposes Assessment Methodology Consultation Draft September 2018

1 Introduction

- 1.1 Bromsgrove District Council has commenced a District Plan Review. A plan review is necessary to:
- Identify land to accommodate the remainder of the adopted Bromsgrove District Plan (BDP) housing requirement to 2030;
 - Help to deliver the unmet housing needs of the Greater Birmingham area and;
 - Look beyond 2030 to identify land needed to deliver the full range of needs for the District over the longer term.
- 1.2 In line with the adopted BDP¹, the Council has committed to undertake a full review of the Green Belt. This methodology is the first step in this process, setting out how the Council thinks the review should be undertaken. This is a consultation draft and we welcome comments to shape our approach on this hugely important piece of work.
- 1.3 The Green Belt Purposes Assessment work will not be undertaken until all the consultation responses have been considered and the methodology refined where appropriate. A draft Site Selection Methodology is also being consulted on which will have a close relationship with the Assessment. It is highly likely that the majority of sites needed to meet the District's future development needs will fall within the current Green Belt boundary.

Context and history of Bromsgrove's Green Belt

- 1.4 Bromsgrove District is located to the south of Birmingham, within the West Midlands Green Belt. The District comprises the main town of Bromsgrove and a number of large and small settlements, some of which are inset from the Green Belt whilst others are washed over and lie within it. The Green Belt in Bromsgrove District covers 19,301ha of land, which is approximately 90% of the District². The current extent of the Green Belt within Bromsgrove District and the surrounding local planning authorities is shown in Figure 1.
- 1.5 The proposal for a West Midlands Metropolitan Green Belt was put forward in 1955 and was formally approved in 1975. The Green Belt surrounds the urban areas of Birmingham, Solihull, Coventry and the Black Country. The West Midlands Green Belt was established to stop major urban areas from merging together, as well as preventing the merging of smaller towns and cities on the periphery of the Green Belt. Within the Green Belt itself, south of the conurbation, there are a number of towns, including Bromsgrove, Redditch and Kidderminster.
- 1.6 Prior to the adoption of the Bromsgrove District Local Plan in 2004 (the predecessor to the current BDP), Green Belt boundaries were confirmed in adopted local plans for Belbroughton, Wythall and Hagley/Cient; the remainder of the District relied on boundaries

¹ Policy BDP4 – Green Belt. Specifically BDP4.2

² 19,301 hectares of Green Belt land in 2017. Total land area 21,714 hectares.

which were originally proposed in the County Development Plan for Worcestershire (1957) and confirmed generally in the County Structure Plans since 1975.

- 1.7 In recent years, the BDP included a partial review of the Green Belt around Redditch, which resulted in 179 hectares being removed from the Green Belt to accommodate the strategic allocations known as Foxlydiate and Brockhill East. This represented a 1% reduction in the total land designated as Green Belt in the District at that time.

DRAFT

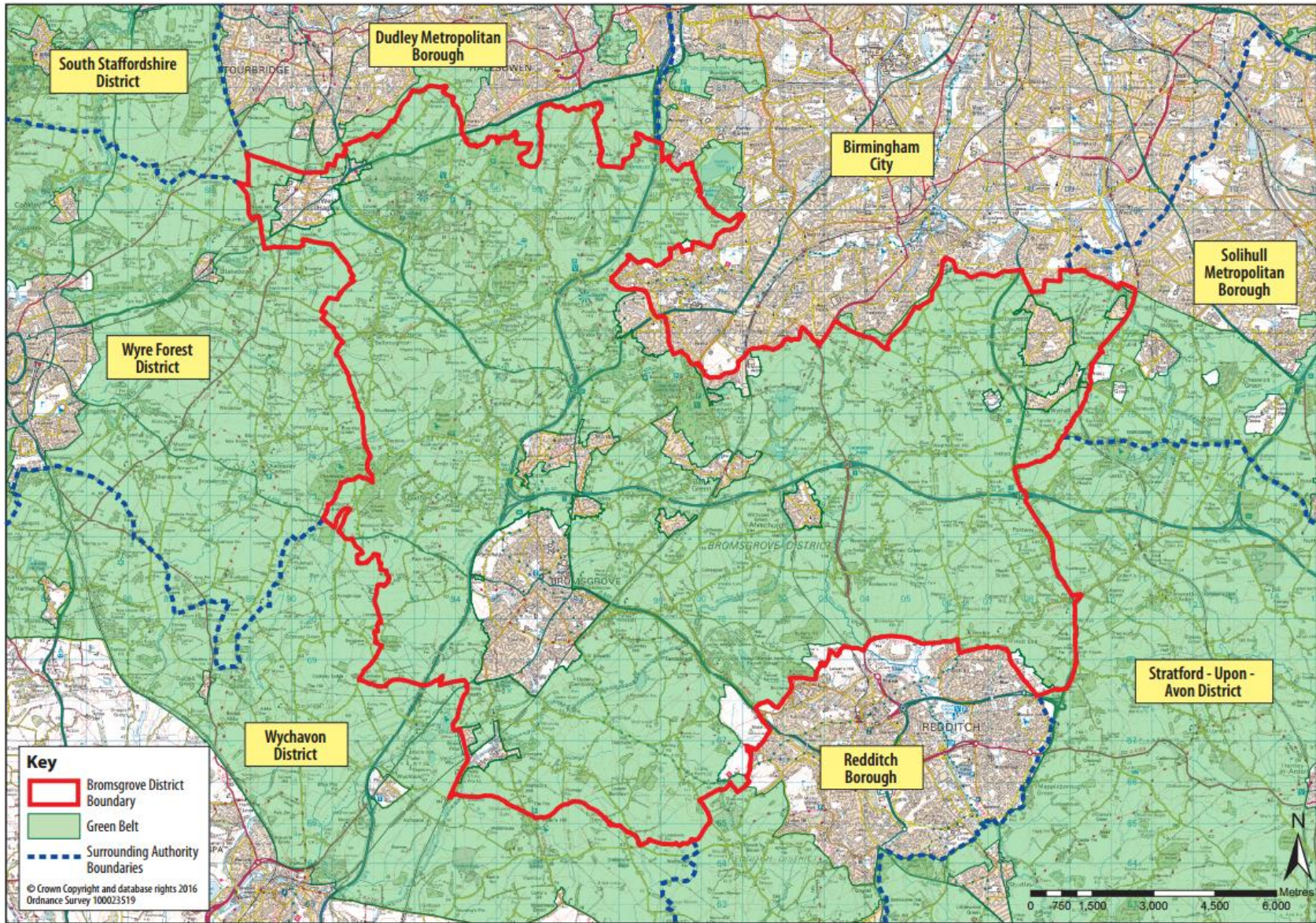


Figure 1: Extent of Green Belt within and surrounding Bromsgrove District

National Policy

1.8 Government stance on Green Belt has remained unchanged for a number of years, with Government manifestos and White Papers committed to its high level protection. The National Planning Policy Framework makes clear that Green Belt is among the areas where development should be restricted. Para 133 states: “The fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”³. Notwithstanding the general stance on the protection of the Green Belt, the NPPF is also clear that Green Belt boundaries can be altered, but only in exceptional circumstances and that this process can only be undertaken through the preparation or review of the Local Plan.

1.9 Paragraph 134 of the NPPF states that the Green Belt serves five purposes:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

These purposes and the extent to which Green Belt land continues to meet them is a fundamental element of any assessment.

Aims of the Green Belt Purposes Assessment

1.10 The term Green Belt Review can be misleading, with a common misconception being that the final study will recommend which land should be removed from the Green Belt and commence the de-designation/ reallocation of this land. This is not the case. A Green Belt Review is purely that; a review of the existing Green Belt against the purposes set out in the NPPF. It will identify whether the land continues to fulfil one or more of the Green Belt purposes, but it will not allocate land for another use. To avoid confusion, the Council has decided to use the term “**Green Belt Purposes Assessment**” to more accurately describe what this piece of work will achieve.

1.11 The NPPF is clear. Green Belt Boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan.⁴ Alongside other factors, the BDP housing targets are considered to be an important contributory factor in demonstrating the exceptional circumstances for the Green Belt to be reviewed. That is, because Bromsgrove town and the large settlements⁵ are tightly bounded by the Green Belt, there is nowhere else for future development to go. Policy BDP4.2 commits the Council to a full review of the Green Belt and this approach was tested and found to be sound at the examination⁶ into the BDP. The release of land from the Green Belt is therefore necessary to meet the requirements of the current plan, even before consideration has been given to the needs of the District Plan Review for the duration of its plan period.

³ National Planning Framework (2018) Paragraph 133

⁴ National Planning Framework (2018) Paragraph 136

⁵ Defined in the BDP (2017) at Policy BDP2 as Alvechurch, Barnt Green (including Lickey), Catshill, Hagley, Rubery, Wythall (including Drakes Cross, Grimes Hill and Hollywood)

⁶ BDP Inspector’s Report – December 2016. www.bromsgrove.gov.uk/council/policy-and-strategy/planning-policies/local-development-plan/the-bromsgrove-district-plan-2011-30/inspectors-report.aspx

- 1.12 Once exceptional circumstances have been established, the place to set out de-designation of Green Belt land, allocation for other uses (including safeguarding for future development) and detailed boundary changes is the District Plan Review DPD itself, which must be taken through the formal production process and ultimately examined by a Government appointed Planning Inspector.
- 1.13 This Green Belt Purposes Assessment is the first step in providing evidence for a sound and robust District Plan Review. This Green Belt Purposes Assessment will not suggest any alterations to the existing Green Belt boundaries, but will assess its current extent and identify how areas perform against the defined purposes that Green Belt land should serve. Table 1 summarises what the assessment will and will not do.

Green Belt Purposes Assessment – at a glance	
What it will do	What it will not do
Strategically assess the existing land designated as Green Belt in Bromsgrove District against the five Green Belt purposes	Recommend which land should be removed from the Green Belt
Identify parcels of land which perform strongest and weakest against each of the five Green Belt purposes	Amend the Green Belt boundary
At the second stage, assess the strength of the Green Belt in specific sites	Assess or recommend the suitability of land for development
	Allocate land for development

Table 1: Green Belt Purposes Assessment – at a glance

Process

- 1.14 Given the scale of the task to assess the 19,000 hectares of Green Belt in Bromsgrove District, it is proposed to split the assessment process into two parts.

Part 1 – Strategic Assessment of the Green Belt

In preparation for the Part 1 Assessment, the District’s Green Belt has been split into 60 strategic land parcels. These parcels have been defined using Ordnance Survey maps and aerial photography and use clear physical features such as motorways, A roads, B roads, some minor roads, railways and canals. The parcels vary in size dependent on the existence of these permanent physical features. The strategic parcels will then be assessed against the Green Belt purposes, through a commentary on their character and analysis of how they perform against the NPPF Green Belt purposes. The output will be a detailed commentary on how each parcel of land performs against the purposes, an assessment of its contribution to Green Belt, with a summary of all parcels comparing performance.

Part 2 – Detailed Assessment of Green Belt sites

Once a high level review of the Green Belt is complete, the District Plan Review process will be moving forward, with a spatial strategy emerging from both other evidence and consultation responses. It is the intention to appraise a selection of sites in more detail that form part of this strategy to assess how they perform against the five Green Belt purposes. There will be a filtering process which will focus the detailed assessment on those sites which form part of the spatial strategy and which are free from significant constraints. The output from the Part 2 will be an assessment of how these sites fulfil the Green Belt purposes and the level of likely harm to the Green Belt that would be caused should the site be released and put forward for development.

Questions

1a. Do you agree with a two part process for assessing Bromsgrove's Green Belt?

- 1.15 Further detail on the proposed methodology for both parts of the Assessment is in Section 2.
- 1.16 The conclusions from both parts of the Green Belt Purposes Assessment will then be taken forward alongside the Site Selection Analysis⁷ and other evidence to determine the most appropriate and sustainable locations for housing and employment growth in the District. Figure 2 below sets out how the two Parts of the Green Belt Purposes Assessment will be undertaken and how this part of the evidence base will link with the wider District Plan Review process.

⁷ Site Selection Analysis is a separate process which will be shaped by the Site Selection Methodology, also available as a consultation draft.

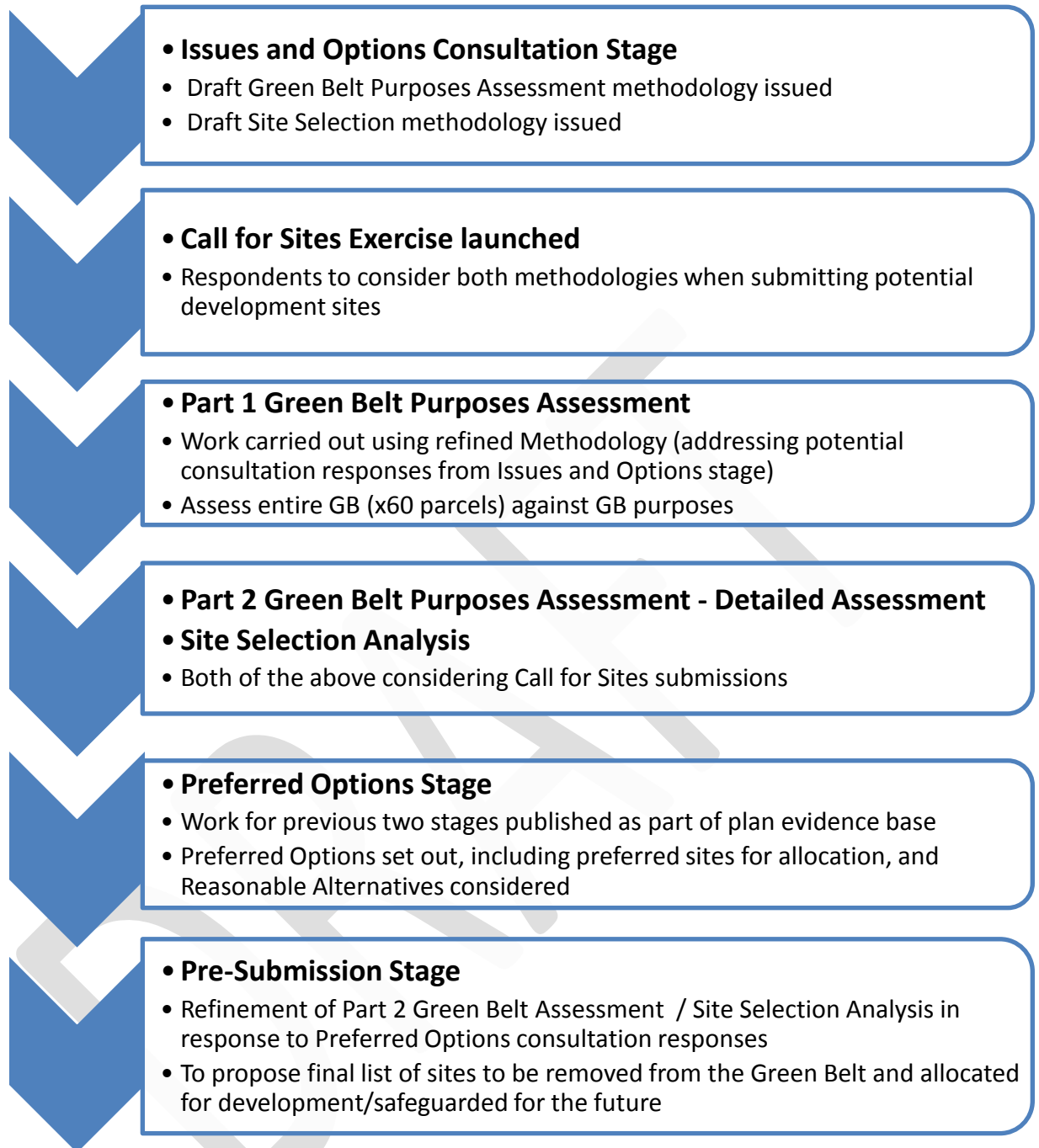


Figure 2: Green Belt Assessment Process and key Local Plan Review stages

2 PART 1 – STRATEGIC ASSESSMENT OF THE GREEN BELT

Overview

2.1 There is no national guidance on exactly how a Green Belt Assessment or Review should be undertaken. Green Belt Review and Assessment Methodologies from other Local Planning Authorities have been considered when devising the methodology for this Green Belt Assessment for Bromsgrove District. The purpose of this consultation draft methodology is to seek views on the proposed approach, refine the methodology and gain endorsement of the process.

Stage 1 - Defining the study area and land parcels

- 2.2 It is proposed that for the initial review against the Green Belt purposes, the District should be divided into medium to large parcels to establish the character of these areas and how they perform against the defined purposes. Given the scale of the Green Belt in Bromsgrove and the significant role it plays in shaping the pattern and nature of the built form in the District, it is felt important to consider the District in its entirety at this stage.
- 2.3 Figure 3 illustrates the draft land parcels that it is proposed will be used to conduct the assessment. Land parcels for the purpose of an assessment have been defined using a logical approach to parcel definition, based on permanent features such as physical features such as motorways, A roads, B roads, minor roads, railways and canals. In certain instances, boundaries have been drawn in a straight line between two physical features. These land parcels will then be used to help describe the character of the Green Belt and to assess their contribution to the function of the Green Belt. The parcels do not represent development boundaries and bear no relationship to sites where there is development interest, as identified in the SHLAA⁸.
- 2.4 The parcels do not extend beyond the Bromsgrove District Council administrative boundary, and as such no areas of Green Belt outside of the District will be assessed. Although there is some alignment with railways and major roads, the administrative boundary frequently diverges from strong physical features which are visible on the ground. Therefore consideration will need to be given at a later stage to the presence of defensible boundaries potentially beyond the District's boundary.

Questions

2a. Do you agree with the 60 proposed parcels for conducting the Part 1 of the Green Belt Purposes Assessment?

⁸ Strategic Housing Land Availability Assessment

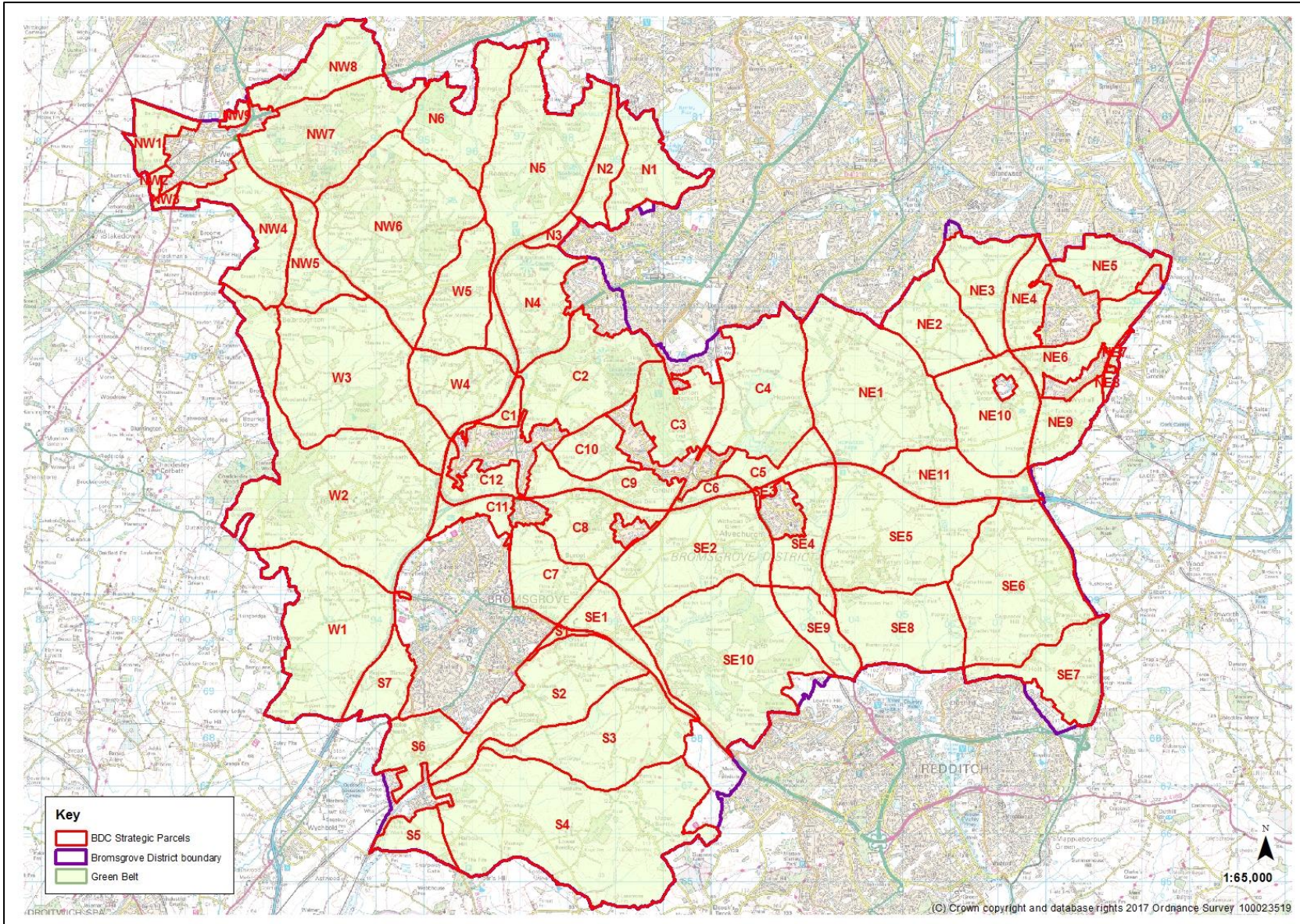


Figure 3: Proposed Strategic Green Belt Parcels

Stage 2: Assessment against Green Belt Purposes

2.5 Paragraph 134 of the NPPF sets out the five purposes of the Green Belt. It is helpful to consider what the terms within the purposes actually mean and how the purposes can be differentiated from each other.

NPPF Green Belt Purposes		Dictionary Definition of Terms / Further detail / Application in BDC	
1	To check the unrestricted sprawl of large built-up areas	Definition	<p>Sprawl – spread out over a large area in an untidy or irregular way. (Oxford Dictionary Online)</p> <p>Large built-up areas - Built-up areas are defined as land which is ‘irreversibly urban in character’, meaning that they are characteristic of a village, town or city. (ONS, 2011 Census). Large built-up areas are therefore taken to be towns and cities.</p>
		Further detail	Evidence of sprawl could include ribbon development along main roads leading out of towns or villages or the existence of urban features.
		BDC	For the purpose of this assessment, large built-up areas are to be defined as those nearby towns and cities which are part of the Birmingham conurbation, plus any other nearby freestanding towns.
2	To prevent neighbouring towns from merging	Definition	<p>Towns – a built-up area with a name, defined boundaries, and local government, that is larger than a village and generally smaller than a city. (Oxford Dictionary Online)</p> <p>Merging– the physical or visual linking of two settlements or areas of built form.</p>
		Further detail	<p>Key to the assessment of this purpose will be consideration of the existing pattern of development and the need to protect key gaps.</p> <p>Existing ribbon development along main roads will also be relevant to the consideration of this purpose.</p>
		BDC	No national policy guidance is given on what might constitute a ‘town’. For the purpose of this assessment, towns are to be defined as the settlements currently excluded from the Green Belt within Bromsgrove District, plus settlements of a similar size (or larger) in close proximity to the District boundary, where there appears to be a relationship with Bromsgrove District.
3	To assist in safeguarding the countryside from encroachment	Definition	<p>Countryside – open land with an absence of built development and urbanising influences, and characterised by rural land uses including agriculture and forestry.</p> <p>Encroachment– a gradual advance beyond usual or acceptable limits. (Oxford Dictionary Online)</p>
		Further detail	Key to the countryside is the sense of openness, which can be defined as the absence of built development or other urbanising elements (i.e. not openness in a landscape character sense which concerns topography and woodland / hedgerow cover).
		BDC	N/A

NPPF Green Belt Purposes		Dictionary Definition of Terms / Further detail / Application in BDC	
4	To preserve the setting and special character of historic towns	Definition	Historic town – settlement or place with historic features identified in local policy or through Conservation Area or other historic designation(s).
		Further detail	An example of the Green Belt serving this purpose would be a settlement where the historic area or centre is contextualised by rural features, such as views around properties within the historic area. The Green Belt around the cities of Oxford and Cambridge provides a very good example of where this purpose is strongly fulfilled.
		BDC	Although the Planning Advisory Service (PAS) Guidance ⁹ suggests that this purpose would relate to very few settlements in practice, the Council has taken a wider view and included all settlements in the District with a designated Conservation Area plus Conservation Areas relating to settlements which lie close to the District boundary. We acknowledge through this approach that not all of them would be recognised as historic ‘towns’. Only the relationship between the Conservation Area and the Green Belt will be considered in the context of this purpose, and where applicable, not the wider, undesignated area of settlement.
5	To assist in urban regeneration by encouraging the recycling of derelict and other urban land	Definition	Urban regeneration – the process of improving derelict or dilapidated districts of a city, typically through redevelopment. (Oxford Dictionary Online).
		Further detail	An example of the Green Belt serving this role could be where development in the Green Belt is likely to make nearby brownfield land unattractive to develop. Regeneration initiatives in the vicinity would be relevant considerations.
		BDC	N/A

Table 2: Green Belt Purposes - Explanation

- 2.6 There has been much consideration across the country as to whether there is value in performing an assessment against the fifth purpose listed above. PAS Guidance suggests that if the process has been properly followed, the ability to accommodate development within the urban area will have been fully explored prior to considering land within the Green Belt. It goes on to say that if this is the case, then it could be said that all Green Belt achieves this purpose to the same extent. Many studies choose to omit this purpose as they conclude that every parcel would perform the same when measured against it, therefore adding no value to the overall assessment.
- 2.7 In the case of the West Midlands Green Belt, although the Green Belt was established to stop major urban areas and also smaller towns and cities from merging together, it has clearly played a key role in assisting the urban regeneration of the Birmingham conurbation and the reuse of brownfield land outside of the Green Belt elsewhere. Ultimately, it will be difficult to establish the role of one specific parcel within Bromsgrove District over another in assisting urban regeneration, or to attribute specific evidence to this. For this purpose, the parcels could all be rated equally or not at all, but neither approach would provide any real analysis. Therefore, whilst the Council acknowledges the value of the fifth purpose when

⁹ PAS (2015) Planning on the Doorstep: The Big Issues – Green Belt

considering the Green Belt as a whole, the Bromsgrove Green Belt will not be assessed against Purpose 5 in this Study.

Questions

2b. Do you agree with the decision not to assess Bromsgrove's Green Belt parcels against Purpose 5:

“To assist in urban regeneration by encouraging the recycling of derelict and other urban land”?

How will the assessment be undertaken?

- 2.8 The Part 1 Strategic Green Belt Purposes Assessment will be undertaken by Planning Officers using a combination of:
- Desk-top research and analysis - using aerial photography, Street View[®] images, Ordnance Survey mapping and topography data, and
 - Site Visits - to explore the nature of the parcel, the strength of boundaries, its relationship with settlements and views into and out of 'historic towns'. These are likely to involve a minimum of two planning officers per parcel, with multiple points visited around each parcel.
- 2.9 Notes about the key features and land use of the parcel will be recorded and a commentary against how the parcel performs against each Green Belt purpose will be provided in the Part 1 report.
- 2.10 Following desktop analysis and site visits, there may be the potential for the parcel boundaries to be altered. This may be where a current parcel boundary appears weak or poorly defined and a stronger boundary can be identified on site, or where additional boundaries can be identified which would allow for a finer grained analysis of large parcels. Officers will record their reasoning for such changes when undertaking the assessments and the parcels remapped accordingly.
- 2.11 The following table sets out how an assessment against each of the Green Belt Purposes will actually be carried out, including considering the wording of the purpose in the context of Bromsgrove District and the criteria that will be used to rate each parcel against the purposes. Most of the Assessment Considerations would require a response in the affirmative to indicate that the parcel makes a positive contribution; however some of the Assessment Considerations cover the presence of more detrimental features, which if in existence, would lessen the contribution the parcel makes to the Green Belt purpose. The negative considerations are shown in **red**.

NPPF Green Belt Purpose		Context in Bromsgrove District		Assessment Considerations	Strength of Contribution		
1	To check the unrestricted sprawl of large built-up areas	“Large Built-up areas”		<p>The extent to which the land prevents the uncontrolled spread of the built-up area.</p> <p>The sense of openness.</p> <p>The strength of the existing boundary features or presence of an alternative boundary within the parcel.</p> <p>The presence of existing development which constitutes sprawl, such as ribbon development along key routes or other sporadic development.</p>	Strong	Parcel is immediately adjacent to a large built-up area, is largely free from development and has a strong sense of openness. There is a strong defensible boundary.	
		Within Bromsgrove District	In Neighbouring Local Authorities				
		Bromsgrove Town	Birmingham (Birmingham CC)		<p>Character of the settlements concerned – are there existing features or patterns of development which mean they are at risk of merging?</p> <p>Consider the evidence of ribbon and</p>	Moderate	Parcel is adjacent to a large built-up area, is mostly free from development which could constitute sprawl and has a fairly strong sense of openness. There is a complete or partial defensible boundary.
		Cofton Hackett/ Longbridge (as part of the conurbation)	Solihull (Solihull MBC)				
		Rubery (as part of the conurbation)	Halesowen (Dudley MBC)				
			Stourbridge (Dudley MBC)			No Contribution	Parcel is not adjacent to a large built-up area and does not play a role in preventing the sprawl of these areas.
			Redditch (Redditch BC)				
2	To prevent neighbouring towns from merging	“Neighbouring towns”		<p>The degree to which the land prevents the merging (visual or physical) of settlements.</p> <p>The sense of openness.</p> <p>Character of the settlements concerned – are there existing features or patterns of development which mean they are at risk of merging?</p> <p>Consider the evidence of ribbon and</p>	Strong	Parcel constitutes all or most of a gap between settlements. Loss of openness in this parcel would cause visual or physical merging or substantially reduce the existing gap.	
		Within Bromsgrove District	In Neighbouring Local Authorities				
		Bromsgrove Town	Birmingham (Birmingham CC)		<p>Character of the settlements concerned – are there existing features or patterns of development which mean they are at risk of merging?</p> <p>Consider the evidence of ribbon and</p>	Moderate	Parcel constitutes the majority of a gap between settlements (or does so in conjunction with another parcel). Loss of openness would either physically or visually have a negative impact on the existing gap.
		Alvechurch	Solihull (Solihull MBC)				
		Barnt Green	Halesowen (Dudley MBC)			Weak	Parcel is not pivotal in providing a gap between settlements. Loss of openness in this parcel would not cause a significant visual or physical sense of merging.
		Blackwell	Stourbridge				

NPPF Green Belt Purpose		Context in Bromsgrove District		Assessment Considerations	Strength of Contribution	
			(Dudley MBC)	sporadic development.	No Contribution	Parcel does not play a role in preventing the merging of settlements.
	Catshill		Kidderminster (Wyre Forest BC)			
	Cofton Hackett		Redditch (Redditch BC)			
	Hagley		Dickens Heath (Solihull MBC)			
	Lickey End					
	Rubery					
	Stoke Prior					
	Wythall (inc Hollywood/Drakes Cross and Major's Green)					
3	To assist in safeguarding the countryside from encroachment	Not applicable		<p>The rural sense of the area, including consideration of development and other urbanising features.</p> <p>Countryside characteristics – an open landscape, which is natural, semi-natural or farmed.</p> <p>Topography and land uses.</p> <p>Is the parcel urban fringe or open countryside? If urban fringe, the parcel's strength will be lessened.</p> <p>Evidence of existing encroachment eg. urban features such as street lights, extensive pavements, floodlights or</p>	<p>Strong</p> <p>Moderate</p> <p>Weak</p> <p>No Contribution</p>	<p>Parcel has a very strong rural sense, is largely open and exhibits many countryside characteristics.</p> <p>Parcel has a rural sense and exhibits countryside characteristics but there may be some urban features affecting openness.</p> <p>Parcel has a limited rural sense and exhibits few countryside characteristics. Parcel also contains urban features which have a negative impact on openness.</p> <p>Parcel lacks countryside characteristics and contains many urban features.</p>

NPPF Green Belt Purpose		Context in Bromsgrove District		Assessment Considerations	Strength of Contribution	
				areas of hard standing.		
4	To preserve the setting and special character of historic towns	“Historic Towns”		<p>The degree to which the parcel contributes to the setting of a Historic Settlement</p> <p>Does the parcel contain or is it adjacent to a Conservation Area associated with a Historic Settlement?</p> <p>Does the parcel offer views into the historic core of a Historic Settlement and/or vice versa?</p> <p>What elements/areas that are important to the setting and special character of a historic town would be affected by loss of openness?</p>	<p>Strong</p> <p>Moderate</p> <p>Weak</p> <p>No Contribution</p>	<p>Parcel contains or is immediately adjacent to a historic settlement and therefore has a significant role in its setting and/or special character.</p> <p>Parcel has a moderate role in the setting and/or special character of a historic settlement. This may be through important views to or from the historic element of the settlement.</p> <p>Parcel has a weak role in the setting and/or special character of a historic settlement. There may be some limited views to or from the historic element of the settlement.</p> <p>Parcel has no role in relation to a historic settlement.</p>
		Within Bromsgrove District	In Neighbouring Local Authorities			
		Belbroughton	Broome (Wyre Forest DC)			
		Beoley	Chaddesley Corbett (Wyre Forest DC)			
		Clent	Tanworth in Arden (Stratford on Avon DC)			
		Dodford				
		Alvechurch (Core)				
		Hagley (Core)				
		Holy Cross				
		Barnt Green (Core)				
Bromsgrove Town (Core)						

Table 3: Assessment Criteria

Questions

2c. Do you agree with the settlements that have been identified under Purposes 1, 2 and 4 to consider in the Bromsgrove context?

And specifically;

- Under Purpose 1, do you agree with including Rubery and Cofton Hackett as part of the “Large Built-up-area” of the Greater Birmingham conurbation?
- Under Purpose 2, do you agree with assessing all settlements excluded from the Green Belt in Bromsgrove in the context of

preventing merging?

- Under Purpose 4, do you agree with the “Historic Towns” (c.f. settlements) identified in neighbouring authorities which lie close the border with BDC?

2d. Do you agree with the Assessment Criteria set out under each purpose?

2e. Do you agree with the proposed measures for assessing the Strength of Contribution?

2f. Do you have any specific suggestions as to how the relationship of the surrounding Green Belt parcels (specifically S3, S4, SE9 and SE10) to planned development areas now excluded from the Green Belt (namely Foxlydiate and Brockhill East to the north of Redditch), should be considered in the assessment? Until development commences, these areas still exhibit some of the characteristics of Green Belt land.

DRAFT

Overall Contribution of each parcel

- 2.12 Paragraph 134 of the NPPF does not state or infer that one purpose is more important than another. The five purposes should therefore be afforded equal weight when drawing together the overall conclusions. Assigning numeric 'scores' to the individual purposes for each of the parcels, to give an aggregate overall contribution will be avoided. Given that the location of the parcel in proximity to a large built-up area or town or historic town will determine its strength for Purposes 1, 2 and 4, it could be considered that only Purpose 3 can provide a truly comparable assessment of all parcels against each other. This highlights the downside of aggregating the strength of contribution from all four (or five) purposes, when some parcels will score poorly purely because they are remote from the large built-up area, for instance. Additionally, because of the variation in the size of parcels, this may lead to uneven comparisons between the strengths of each parcel.
- 2.13 As such, no overall contribution will be drawn on the strength of each parcel. Rather, the commentary and strength of contribution will form the core of the analysis.

Questions

2g. Do you agree that an overall conclusion on the strength of each Green Belt parcel should not be drawn?

Stage 3: Final evaluation and 'sense check'

- 2.14 Once all of the parcels have been assessed, it is anticipated that officers involved in the process will sit down and discuss their findings. This will help to ensure that the assessment criteria have been applied consistently by all officers and to identify any anomalous results. The purpose of this exercise will not be to compare one parcel against another, but to take an overview of all the results. Strength of Contribution conclusions may be altered at this stage in response to this checking process.
- 2.15 The outputs from the Part 1 Assessment are anticipated to be:
- Individual completed pro formas for each Strategic Parcel
 - Tabulated results showing Strength of Contribution by each Purpose, for all Parcels
 - Choropleth maps¹⁰ of the District showing Strength of Contribution by each Purpose

Wider considerations

Emerging policy changes

- 2.16 The Government published the Revised National Planning Policy Framework in July 2018. This maintains the strong protection of the Green Belt, but does implement a number of changes from the 2017 Housing White Paper. The key changes can be summarised as follows:
- 2.17 Neighbourhood plans (para 136) – where a need for changes to Green Belt boundaries has been demonstrated through a strategic plan, detailed amendments to the boundaries can be made through neighbourhood plans.

¹⁰ Maps coloured by region to represent different variables

- 2.18 Exceptional circumstances (para 137) – in order to satisfy that exceptional circumstances exist to warrant changes to Green Belt boundaries, LPAs should have firstly examined all other reasonable alternative options for meeting its identified need for development. This would need to include:
- Making as much use as possible of suitable brownfield sites and underutilised land;
 - Optimising the density of development, including whether policies promote a significant uplift in minimum density standards in town and city centres, and other locations well served by public transport; and
 - Holding discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground

- 2.19 Sustainable patterns of development (para 138) – where it is necessary to release Green Belt land, plans should give first consideration to land which has been previously developed and/or is well served by public transport. Plans should also set out ways that the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.

Positive use of the Green Belt

- 2.20 Paragraph 138 of the NPPF seeks to improve the environmental quality or accessibility of remaining Green Belt land. The potential for more positive use of the District's Green Belt, such as through access improvements and linkages to the existing Green Infrastructure network will need to be explored further at later stages of the plan making process. However, notes on potential access improvements could be recorded when undertaking site visits of the parcels.

New Green Belt

- 2.21 Para 135 of the NPPF sets out the exceptional circumstances for when new Green Belt could be established, for example when planning for larger scale development such as new settlements or major urban extensions. At present, the scale and nature of potential future development in the District is unknown. Notwithstanding this, the extent of the Green Belt coverage in Bromsgrove, combined with the remainder of the developed District outside of the Green Belt, rules out any potential to designate new areas of Green Belt to compensate for that which could be potentially lost.

Safeguarded Land

- 2.22 Para 139 c) and d) of the NPPF encourage Local Planning Authorities to identify areas of 'safeguarded land' where necessary. These should be areas located between the urban area and the Green Belt, and be utilised to meet longer term development needs beyond the plan period. No further guidance is provided on the designation of safeguarded land, although in the context of para 136, Green Belt boundaries should have a permanence into the long term, so that they endure beyond the plan period.
- 2.23 A situation should be avoided whereby Bromsgrove's Green Belt is assessed and reviewed as part of this Plan Review, only to be reviewed again in the subsequent plan period. It will

be extremely difficult to accurately project development needs forward beyond the end of the plan period in order to predict further land which may need to be released from the Green Belt. Therefore the Council will be guided by the Green Belt Purposes Assessment to identify where land is no longer fulfilling its Green Belt function, and should be de-designated. Should there be surplus land for current requirements; land no longer meeting the Green Belt Purposes will be considered as Safeguarded Land for future needs. If land is given this designation, it would not have the same level of protection as the current Green Belt.

Status of settlements in the Green Belt and detailed boundary changes

- 2.24 As part of the Local Plan Review process, it will be timely to consider the status of the settlements in Bromsgrove's villages, including:
- Inset settlements (where the settlement is excluded from the Green Belt)
 - Washed-over settlements (where the settlement is within the Green Belt and Green Belt policies continue to apply)
- 2.25 Additionally, the boundaries of both inset settlements and the boundary with other built-up areas will need to be considered to see if there are sections where an extension to existing settlements could be beneficial, in response to anomalies or incursions from development.
- 2.26 In Part 1 of the Assessment, the presence of washed over or inset settlements within each parcel will be discussed in the commentary, but no detailed analysis of the appropriateness of the boundaries will be carried out. This will emerge alongside the detailed work at Part 2, and any detailed boundary amendments taken forward through the District Plan Review, where the extent of the Green Belt will be set out on the Policies Map. The justification and evidence to support detailed boundary changes around existing settlements will be presented in due course.

GBHMA Strategic Growth Study

Background

- 2.27 As part of the 2018 Greater Birmingham and Black Country Housing Market Area (GBHMA) Strategic Growth Study by GL Hearn and Wood plc¹¹, a strategic review of the West Midlands Green Belt within the HMA was undertaken. This study analysed the form and strategic function of the Green Belt against the purposes set out in the NPPF.
- 2.28 The Green Belt in the study area was split into 120 large/very large parcels, with boundaries determined by motorways/trunk roads, A-roads and railways, to keep the analysis to a manageable level. To reflect the geography of the area, the study area was split into five Sectors (West, North, North East, South East and South) with Bromsgrove District predominantly falling within the South Sector, with a few parcels in the West Sector around Hagley. Some parcels extend beyond Bromsgrove District's administrative boundary.

¹¹ www.bromsgrove.gov.uk/council/policy-and-strategy/planning-policies/greater-birmingham-housing-market-area-strategic-growth-study.aspx

2.29 Professional judgement was used to identify where the four Green Belt purposes¹² were being fulfilled, using Ordnance Survey mapping and aerial photography. No site visits were undertaken because of the scale of the study area and the size of the parcels involved. Given the context of assessing the whole of the West Midlands Green Belt, the purposes of greatest importance were determined to be:

- To check the unrestricted sprawl of large built-up areas; and
- To prevent neighbouring towns from merging

The outcome of the assessment against these two purposes were combined to determine those areas which make a **Principal Contribution** to the Green Belt, with all other areas shown as making a **Supporting Contribution**. This allowed the overall contribution to the Green Belt of the strategic parcels to be shown.

Relationship with the Bromsgrove Green Belt Purposes Assessment

2.30 The use of permanent physical features to determine the boundaries of the parcels means there is some alignment between the boundaries of these parcels and those proposed in Figure 3 above for this Bromsgrove-specific study.

2.31 Given the scale of the parcels used in the study (the largest being over 6400ha), the overall conclusions that the study draws are very broad. When the parcels from this study are divided up to form the proposed parcels for the Bromsgrove District study, it is likely that the smaller parcels might perform differently against the purposes, due to differing boundaries and assessment criteria. Additionally, the contribution of the Green Belt parcels will be assessed in a different, more local context, rather than in their role within the West Midlands Green Belt as a whole. This highlights that the two studies may come to different conclusions about the strength of the Green Belt in Bromsgrove District, which would be wholly expected when both different sized parcels and different professional judgements are involved.

2.32 The GBHMA Strategic Growth Study is an independently prepared, objective study which the Council will need to consider and respond to as part of the evidence base for the District Plan Review. The correct approach is therefore felt to be to examine Bromsgrove's Green Belt against the Council's own assessment criteria and to test the potential development areas in the Green Belt arising from the GBHMA Strategic Growth Study in a consistent and rigorous way as a later part of the process.

Questions

2h. Are there areas that the study could focus on, where the existing Green Belt could be used more positively, such as improved public access, without impinging its essential characteristics?

2i. Do you feel that there is any scope to designate new land as Green Belt in Bromsgrove District?

2j. Do you have any thoughts on the proposal that the detailed review of boundaries around existing settlements and the status of washed-over settlements, is carried out as a separate exercise to the assessment of the identified Green Belt parcels against the NPPF purposes?

¹² The study excluded analysis against the fifth purpose "To assist in urban regeneration by encouraging the recycling of derelict and other urban land" which was taken to apply to the Green Belt as a whole

2k. Do you agree with the proposed relationship between Bromsgrove's Green Belt Purposes Assessment and the Strategic Green Belt Review contained within the GBHMA Strategic Growth Study?

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3 PART 2 – DETAILED ASSESSMENT OF THE GREEN BELT – SITE ANALYSIS

- 3.1 For Part 2 of the Assessment, a range of more detailed sites will be considered against the Green Belt Purposes. The Assessment will be carried out in much the same way as for Part 1, but with a stronger focus on the strength of boundaries of the sites in question. Further refinement of the Assessment Criteria may be required and this will be given further consideration at a later point in the process.
- 3.2 **It should be emphasised at this early stage that there will inevitably be differences in how the parcels perform against the Green Belt Purposes at the strategic stage in Part 1 of the assessment, versus how individual sites within those parcels perform at the detailed assessment stage in Part 2.** This is because the scale of the Part 2 assessment will mean sites within strategic parcels will be considered in a more localised and focused manner.

Stage 1 – Filtering Green Belt sites to assess

- 3.3 The sites to be assessed in Part 2 will emerge from the concurrent Site Selection process, where sites suggested to the Council (through the Call for Sites process) and those identified from other parts of the evidence base will be filtered to produce a shortlist of sites. These sites will be free from significant constraints and will fit with the spatial strategy for the District, as it emerges as the District Plan Review progresses. A comprehensive list of the constraints we consider to be significant are listed in the Draft Site Selection Methodology, and include:
- Nature Conservation designations such as SSSI and Local Nature Reserves
 - Historic Environment designations such as Scheduled Monuments and Registered Parks & Gardens
 - Functional Floodplains (Flood Zone 3b)

Stage 2 - Assessment of the site against Green Belt Purposes

- 3.4 It is envisaged that the process for assessing specific sites within the Green Belt will follow much the same steps as those set out for the Part 1 assessment. However, greater consideration will need to be given to some more detailed matters.

Site Boundaries

- 3.5 With regard to site boundaries, the NPPF states that when considering Green Belt boundaries, local planning authorities should define these using physical features which are readily recognisable and likely to be permanent¹³. A robust boundary will make a stronger contribution to preventing sprawl compared to a weaker boundary. Readily recognisable boundaries which are likely to be permanent include built features such as roads, railways, canals, the edges of settlements, rivers, streams, woodland. Examples of weaker boundaries which may lack durability are field boundaries and tree lines/hedgerows.
- 3.6 Specific questions about the permanence of the site boundaries will be needed to determine their appropriateness. Such questions could include:

¹³ NPPF (2012) Para 139 f)

- How strong are the proposed boundaries, or are there features nearby which would form a better boundary?
- Are the site boundaries logical?
- Is there an opportunity to improve the site boundary, for instance to incorporate an area of existing development?

Positive use of the Green Belt

3.7 As briefly mentioned in para 2.21, there will also be merit in considering the wider function of the Green Belt and any additional positive benefits the site plays, as outlined in para 141 of the NPPF. Aspects to be covered are as follows:

- Public Access – how accessible is the Green Belt site at present?
- Outdoor sport and recreation – are there any existing facilities or proposals for such facilities?
- Landscapes, visual amenity and biodiversity – is the site part of sensitive landscape area? Are there any biodiversity designations or priority habitats?
- Damaged and derelict land – is there any derelict land within the site? Are there any other ways that the land could be improved, other than through development?

Sites close to the District boundary

3.8 Where the shortlisted site falls on or very close to the District boundary, consideration will need to be given as to whether a more appropriate, defensible boundary exists outside of the District. This would need to be in conjunction with the relevant adjoining local authority, giving consideration to any Green Belt Review work that has been undertaken for the area concerned.

Stage 3 - Overall contribution of the site to the Green Belt

3.9 It is foreseen that an overall rating will be given at site level as the conclusion to Part 2 of the Assessment. This will allow conclusions to be drawn on the overall contribution of the site to the Green Belt, and conversely, the harm to the Green Belt that the site would cause if de-designated and hence potentially released for development. The report will not make recommendations as to which sites should be removed from the Green Belt, as other evidence, particularly from the Site Selection work, will need to be considered in order to make this decision in a holistic way.

3.10 As part of drawing conclusions on the site, potential alternative site boundaries which may offer more permanent and robust limits to the Green Belt will be considered. Similarly, it may be beneficial to reduce the size of the site which could be removed from the Green Belt, because of the potential harm that would be caused by releasing a particular segment of the site.

Stage 4 - Demonstrating exceptional circumstances to justify the release of sites from the Green Belt

3.11 There is no definition as to what constitutes the 'exceptional circumstances' under which Green Belt boundaries can be altered, as stated by para 136 of the NPPF. There has been significant case law on this point, with the general conclusion being that it is a matter of planning judgement.

- 3.12 One particular case at the High Court is often cited in this regard, as it identified a number of matters that should be considered to ascertain whether exceptional circumstances exist which justify the release of land through the Local Plan process. Mr Justice Jay in the **Calverton Parish Council v Greater Nottingham Councils 2015 High Court Judgement**¹⁴ sets out at para 51 of his judgement, the following five matters, where the objectively assessed housing need has already been determined:
- i. the acuteness/intensity of the objectively assessed need;
 - ii. the inherent constraints on supply/availability of land prima facie suitable for sustainable development;
 - iii. the consequent difficulties in achieving sustainable development without impinging on the Green Belt;
 - iv. the nature and extent of the harm to the Green Belt (or those parts of it which would be lost if the boundaries were reviewed); and
 - v. the extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.
- 3.13 Subject to national policy and emerging case law, it will be pertinent to use these five matters when looking to demonstrate the existence of exceptional circumstances which warrant the alteration of Green Belt boundaries.

Questions

3a. Do you have any thoughts on the broad methodology for Part 2 of the Green Belt Purposes Assessment?

3b. Do you have any views on what the Council should be considering when it is looking to define Green Belt boundaries for specific sites?

3c. Do you agree that it is important to consider the additional positive benefits that sites within the Green Belt play at this stage of the study?

¹⁴ EWHC [2015] 1078 (Admin)

4 CONSULTATION AND NEXT STEPS

- 4.1 Comments are invited on this draft Green Belt Purposes Assessment Methodology as part of the wider Bromsgrove District Plan Review Issues and Options consultation. Comments are welcome on the whole document, but we would particularly invite your views on the specific consultation questions that are posed throughout the document.
- 4.2 As part of the Duty to Cooperate, this methodology will be shared with Bromsgrove District's neighbouring authorities and their views sought.
- 4.3 After the consultation period has closed, any comments received will be considered and the methodology revised as appropriate. Work will then progress onto Part 1 of the Green Belt Purposes Assessment, where, subject to any amendments, the 60 strategic parcels will be assessed against the Green Belt purposes. It is envisaged that the process for Part 2 of the assessment will be outlined in more detail as the Green Belt Assessment moves forward.

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Site Selection Methodology Consultation Draft September 2018

1 Introduction

- 1.1 Bromsgrove District Council has commenced a District Plan Review. A plan review is necessary to:
- Identify land to accommodate the remainder of the adopted Bromsgrove District Plan (BDP) housing requirement to 2030;
 - Help to deliver the unmet housing needs of the Greater Birmingham area and;
 - Look beyond 2030 to identify land needed to deliver the full range of needs for the district over the coming decades.
- 1.1 In order to identify land for development, the Council will need to consider a large variety of sites for potential allocation for development. It will be necessary to rigorously scrutinise these sites to ensure the most suitable, sustainable and deliverable sites are taken forward through the Plan Review process.
- 1.2 The Site Selection work will have a close relationship with the Green Belt Purposes Assessment, for which a separate methodology is also being consulted on at this time. This is because approximately 90% of the District is Green Belt, meaning it will be highly likely that the majority of sites needed to meet future development needs will fall within the current Green Belt. When finalised, the two resulting documents will form key components of the evidence base for the District Plan Review.
- 1.3 The site selection process will not be undertaken straight away after the methodology is finalised as this work needs to be informed by the Green Belt Purposes Assessment. It will also be informed by potential development sites submitted to us through a Call for Sites exercise.
- 1.4 This is a consultation draft and we welcome comments to shape our approach on this important piece of work.

2 Why is a methodology needed?

- 2.1 It is important to issue the Council's proposed approach to site selection at this early stage to:
- set out a clear and transparent methodology to be followed by Council officers
 - allow time to refine the methodology;
 - gain buy-in to the process; and
 - help inform the format and nature of the potential site allocations likely to be submitted to the Council.
- 2.2 It is anticipated that the Council will receive a high volume of sites for consideration, some of which may not represent sustainable locations or be consistent with the

spatial strategy for the district which will emerge as the District Plan Review progresses. Therefore an agreed methodology will aid the consistent and objective assessment of these sites in a timely manner to inform the District Plan Review.

What land uses will we need to allocate sites for?

- 2.3 Whilst the quantum and precise nature of development needed to meet the District's needs is unknown at the present time, it is likely that site allocations will be needed for a range of land uses, including:
- Housing (including specialist accommodation for older persons, affordable housing, self-build homes)
 - Economic development uses (including offices, storage and distribution and industrial buildings)
 - Retail
 - Community facilities
 - Traveller sites (including Travelling Showpeople)

Relationship with Call for Sites

- 2.4 A Call for Sites exercise is planned to take place in late 2018. At this time we will invite landowners, their representatives and members of the public to submit sites in the District which they feel could deliver development to meet Bromsgrove's future needs. The process will be guided by this Methodology (as revised following consultation) and a Call for Sites pro-forma setting out the information that the Council requires to analyse and progress potential sites.

Relationship with the SHLAA

- 2.5 The Strategic Housing Land Availability Assessment (SHLAA) is a Council document setting out sites which may have the potential to deliver housing development in the future. The latest version was published by the Council in September 2015 and can be viewed: www.bromsgrove.gov.uk/council/policy-and-strategy/planning-policies/local-development-plan/evidence-base/strategic-housing-land-availability-assessment.aspx
- 2.6 The identification of housing sites for development in the current Bromsgrove SHLAA is limited by the widespread coverage of the Green Belt designation in the District. The vast majority of sites that have previously been submitted to the Council are located within the Green Belt, and cannot come forward for development prior to a comprehensive Green Belt Assessment process and subsequent release of Green Belt land through a Local Plan. The Bromsgrove SHLAA therefore classifies sites with development potential, barring their Green Belt location, in the "Green Belt Potential" category. Such sites do not feature in the District's land supply.
- 2.7 Persons who have previously submitted sites for the SHLAA will be contacted to ascertain whether their aspirations to promote their site for development remain. In many cases, updated information about the site in question will be required, as many of the sites included in the Bromsgrove SHLAA within the "Green Belt Potential" category, date back from the Council's first ever SHLAA document, published in 2009.

- 2.8 Sites that currently fall within the ‘Green Belt Potential’ category in the SHLAA will need to be considered again in light of both this methodology and the separate Green Belt Purposes Assessment Methodology. It does not automatically follow that sites in this category will be released from the Green Belt, as they would need to be rigorously assessed against the Green Belt purposes assessment criteria.
- 2.9 An addendum to the most recent SHLAA, published in 2015, will be produced ahead of the Call for Sites exercise. This will detail the sites that have been submitted to the Council for consideration since the completion of the last full SHLAA and 31 March 2018. This will allow landowners, stakeholders and members of the public to see all the sites that have been submitted to the Council as potential development sites. It will not be a full update of the SHLAA document as there is limited merit in this ahead of a comprehensive Call for Sites exercise later this year and the subsequent Green Belt Assessment which has the potential to change the landscape of potentially developable land in the District.

3 Undertaking the Site Selection process

Site Size Thresholds

- 3.1 Thresholds for the variety of land uses need to be established to give a consistent basis for considering sites. Given the time and resource required to progress Site Allocations through a Local Plan process, it is also prudent to define a minimum site size so as not to overburden the process. A variety of sites of differing sizes will be needed to serve the needs of the different communities of the district. Sites which fall below the thresholds are unlikely to be considered for inclusion in the Plan Review, but can still be considered for development through the normal planning application processes and would be regarded as ‘windfall development’.

Type of use	Minimum Size	Minimum Capacity
Housing	0.16ha	5 dwellings
Economic development (including retail and leisure)	0.25ha	500m ² of floorspace
Traveller and Travelling Showpeople	N/A	One mobile home and One Touring Caravan
Park / Mobile Homes		5 dwellings

Table 1: Site size thresholds

Identification of Sites

- 3.2 Potential sites for development will be drawn from a range of sources, namely:
- Strategic Housing Land Availability Assessment (SHLAA)
 - PBA Economy Study
 - Current allocations in the Bromsgrove District Plan
 - Sites submitted through the Call for Sites process
 - Broad areas identified in the GBHMA Strategic Growth Study
 - Opportunity areas identified by Planning Officers which accord with the Spatial Strategy
 - BDC Asset Register

- Sites identified in Neighbourhood Plans
- Other evidence base documents

Applying Constraints

- 3.3 Constraints are environmental or heritage designations which may restrict development from occurring. Constraints which will prohibit or limit the development of land have been split into two categories.
- Hard Constraints – Where an existing designation means development is generally unacceptable, or could only be justified in wholly exceptional circumstances. See **Table 2** for hard constraints relevant to Bromsgrove District.
 - Soft Constraints - Where an existing designation could place limitations on the nature or scale of the development.
See **Table 3** for soft constraints relevant to Bromsgrove District.
- 3.4 Figure 1 below maps a number of key 'hard constraints' across the District. Some of the constraints (such as listed buildings) cannot be mapped on an image at this scale, but this Figure gives an indication of the restrictions affecting the District. The extent of the current Green Belt is shown to give context but will be subject to the separate assessment and review process discussed above and should not be viewed in the same way as the hard constraints listed in Table 2 below.

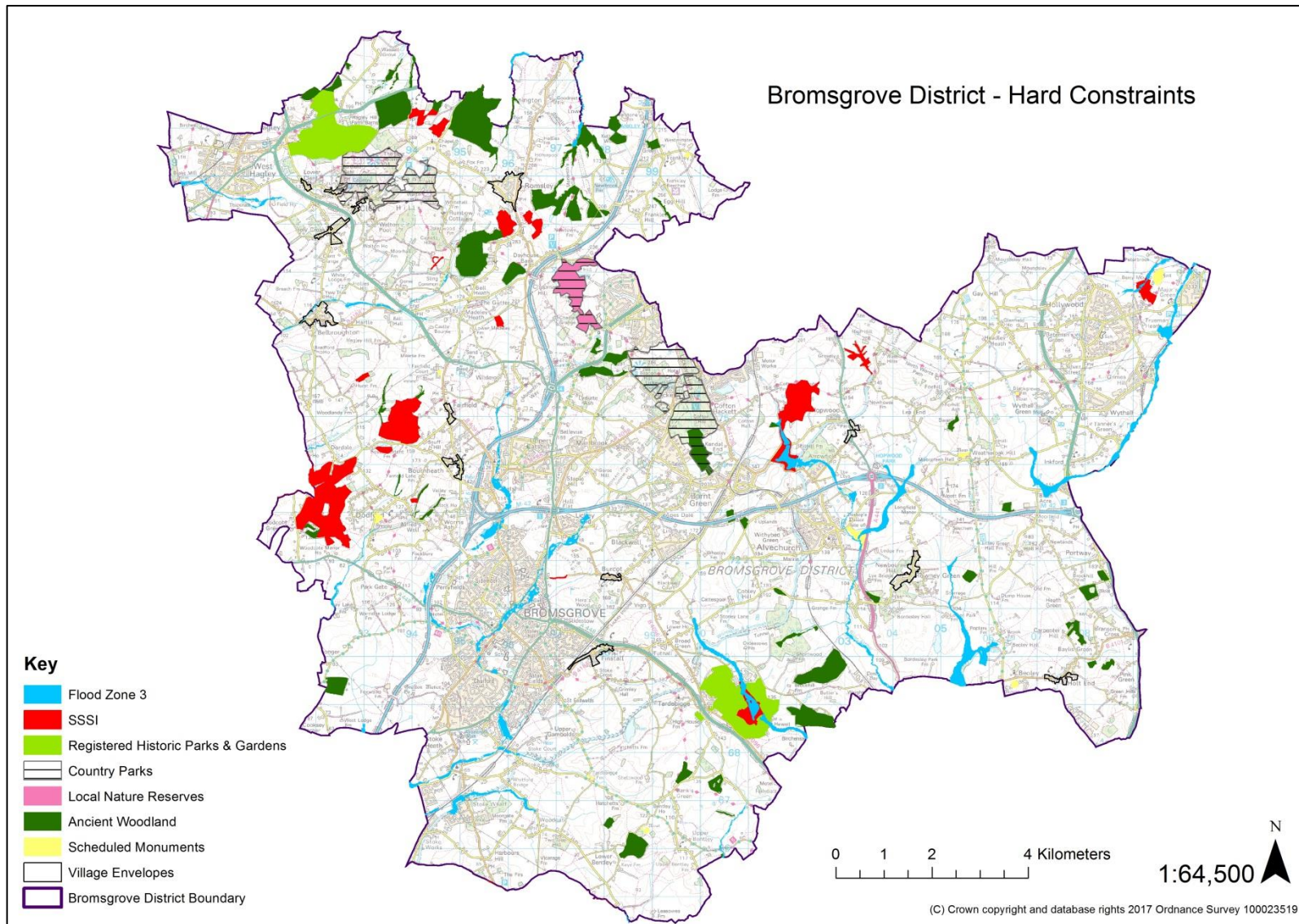


Figure 1: Hard Constraints in Bromsgrove District

Table 2: Identified Hard Constraints¹

Type of constraint	Data source	Definition	Legislation affording protection
Natural Assets			
Site of Special Scientific Interest (SSSI)	GIS	There is a general and overarching duty on a range of authorities, including Local Authorities to take reasonable steps, to further the conservation and enhancement of the features for which sites are of special interest.	Wildlife and Countryside Act 1981 NPPF. Paras 11b)i, 20d), 175b) Circular 06/2005 Development within or outside of a SSSI which is likely to have an adverse effect should not normally be permitted.
Local Nature Reserve (LNR)	GIS	Local Nature Reserves are sites containing special interest within the administrative area of a Local Authority for their flora, fauna, geological or physiographical features, and which are managed for the purpose of their preservation or for providing opportunities for related study and research.	National Parks and Access to the Countryside Act 1949 -Section 21 – "Establishment of nature reserves by local authorities" NPPF. Paras 171, 174
Country Park	GIS	Managed by local authorities and primarily intended for recreation and leisure opportunities close to population centres and may not have any nature conservation importance. However, they are areas of semi-natural habitat and form a valuable network of locations at which informal recreation and	Countryside Act 1968 Worcestershire Green Infrastructure Strategy (2013-18) – Strategic Green Infrastructure Assets NPPF. Paras 174a), 171, 99, 100

¹ There are no natural heritage designations in Bromsgrove District which have been afforded the highest level of protection in the UK (Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites). Nor are there any Areas of Outstanding Natural Beauty (AONB).

Type of constraint	Data source	Definition	Legislation affording protection
Ancient Woodland	<p>GIS WCC Worcestershire Woodland Guidelines</p> <p>Landscape Description Unit Ecological Profiles & Biodiversity Baseline (WCC Landscape Character Assessment Webpages)</p>	<p>the natural environment coexists.</p> <p>Any area that has been wooded continuously since at least 1600 AD. Defined as an irreplaceable habitat.</p>	<p>NPPF. Para 11b)i, 171, 175c) Development would not be permitted unless the need for, and benefits of, clearly outweigh the loss.</p>
Ancient and Veteran Trees	<p>http://www.ancient-tree-hunt.org.uk/</p> <p>WCC Worcestershire Woodland Guidelines</p> <p>Landscape Description Unit Ecological Profiles & Biodiversity Baseline (WCC Landscape Character Assessment</p>	<p>A tree which, because of its great age, size or conditions is of exceptional value for wildlife, in the landscape or culturally.</p>	<p>NPPF. Para 11b)i, 171, 175 c) Where these are found outside of ancient woodland, development would not be permitted unless the need for, and benefits of, clearly outweigh the loss.</p>

Type of constraint	Data source	Definition	Legislation affording protection
	Webpages		
BAP Priority Habitat	Worcestershire Habitat Inventory – online tool Landscape Description Unit Ecological Profiles & Biodiversity Baseline (WCC Landscape Character Assessment Webpages	Species and Habitats of Principle Importance included in the England Biodiversity List published by the Secretary of State.	NPPF. Paras174a), 175. Natural Environment and Rural Communities Act 2006 – Section 41. Circular 06/2005
Heritage Assets			
Grade I or II* Registered Park or Garden	GIS	Consisting of the grounds of private houses, public parks and cemeteries which have been merited registration on the basis of being of “Special Historic Interest”. They are Graded I, II* or II.	NPPF. Para 184, 189, 190, 192, 194b). Substantial harm to or loss should be wholly exceptional.
Scheduled Monument	GIS	A nationally important archaeological site including Roman remains, burial mounds, castles, bridges, earthworks, the remains of deserted villages and industrial sites. They are not graded.	NPPF. Para 194b). Substantial harm to or loss should be wholly exceptional. Must be listed on the Schedule kept by the Secretary of State for Digital, Culture, Media and Sport.
Grade I or II* Listed Building	GIS	Grade I buildings are of exceptional interest. Grade II* buildings are particularly important	NPPF. Para 184, 189, 190, 192, 194b). Substantial harm to or loss should be wholly

Type of constraint	Data source	Definition	Legislation affording protection
		buildings of more than special interest.	exceptional.
Grade II Listed Building	GIS	Grade II buildings are of special interest	NPPF. Para 195. Substantial harm to or loss should be exceptional.
Vulnerable Areas			
Flood Zone 3b (The Functional Floodplain)	SFRA	The Functional Floodplain is land where water has to flow to be stored in times of flood. It has a High Probability. (1 in 100 or greater annual probability of river flooding). Only water compatible land uses and Essential Infrastructure (subject to the Exception Test) are appropriate in Zone 3b.	NPPF para 155, 156, 157. National Planning Policy Guidance Flood Risk Vulnerability Classification

Table 3: Identified Soft Constraints

Type of constraint	Data source	Definition	Legislation affording protection
Natural Assets			
Local Sites (Wildlife and Geological)	GIS	The term used to describe sites of wildlife or geological importance at a local level. The term 'Local Site' incorporates other terms such as Site of Importance for Nature Conservation (SINC), Special Wildlife Sites, Local Wildlife Sites and Sites of Geological Importance.	Non-statutory designations not directly protected by law. BDP21 – Natural Environment
Tree Preservation Order	Local information Landscape	An order made by the Local Planning Authority to protect specific trees, groups of trees or woodlands in the interests of amenity.	The Town and Country Planning (Tree Preservation) (England) Regulations 2012

Type of constraint	Data source	Definition	Legislation affording protection
Natural Assets			
	Description Unit Ecological Profiles & Biodiversity Baseline (WCC Landscape Character Assessment Webpages WCC Worcestershire Woodland Guidelines		
Public Open Space	Local GIS	Locally designated open spaces including Parks and Gardens, Provision for Children, Outdoor Sports Facilities and Allotments.	BDP25 – Health and Well Being
Minerals Safeguarding Areas	WCC	An area designated by a Mineral Planning Authority which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development	NPPF Para 204c) Emerging Worcestershire Minerals Local Plan
Heritage Assets			
Conservation Area	GIS	An area “of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”	The Planning (Listed Buildings and Conservation Areas) (England) Regulations 1990
Locally Listed Buildings		Buildings or sites that make a positive contribution to an area’s local character and sense of place because of their heritage value.	BDP20 Protection afforded to ‘heritage assets’ in the

Type of constraint	Data source	Definition	Legislation affording protection
Natural Assets			
			NPPF Para 184.
Other non-designated Heritage Assets	HER	These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets	NPPF Para 197
Vulnerable Areas			
Flood Zone 3a	SFRA	High Probability - Land having a 1 in 100 or greater annual probability of river flooding. The application of the Sequential Test is in order to keep development away from medium and high flood risk areas. Even after the Sequential Test, Highly Vulnerable land uses and More vulnerable land uses (subject to the Exception Test), are not compatible with Zone 3a.	NPPF para 155, 156 & 157. National Planning Policy Guidance Flood Risk Vulnerability Classification
Flood Zone 2	GIS	Medium Probability - Land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding. The application of the Sequential Test is in order to keep development away from medium and high flood risk areas. Even after the Sequential Test, Highly Vulnerable land uses will be subject to the Exception Test to demonstrate compatibility with Zone 2.	NPPF para 155, 156 & 157. National Planning Policy Guidance Flood Risk Vulnerability Classification
Air Quality	GIS	Areas designated by local authorities because	NPPF para 181

Type of constraint	Data source	Definition	Legislation affording protection
Natural Assets			
Management Area		they are not likely to achieve national air quality objectives by the relevant deadlines.	

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- 3.5 The hard constraints affecting sites either submitted to the Council or identified by Council officers will be recorded to 'filter out' sites where development would not be achievable. Soft constraints will then be applied to determine whether the site area should be reduced to exclude a highly constrained element of the site, or whether mitigation will be necessary to overcome the constraints affecting a site. The level of the constraint will be assessed using a RAG (Red, Amber, Green) rating along the following lines:

Rating	Comment
Red	Significant and unacceptable adverse impacts would mean development of the site is unachievable
Amber	Adverse impacts can only be partially mitigated
Blue	Any adverse impacts can be completely or substantially mitigated
Green	No adverse impacts are anticipated

Table 4: RAG rating of constraints

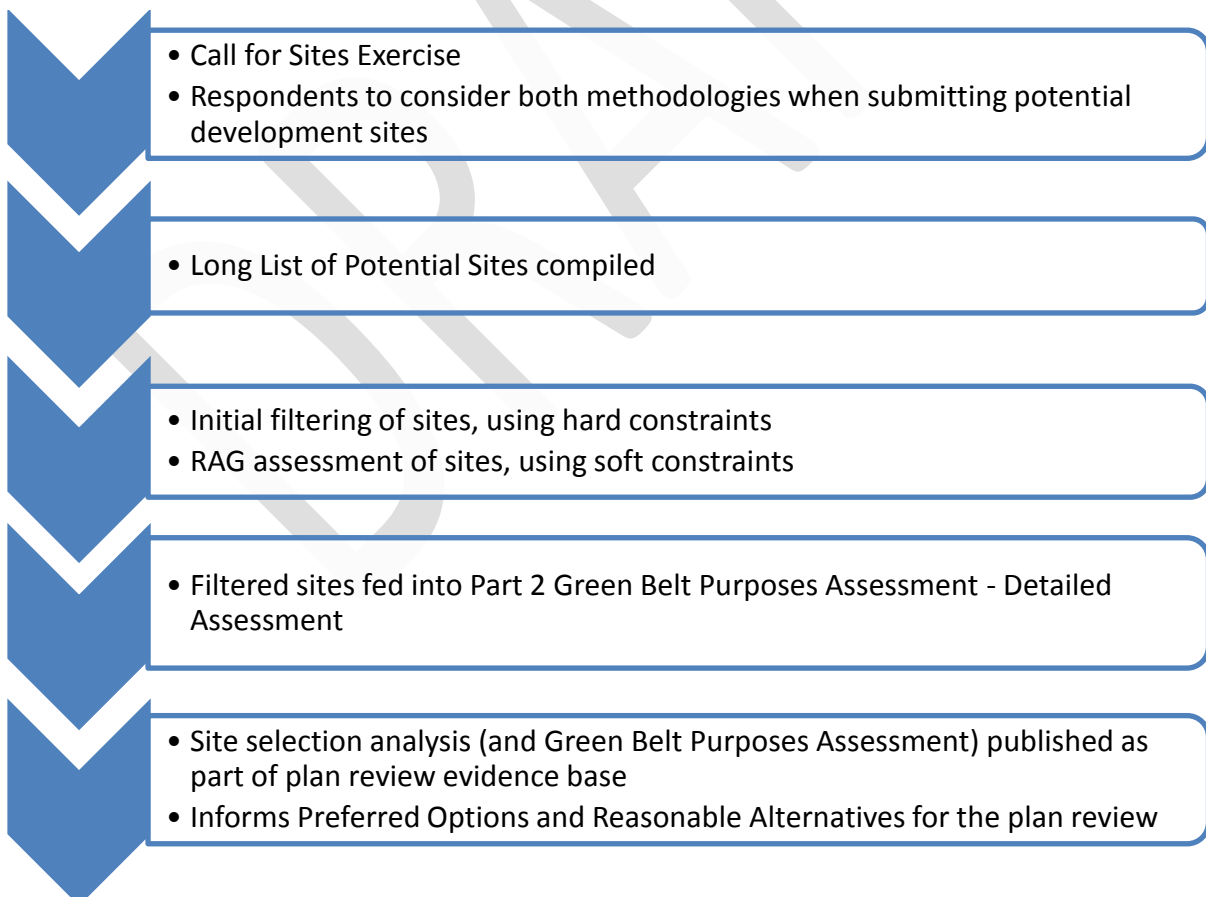
- 3.6 Examples of mitigation include:
- Providing new or enhanced open space where existing habitats or open space could be impacted by new development
 - Using landscape design and sustainable drainage systems to manage or reduce flood risk

4 CONSULTATION AND NEXT STEPS

4.1 Comments are invited on this draft Site Selection Methodology as part of the wider Bromsgrove District Plan Review Issues and Options consultation. Comments are welcome on the whole document. Please note that this consultation focuses purely on the refining the methodology rather than on the merits of individual sites. An agreed methodology will aid the consistent and objective assessment of these sites in a timely manner to inform the Plan review.

4.2 As part of the Duty to Cooperate, this methodology will be shared with Bromsgrove District's neighbouring authorities and their views sought.

4.3 After the consultation period has closed, any comments received will be considered and the methodology revised as appropriate. The Methodology will then be pivotal in guiding the information we require to be submitted alongside sites at the time of the Call for Sites exercise, currently envisaged to be in early 2019. It will be made clear that in order for sites to progress towards allocation in the Bromsgrove District Plan Review, the information submitted alongside the site should be sufficient for the process outlined in this methodology to be followed.



ANTI SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 – IMPLEMENTATION OF PROVISIONS

Relevant Portfolio Holder	Cllr Peter Whittaker
Portfolio Holder Consulted	Yes
Relevant Head of Service	Judith Willis, Head of Community Services
Ward(s) Affected	All
Ward Councillor(s) Consulted	No
Key Decision / Non-Key Decision	No

1. SUMMARY OF PROPOSALS

- 1.1 The purpose of this report is to provide an overview of the Anti Social Behaviour, Crime and Policing Act 2014, as updated in December 2017 and highlight any changes in the statutory Home Office guidance which are likely to have a direct impact on the Council.
- 1.2 The report also proposes a series of amendments to the Council's Scheme of Delegation to enable this Council to best utilise and implement the ASB tools and powers under the Act.

2. RECOMMENDATIONS

The Cabinet is asked to RECOMMEND that

- 2.1 **The powers available to the Council under the Anti Social Behaviour, Crime and Policing Act 2014, as amended in Dec 2017 are noted;**
- 2.2 **The Council's Scheme of Delegation is amended, in accordance with recommendations outlined in Section 3.6 of this report, to allow relevant officers to apply these tools and powers.**

3. KEY ISSUES

Financial Implications

- 3.1 There are no direct financial implications arising from this report. Should additional resources be required in the future, any requests will be subject to the Council's normal budget approval process.

Legal Implications

- 3.2 The Anti Social Behaviour, Crime and Policing Act 2014 came into force in October 2014, with further statutory guidance issued by the Home Office in December 2017. The Act introduced changes to how local agencies deal with anti social behaviour, streamlining the tools available to them so that they can be

more effective. The 19 tools and powers provided in the previous Anti Social Behaviour Act 2003, were reduced to just 6 in the 2014 Act.

- 3.3 In order for this Council to effectively apply its powers under the 2014 Act, amendments to the Council's Scheme of Delegation are recommended.

Service / Operational Implications

- 3.4 The Anti Social Behaviour, Crime and Policing Act 2014, provides the following tools and powers which are of relevance to this Council and support the Strategic Purpose 'Keep My Place Safe and Looking Good':

- a) Civil Injunction (Sec. 1 – 21 of the Act) – is a way of stopping individuals from engaging in anti social behaviour by either prohibiting certain activity or requiring some positive intervention. An Injunction is sought against an individual who is causing nuisance or annoyance within a housing related context or whose anti social behaviour is causing harassment, alarm or distress elsewhere (i.e. non-housing related). To include a positive requirement within the terms of an injunction the Council must (i) believe it is necessary; (ii) have the resource to make it happen; and (iii) have a named individual or organisation that will ensure compliance with the requirement.
- b) Criminal Behaviour Order (Sec. 22 – 33 of the Act) – gives agencies the power to deal with the hard core of persistently anti social individuals who also engage in criminal activity. The court may make a criminal behaviour order against an offender, on conviction of **any** offence, if two conditions are met: (i) the person has also engaged in behaviour that caused or was likely to cause harassment, alarm or distress to one or more persons; and (ii) the court considers that making the order will help in preventing the offender from engaging in such behaviour.
- c) Dispersal Power (Sec.34 - 42 of the Act) – allows police officers to direct people to leave a public place and not return for a specified time (maximum 48 hours) if two conditions are met: (i) the police officer has reasonable grounds to suspect that, the presence or behaviour of the person in the locality has contributed to or is likely to contribute to members of the public in the locality being harassed, alarmed or distressed, (or the occurrence crime or disorder); and (ii) the police officer considers that giving a direction to leave is necessary, for the purpose of removing or reducing the likelihood of anti social behaviour, crime or disorder. The police officer may also require the surrender of any item being used to harass, alarm or distress members of the public.
- d) Community Protection Notice (CPN) (Sec. 43 – 58 of the Act) - prohibits persons aged 16 or over, businesses or organisations from committing anti social behaviour, which has a detrimental effect on the quality of life of those in the locality. The CPN can include requirements to ensure that problems are rectified and that steps are taken to prevent the anti social behaviour occurring again. In these cases the behaviour must be of a persistent or

continuing nature and be unreasonable. CPNs replaced measures such as litter clearance notices, defacement control notices and street litter control notices.

- e) Public Space Protection Order (PSPO) (Sec. 59 – 75 of the Act) – is used to stop individuals or groups from committing anti social behaviour in a public space, which has, or is likely to have a detrimental effect on the lives of those in the area. The restrictions and requirements of the order are set by the council and these can be blanket restrictions or requirements that are targeted against certain behaviours by certain groups at certain times. Orders can also restrict access to public spaces (including certain types of highway) where that route is being used to commit anti social behaviour. This tool replaces Designated Public Place Orders, Gating Orders, and Dog Control Orders and can be enforced by police officers, police community support officers and authorised council officers. **(See Appendix A)**
- f) Closure Power (Sec. 76 – 93 of the Act) – This power allows the police or council to close a premises quickly if it is being used, or is likely to be used, to commit nuisance or disorder. A Closure Notice is issued out of court in the first instance and following this the Closure Order can be applied for through the courts. The Notice can close premises for up to 48 hours out of court but cannot stop the owner or those who habitually live there from accessing the premises. The Order can close premises for up to six months and can restrict all access. Both the Notice and the Order can cover any land or any other place, whether enclosed or not, including residential, business, non-business and licensed premises. Breach of a Notice or an Order is a criminal offence with a sentence of up to three months in prison for breach of the Notice and up to six months for breach of an Order. Both can also attract an unlimited fine for residential and non-residential premises
- g) The Act also contains legislation, which is pertinent to the Council's Registered Providers of Social Housing, for the Recovery of Possession of Dwelling Houses, (Sec. 94 – 100) enables relevant landlords to expedite the eviction of anti social tenants in order to bring faster relief to those affected by their behaviour. This measure gives absolute ground for possession of secure and assured tenancies in specific cases of anti social behaviour or criminality, as long as certain conditions have been met and the landlord has also complied with its legal obligations
- h) The Community Remedy, (Sec. 100 – 103 of the Act) gives victims a say in the out of court punishment of perpetrators for low level crime and anti social behaviour. This tool is used by the Police, in consultation with their relevant partners and the Community Remedy document is produced and published by the Police and Crime Commissioner.
- i) The Community Trigger / ASB Case Review, (Sec. 104 – 105 of the Act) gives victims of ASB the ability to request action, starting with a review of their case, where a locally defined threshold is met. The West Mercia Police and Crime Commissioner has given permission locally for North

Worcestershire Community Safety Partnership to deal with all ASB Case Reviews /Community Triggers. The locally agreed threshold is that the Case Review/Trigger can be activated if a victim has made three or more reports relating to the same anti social behaviour problem in the past six months to the Council, Police or a Registered Housing Provider (Social Landlord) and they feel that no action has been taken. Or, at least three individuals and/or groups in the local community have made reports about the same problem in the past six months to the Council, Police or Registered Housing Provider (social landlord) and they feel that no action has been taken. The Case Review/Trigger can also be requested on behalf of someone else if their written consent is obtained.

- 3.5 **Appendix B** sets out more detailed information about each of the key provisions of the Anti Social Behaviour, Crime and Policing Act 2014, as updated in December 2017.

Proposed Amendments to Council's Scheme of Delegation

- 3.6 In order to enable all relevant Council officers to utilise the powers under the Act, the following amendments to the Council's current Scheme of Delegation are recommended:

- a) That the Head of Community Services, in consultation with the Principal Solicitor be given delegated authority to seek a Civil Injunction in accordance with Sec. 1 – 21 of the Anti Social Behaviour, Crime and Policing Act 2014.
- b) That the Head of Community Services, the Head of Environmental Services, the Head of Worcestershire Regulatory Services and the Head of Planning and Regeneration Services be given delegated authority to serve Community Protection Notices, (and Fixed Penalty Notices in the event of a breach) in accordance with Sec. 43 – 58 of the Anti Social Behaviour, Crime and Policing Act 2014.
- c) That the Head of Community Services, Head of Environmental Services and Head of Leisure and Cultural Services be given delegated authority to initiate and implement the consultation process required to make a Public Space Protection Order in accordance with Sec. 59 – 75 of the Anti Social Behaviour, Crime and Policing Act 2014.

As recommended in the amended statutory guidance, the decision to make a Public Space Protection Order will be put to Cabinet/Council.

- d) That the Head of Community Services, the Head of Environmental Services, the Head of Planning and Regeneration Services and the Head of Worcestershire Regulatory Services be granted delegated authority to issue a Closure Notice (up to 48 hour) and to apply for a Closure Order in

accordance with Sec. 76 – 93 of the Anti Social Behaviour, Crime and Policing Act 2014.

Customer / Equalities and Diversity Implications

- 3.7 The Act provides opportunities to improve how the Council deals with anti social behaviour, providing a variety of tools and powers that help the Council and its community safety partners to resolve issues in the community quickly and effectively. The Act also enables the Council to continue to work closely with its partners to achieve the best results for its residents and provides a mechanism by which agencies actions can be scrutinised by those directly affected by anti social behaviour.
- 3.8 Use of these ASB tools and powers will have a positive impact on residents and customers affected by anti social behaviour, including members of minority communities that may be targeted by harassment for a variety of reasons.

4. RISK MANAGEMENT

- 4.1 The Council has a statutory duty to exercise its functions with due regard to the effect of those functions on crime, disorder, ASB and reoffending. The Council must also do all it reasonably can to prevent crime, disorder, ASB and reoffending throughout the District. Failure to appropriately implement the powers and tools available to the Council to address these issues could result in the potential for legal challenge by those affected by crime and disorder. There is also the potential for reputational damage to the Council.

5. APPENDICES

Appendix A – NWCSP Briefing Paper on Public Space Protection Orders

Appendix B – Provisions of the Anti Social Behaviour, Crime and Policing Act 2014, as updated in December 2017

6. BACKGROUND PAPERS

Anti Social Behaviour, Crime & Policing Act 2014 – Updated Statutory Guidance from the Home Office (Dec 2017)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/679712/2017-12-13_ASB_Revised_Statutory_Guidance_V2.1_Final.pdf

CPS - Criminal Behaviour Orders Legal Guidance

<https://www.cps.gov.uk/legal-guidance/criminal-behaviour-orders>

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DRAFT



North Worcestershire
Community Safety Partnership

PSPO – Public Space Protection Order

Bev Houghton
Community Safety Manager
23rd January 2018



Purpose of a PSPO

- Designed to stop people committing anti-social behaviour in a public space.
- Behaviour having or likely to have a detrimental effect on quality of life
- Persistent or continuing in nature
- Unreasonable



Who can make a PSPO

- District Councils in consultation with Police, PCC and other relevant bodies
- Restrictions set by Council and enforced by a Police Officer, a PCSO or Council Enforcement Officer.
- Breach of a PSPO is a criminal offence, a fine of up to £100 can be issued and a fine up to level 3 (£1,000) can be imposed on prosecution.



What can be tackled

- PSPO legislation replaced DPPOs, Gating Orders and Dog Control Orders
- Any previous orders in place at October 2017 automatically transitioned into PSPOs

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The transitioned orders remain in force up to a maximum of 3 years from the point of transition (i.e. until October 2020)

- A single order can include multiple restrictions and requirements
- It can prohibit or restrict certain activities or place requirements on individuals carrying out certain activities (i.e. dogs must be kept on leads in a designated area)

Where can a PSPO be used



- On any public space within the Council's area of operation. The definition of public space is wide and can include any place which the public or section of the public have access

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The Council must consult with partners, stakeholders and community representatives, particularly any specific groups likely to have a particular interest such as resident's associations, regular users of a park or those involved in specific activities in the area e.g. buskers and other street entertainers.

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What to consider

- **Vulnerability** - Any use of these powers must be compliant with the Human Rights Act 1998 and the Equality Act 2010 (in particular the public sector equality duty pursuant to section 149) along with all other relevant legislation. Particular consideration should be given to the needs and circumstances of the most vulnerable when applying any powers to ensure that they are not disproportionately and unreasonably impacted upon. Local agencies must be satisfied that the behaviour meets the legal tests
- **Risk Assessment** - Agencies should assess the risk of harm to the victims, and their potential vulnerability, when they receive a complaint about anti-social behaviour. This should be the starting point of a case-management approach to dealing with anti-social behaviour complaints. The welfare, safety and well-being of victims must be the main consideration at every stage of the process



What to consider

- **Proportionality** – as PSPOs restrict what people can do or how they behave, the order must focus on specific behaviours and must be proportionate to the detrimental effect being caused; and must be necessary to prevent the behaviour continuing/recurring
- **Reasonableness** – The restrictions being introduced should be reasonable and designed only to prevent or reduce the detrimental effect of the behaviour taking place
- **Openness and accountability** – The council must publish the draft order in accordance with Secretary of State regulations and ensure that the draft is on the website as a minimum



What to consider

- **Controlling the presence of dogs** – When making requirements or restrictions on dogs and their owners, local councils should consider whether there are suitable alternative public areas where dogs can be exercised without restrictions. Councils should also consider if the proposed restrictions will displace dog walkers onto other sensitive land, such as farm land or nature conversation areas
- Consideration must also be given to how any dog walking restrictions would affect those who rely on assistance dogs, ensuring that any prohibition or requirement is compliant with the provisions of Equality Act 2010 or consider what exemptions should apply for assistance dogs



What to consider

- **Homelessness and rough sleeping** – PSPOs should not be used to target people solely on the fact they are homeless/sleeping rough. Orders should only be used to address the specific behaviour that is causing a detrimental effect on the community in the area's quality of life
- **Group hanging around/standing in groups/playing games** - Councils should not inadvertently restrict everyday sociability in public spaces. A PSPO should target specifically the problem behaviour that is having a detrimental effect on the community's quality of life, rather than everyday sociability, such as standing in groups which is not in itself a problem behaviour



What to consider

- **Young People** - Councils should think carefully about restricting activities that young people are most likely to engage in. Restrictions that are too broad or general in nature may force the young people into out-of-the-way spaces and put them at risk. In such circumstances, councils should consider whether there are alternative spaces that they can use.

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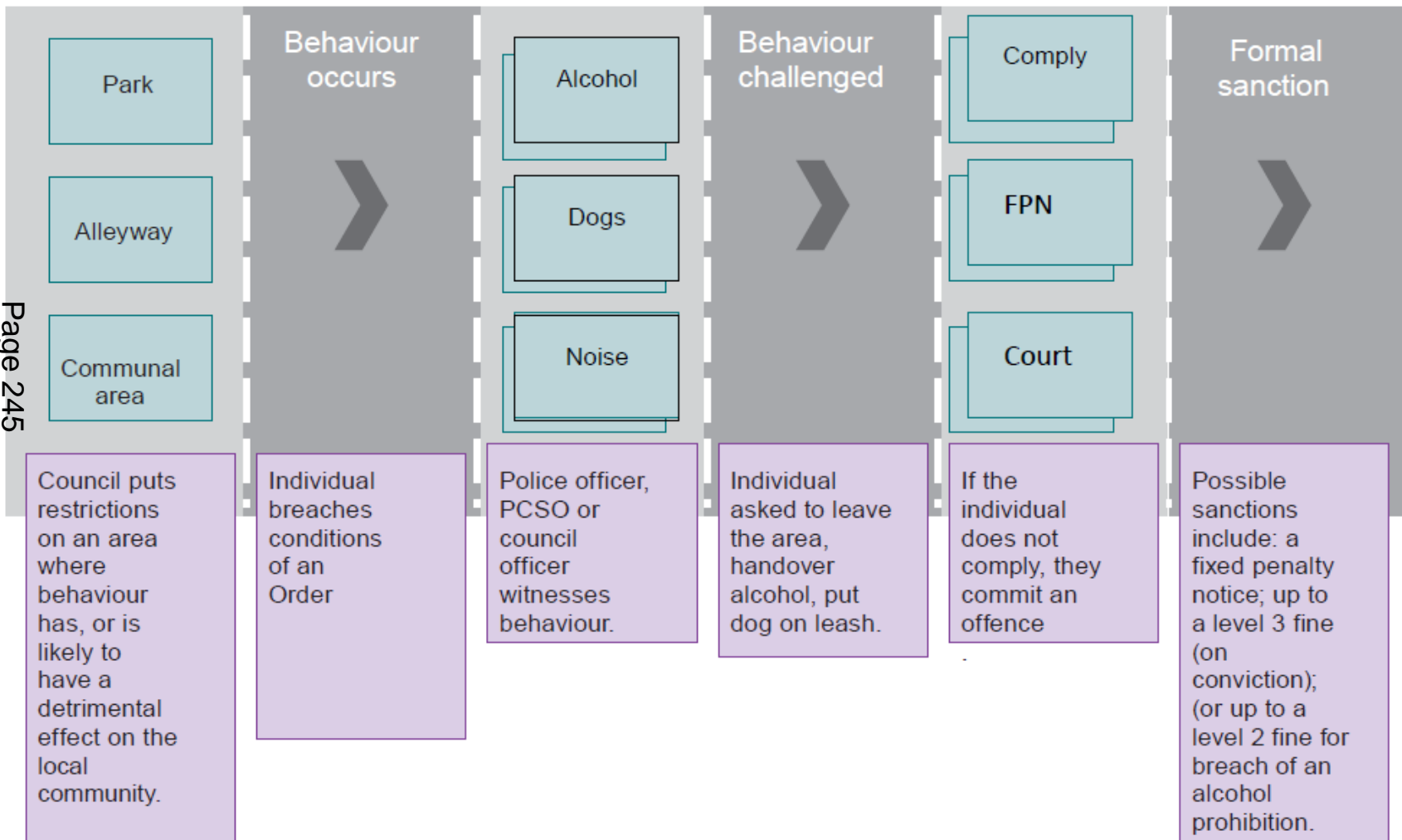
Early and informal interventions - Early intervention, especially through informal approaches, may often be all that is necessary to stop incidents of anti-social behaviour. Such interventions can establish clear standards of behaviour and reinforce the message that anti-social behaviour is not tolerated. It is recommended that the use of informal methods be considered first in most cases, and particularly when dealing with young people as a means of preventing poor behaviour from escalating

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Process



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Agenda Item 16b

Summary



Purpose	Designed to stop individuals or groups committing anti-social behaviour in a public space.
Who can make a PSPO	<ul style="list-style-type: none"> Councils issue a Public Spaces Protection Order (PSPO) after consultation with the police, Police and Crime Commissioner and other relevant bodies.
Test	<p>Behaviour being restricted has to:</p> <ul style="list-style-type: none"> be having, or be likely to have, a detrimental effect on the quality of life of those in the locality; be persistent or continuing nature; and be unreasonable.
Details	<ul style="list-style-type: none"> Restrictions and requirements set by the council. These can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times. Can restrict access to public spaces (including certain types of highway) where that route is being used to commit anti-social behaviour. Can be enforced by a police officer, police community support officers and council officers.
Penalty on breach	<ul style="list-style-type: none"> Breach is a criminal offence. Enforcement officers can issue a fixed penalty notice of up to £100 if appropriate. A fine of up to level 3 on prosecution.
Appeals	<ul style="list-style-type: none"> Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue. Further appeal is available each time the PSPO is varied by the council.
The legislation	Sections 59 to 75 of the Anti-social Behaviour, Crime and Policing Act 2014.
Protecting the vulnerable	<ul style="list-style-type: none"> Consideration should be given to how the use of this power might impact on the most vulnerable members of society. Consideration should also be given to any risks associated with displacement, including to where people may be dispersed to There is value in working in partnership to resolve ongoing problems and find long term solutions.



North Worcestershire
Community Safety Partnership

Questions

Bev Houghton

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Appendix B:

Provisions of Anti-Social Behaviour, Crime and Policing Act 2014, as updated in December 2017

Civil Injunction: This is a civil power that can be applied for by a range of agencies to deal with anti social individuals. Agencies that can apply for an injunction include; District Councils, Housing Providers, the Environment Agency and the Police. Applications must be made to County Court or High Court and to Youth Court for those under 18 years of age.

An injunction can prohibit the offender from doing certain things (prohibitions) but can also require them to undertake certain activities (positive requirements). These should aim to tackle the underlying causes of the anti-social behaviour and could include such requirements as attending an anger management course, participating in substance misuse awareness sessions, or attending a job readiness course.

Breach of an injunction is not a criminal offence but is dealt with by a civil contempt of court, which is punishable by up to two years in prison and/or an unlimited fine. For those aged under 18, breach proceedings are dealt with in youth court and could result in a supervision order, curfew or an activity requirement. Only in the most serious of cases, would the court consider imposing a detention order on a young person for breaching the terms of an injunction. This would be limited to those between 14 and 17 years of age and limited to a maximum of 3 months detention.

The 2017 amendments to the Home Office guidance add information to emphasise the potential use of injunctions to tackle gang related activity, either directly on gang members or on those being exploited by gangs, in order to disrupt their activities. Specific reference is now made to tackling issues such as 'county lines' where urban gangs exploit children and vulnerable people to move drugs and money to suburban areas, market and coastal towns.

Criminal Behaviour Order (CBO): The CBO is available on conviction for any criminal offence in any criminal court and can be used to curb the anti-social behaviour of an offender, even if the behaviour is not linked to the original conviction.

For instance, updated guidance highlights that a CBO can be used to address the anti-social behaviour of gang members to prevent them from associating with certain individuals or to require them to attend a job readiness course to help them to get employment. It is similar to the Civil Injunction in that it can include prohibitions and positive requirements. However, unlike the Injunction, it is a criminal offence to fail to comply with an order without reasonable excuse. Breaches of CBO by those aged under 18 are dealt with in the youth court. In all other cases, the offence will be considered by Magistrates or Crown Court.

Updated guidance draws attention to a guide published by the Crown Prosecution Service to assist the police and local councils in preparing CBO applications, setting out the general principles to consider.

Dispersal Power: This power can be used by the police to disperse anti-social individuals from a specific locality for up to 48 hours, to provide immediate short-term respite to the local community. The power is authorised by a Police Inspector or above and as well as dispersing of individuals from a location, police officers can also confiscate any item that they believe has been used, or is likely to be used, in anti-social behaviour. Failure to comply with the direction is an offence, which can result in imprisonment or a fine. Although there is no requirement to consult the council before authorising use of the dispersal power, the authorising officer in the police may consider doing so in some circumstances.

Community Protection Notice (CPN): The CPN is intended to deal with particular, on-going problems, or nuisances that negatively affect a community's quality of life by targeting those responsible. CPNs can be used to tackle a wide range of problem behaviours including graffiti, rubbish and noise. It can be issued against any person over the age of 16 or a body, including a business. A person found guilty of failing to comply with a CPN without reasonable excuse is liable to a fine of up to £2,500 (£20,000 in the case of a body).

In addition to designated council officers, CPNs can also be issued by police officers and police community support officers. The Home Office notes that councils already take the lead in dealing with many of the issues that can be targeted by a CPN and the updated statutory guidance recommends that other issuing bodies should involve local councils when deciding whether or not to proceed.

The guidance now also emphasises that the issuing body should be satisfied that there is sufficient evidence that the activity in question is having a detrimental effect on others' quality of life, is persistent or continuing and is unreasonable. It is also noted that there is some cross over with the Council's responsibilities to deal with statutory nuisance and the updated guidance details how these powers can and should work together to achieve the best results for the affected residents. There is also a need to have due regard to the Equality Act 2010.

Public Spaces Protection Order (PSPO): A PSPO is intended to deal with a particular nuisance or problem in a particular area, which is detrimental to the local community's quality of life by imposing conditions on the use of the area that apply to everyone. They are intended to help ensure that the law abiding majority can use and enjoy public spaces, safe from anti social behaviour. District Councils are responsible for making a PSPO, but police officers and police community support officers can also play a role in enforcing the orders. Orders are issued by councils after consultation with the police, PCC and other relevant bodies.

Council officers, if granted powers by their Chief Executive, can also enforce the restrictions and requirements. It is an offence to fail to comply with an order without reasonable excuse and can result in a fine of up to £1,000. Following a number of legal challenges to PSPOs nationally, a large proportion of the updates to the statutory guidance relate to clarifying the consultation and implementation of these orders. The guidance gives additional information about the need for proportionality, comprehensive consultation, accountability and the need to consider the impact on vulnerable and at risk groups when considering implementation. (Appendix A)

The Act provides the ability for authorised local authority officers, police and police community support officers to issue a fixed penalty notice for failure to comply with both a CPN and a PSPO as an alternative to prosecution. The amount of the fixed penalty notice can be set by the local authority but cannot exceed £100

Closure Power: The closure power can be used by local authorities and the police to close premises that are causing nuisance or disorder. The power comes in two stages. The closure notice can be used out of court to provide short term relief up to a maximum of 48 hours. The notice can then be extended upon application for a closure order to the magistrates' court for a period of up to three months. At any time before the expiry of the closure order, an application may be made to the court for an extension (or further extension) of the order up to a total of six months.

Recovery of Possession of Dwelling-Houses: The purpose of the new absolute ground for possession is to speed up the possession process in cases where anti-social behaviour or criminality has already been proven in another court. Landlords will no longer have to prove that it is reasonable to grant possession but, instead, courts must grant possession if the landlord followed the correct procedure and at least one of the specified conditions is met.

The updated guidance provides more detail about the notice required to the tenant and also provides more technical detail on requirements to seek possession on discretionary grounds and also further technical information referring to secure or assured tenancies.

Community Remedies: The Act requires The West Mercia Police and Crime Commissioner to prepare a community remedy document for his area with a list of actions to be carried out by a person who has a) engaged in anti-social behaviour or has committed an offence and b) is to be dealt with for that behaviour or offence without court proceedings.

An action is considered appropriate to be carried out by a person only if it has one or more of the following objects:

- assisting in the person's rehabilitation;
- ensuring that the person makes reparation for the behaviour or offence in question;
- punishing the person

The Act sets out rules for out-of-court disposals for anti-social behaviour and conditional cautions. This includes a duty to consult victims before deciding what conditions to attach to a conditional caution.

ASB Case Review / Community Trigger: The Case Review/Community Trigger allows victims who feel that they have not received an adequate response to their ASB complaint to call for a review of their case.

At the request of the West Mercia PCC North Worcestershire Community Safety Partnership leads on the implementation of ASB Case Reviews on behalf of the Council and the other responsible authorities. An agreed countywide process is in place to ensure a consistent approach and to avoid confusion for victims.

Wherever possible, the CSP also tries to mirror arrangements across West Mercia and Warwickshire. To activate the Review/Trigger victims need to meet the agreed threshold of three or more reports relating to the same anti social behaviour problem in the past six months to the Council, Police or a Registered Housing Provider (Social Landlord) where they believe no action has been taken. Or at least three individuals and/or groups in the local community have made reports about the same problem in the past six months to the Council, Police or Registered Housing Provider (Social Landlord) and they believe that no action has been taken. The Community Trigger can also be activated by a third party with the victim's consent

Within 5 working days of receipt of the application a member of the respective District/Borough Council's community safety team will confirm whether the threshold has been met. Within 10 working days of this confirmation, a case review will be conducted by a review Panel made up of the responsible organisations and any other partners involved, to discuss the anti-social behaviour and what further actions can be considered and taken. Recommendations will be made as necessary to progress the case in consultation with the victim.

A final written response is sent to the applicant(s) by the Community Safety Partnership, explaining the findings of the Review Panel and detailing any suggestions and actions that will be taken to resolve the anti-social behaviour case.

Updated Home Office guidance on implementing the review process focuses on the vulnerability of victims and suggests that a risk assessment process is employed as part of the decision on whether the threshold has been met and also makes recommendations on information sharing and publicising of the process.

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5th September 2018

Finance Monitoring Outturn 2018/19

Relevant Portfolio Holder	Councillor Brian Cooper, Portfolio Holder for Finance and Enabling Services
Relevant Head of Service	Jayne Pickering, Executive Director Finance and Corporate Resources
Non-Key Decision	

1. Purpose and Summary

To report to Cabinet on the Council's financial position for Revenue and Capital for the financial year April 2018 – June 2018.

2. Recommendations

That Cabinet recommend to Council:

2.4 Approval of an increase in the 2018-19 Capital Programme of £21k for S106 funding to be used for outdoor fitness equipment and artwork at sanders park. This is to join the existing budget already approved in 2017/18 and carried forward into 2018/19.

2.5 Approval for the virement of separate revenue budgets to be amalgamated on one budget line due to the renegotiation of the Housing contract with BDHT of £101k.

2.6 Approval for the virement of the Citizens Advice bureau (CAB) budget to be consolidated into one budget area of £41k.

3. Revenue budgets

3.1 This report provides details of the financial performance of the Council. The purpose of this report is to ensure officers and members have relevant information to consider the overall financial position of the Council. The report reflects the finances across all of the Strategic Purposes to enable Members to be aware of the level of funding attributed to each area and how this compares to budget. The summary at 3.4 shows the financial position for revenue funding for the year April – June 2018.

3.2 Financial reports are sent to budget holders on a monthly basis. As part of this process a detailed review is undertaken with support from the finance team to ensure that all issues are considered and significant savings or cost pressures are addressed. This report aims to focus on the key variances from budgets to ensure that these are addressed appropriately during the year.

3.4 The £10.988m original budget as included in the table below is made up of the budget approved in February 2018 of £10.583m which is then adjusted to reflect the transfers from reserves of £327k along with the community group funding £79k.

In addition the Latest Budget 2018/19 of £11.195m includes transfers to/from reserves of £207k which is shown in appendix 1.

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**Revenue Budget summary
Financial Year 2017/18 – Overall Council**

Please note figures have been rounded

Strategic Purpose	Original Budget 2018/19 £'000	Revised budget 2018/19 £'000	Budget to date 2018/19 £'000	Actuals 2018/19 £'000	Variance 2018/19 £'000
Keep my place safe and looking good	4,406	4,515	460	329	-131
Help me run a successful business	-559	-559	-140	-125	15
Help me be financially independent	154	115	42	54	12
Help me to live my life independently	-8	-8	-184	-196	-11
Help me find somewhere to live in my locality	725	845	232	217	-15
Provide Good things for me to see, do and visit	660	679	160	154	-6
Enable others to work/do what they need to do (to meet their purpose)	5,609	5,609	1,306	1,327	21
Total	10,988	11,195	1,876	1,760	-116
Corporate Financing	-10,988	-11,195	-516	-596	-81
Grand Total	0	0	1,360	1,164	-197

Financial Commentary:

There are a number of variances across the strategic purposes. The summary above shows the overall position for the Council and the main variations are as a result of:

Keep my place safe and looking good

These budgets include those relating mainly to environmental services, planning, lifeline, CCTV and other activities to deliver against the purpose to ensuring an area is both safe and attractive for the community.

Having reviewed the variance position, the below explains the variances:

- Shortfall in planning application income of **£29k**. There have been a low number of applications approved in the first quarter of 2018/19.

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- There are savings within strategic planning due to salary vacancies **£43k**.
- Core Waste have received additional income **£86k** due to new trade recycling service. The income budget will be reviewed for 2019/20 once service is established and resources implications have been fully reviewed.
- In addition there are a number of other savings totalling **£31k**.

Help me run a successful business

The budgets within the strategic purpose include economic development, car parking, all licenses and costs associated with the town and other centres within the District.

- There are no individual variances in the quarter 1 to report.

Help me be financially independent

The strategic purpose includes all costs relating to the support of benefits and the administration and delivery of Council Tax services in the District.

- There are no individual variances in the quarter 1 to report.

Help me to live my life independently

There are a number of budgets relating to the delivery of the strategic purpose including; Lifeline, Community Transport and Disabled facilities grants.

- There are no individual variances in the quarter 1 to report.

Help me find somewhere to live in my locality

The costs associated with homeless prevention, housing strategy and land charges are all included in the strategic purpose.

- Additional land charge income received for the first quarter it is assumed this will be on profile at the end of the financial year.

Provide Good things for me to see, do and visit

The majority of budgets within this purpose relate to Leisure and Culture services.

- There are no individual variances in the quarter 1 to report.

Enable others to work/do what they need to do (to meet their purpose)

All support services and corporate overheads are held within the enabling purpose. These include; IT, HR, Finance, Management team and other support costs.

- There is an underspend of **£38k** within Legal services due to staff vacancies.
- There are a number of unallocated savings of **£255k** within the corporate / enabling service **£122k**

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at quarter 1. It is anticipated that these will be offset by service savings during the year as detailed with savings monitoring at point 4 below.

Corporate Financing

- The variance shown **£81k** is due to receiving a discount for making an advance payment on pensions.

4. Savings Monitoring

4.1 The medium term financial plan included £580k of savings identified to be delivered during 2018/19. The breakdown of these savings is attached at appendix 2. To quarter 1 £145k has been realised against the budgeted April to June savings of £145k. In addition there are £454k of unidentified savings for 2018/19 which sit within the corporate / enabling service as highlighted in the table above. To date £1k has been identified against these unidentified savings.

5. Cash Management

5.1 The financial position in relation to borrowing at the start of the financial year and year to date positions is shown in the table below:

Date	£m	Position
As at 31 st March 2018 (Actual)	13.0	Borrowing
As at 30 th June 2018	13.0	Borrowing

Borrowing

Outstanding as at the 30th June 2018 are £13m in short term borrowing with associated borrowing costs within the quarter of £13k.

An interest payable budget has been set of £71k for 2018/19 due to expenditure relating to current capital projects.

Investments

At 30th June 2018 there were £2.5m investments held.

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6. Capital Budgets

**Capital Budget summary
Financial Year 2018/19 – Overall Council**

Please note figures have been rounded

Strategic Purpose	Original Budget 2018/19 £'000	Revised budget 2018/19 £'000	Budget to date 2018/19 £'000	Actuals 2018/19 £'000	Variance 2018/19 £'000
Keep my place safe and looking good	1,660	1,660	425	107	-318
Help me to live my life independently	1,006	1,006	224	222	-2
Provide good things for me to see, do and visit	100	100	25	0	-25
Enable others to work/do what they need to do (to meet their purpose)	10	10	4	4	0
Totals	2,776	2,776	678	333	-345

Finance commentary:

Keep my place safe and looking good

The variance for quarter 1 mainly relates to the fleet replacement budget. Discussions are now being made to agree specifications with a plan to place orders for the autumn.

Help me to live my life independently

There are no significant individual variances in the quarter 1 to report.

Provide Good things for me to see, do and visit

The project within this strategic purpose, providing £100k towards refurbishment of the Hagley Scouts headquarters, is in the process of being completed and is expected to be within the second quarter of 2018/19.

Enable others to work/do what they need to do (to meet their purpose)

There are no significant individual variances in the quarter 1 to report.

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7. Earmarked Reserves

7.1 The position as at 30th June 2018/19 is shown in Appendix 1.

8. General Fund Balances

9.1 The General Fund Balance as at the 31th March 2018 is £4.789m. A balanced budget was approved in February 2018 to include identified savings which have been built into individual budget allocations. This also included a planned use of balances for 2018/19 of £9k.

9. Legal Implications

10.1 No Legal implications have been identified.

10. Service/Operational Implications

11.1 Managers meet with finance officers on a monthly basis to consider the current financial position and to ensure actions are in place to mitigate any overspends.

11. Risk Management

12.1 The report includes the risks associated with the delivery of the savings within the efficiency plan.

APPENDICES

Appendix 1 - Earmarked Reserves 2018/19
Appendix 2 - Savings Monitoring 2018/19
Appendix 3 – Strategic Purposes detail 2018/19

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FINANCIAL RESERVES STATEMENT 2018/19

Appendix 1

Please note these figures have been rounded

Description	Balance b/fwd 1/4/2018	Transfers in existing reserve 2018/19	Transfers out existing reserve 2018/19	New Reserve 2018/19	C/fwd 31/3/2019	Comment
	£'000	£'000	£'000	£'000	£'000	
Building Control	-7	0	0	0	-7	To Fund the mobile working project
Building Control Partnership	-57	0	0	0	-57	Partnership income has to be reinvested in the service behalf of the shared service
Business Transformation	-11	0	0	0	-11	Towards organisational development following the staff survey
Commercialism	-41	0	0	0	-41	To help fund costs in relation to commercialism projects
Community Safety	-30	0	0	0	-30	Grant funding received to fund associated community projects
Community Services	-40	0	0	0	-40	To help towards a district network feasibility study
Economic Regeneration	-501	0	0	0	-501	To fund the Economic Development opportunities across the District
Election Services	-98	0	0	0	-98	To support the delivery of individual electoral registration and to set aside a reserve for potential refunds to government
Environmental Services	-13	0	0	0	-13	To help towards the unauthorised trespass prevention scheme, Tree works, and single use plastic project within the district
Financial Services	-813	-21	0	-19	-852	The reserve includes the small business rate relief grant that will offset the costs in future years. In addition a number of reserves / grants have been set aside to support residents through the changes to welfare reform
Housing Schemes	-450	0	119	0	-330	To support the feasibility and implementation of housing schemes across the district
ICT/Systems	-122	0	0	0	-122	To provide for replacement ICT systems
Leisure/Community Safety	-277	0	127	0	-150	Grant received and reserves set aside to support a number of leisure and well being schemes across the District
Litigation Reserve	-5	0	0	0	-5	To provide funding for any potential legal challenges
Local Development Framework	-142	0	0	0	-142	To fund the costs associated with the Core Strategy
Local Neighbourhood Partnerships	-16	0	0	0	-16	Grant received in relation to liveability schemes
Other	-90	0	0	0	-90	To support apprentices, set up costs and other general reserves
Regulatory Services (Partner Share)	-42	0	0	0	-42	BDC Share of WRS grant related reserves
Replacement Reserve	-339	0	0	0	-339	To fund replacement vehicles and plant
Shared Services Agenda incl Joint CE	-311	0	0	0	-311	To fund potential redundancy and other shared costs
Grand Total	-3,405	-21	246	-19	-3,198	

Agenda Item 16c

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BROMSGROVE - SAVINGS & ADDITIONAL INCOME FROM 18-19 BUDGET ROUND

Department	Description of saving	2018-19 £'000	Comments	Quarter 1			
				On target Y/N	Additional (add to to in yr savings) £'000	below target Y/N	Pressure £'000
Business Transformation	Annual Revenue Budget Saving	-123	Saving from efficiencies and contract reviews	Y			
Community Services	acommodation charges	-12	Already included in support recharges	Y			
Community Services	telephone charges	-6	Savings from new contract	Y			
Community Services	staff savings from reduced mileage and reduced hours	-3	Savings from staff member reducing working hours	Y			
Community Services	removal of budget historical DFG monies	-7	Review of budget efficiencies	Y			
Community Services	acommodation charges	-12	Already included in support recharges	Y			
Community Services	various	-28	Review of budget efficiencies	Y			
Corporate Resources	Reduction in External Audit Costs	-16	Reduced as per new contract arrangements	Y			
Corporate Resources	Appeals in Asset of Community	-20	Savings to be offered, subject to any future appeals to be drawn down from balances	Y			
Customer Access & Financial Support	Reduction in Hrs	-5	Savings from staff member reducing working hours	Y			
Environmental Services	Utilities	-36	More efficient lighting and boiler	Y			
Environmental Services	Maintenance	-9	Saving on Depot Maintenance	Y			
Environmental Services	Additional Garden Waste income	-54	Price increase to £45 in 18/19	Y			
Environmental Services	Fuel and Veh R&M	-117	Fuel and R&M due more efficient working lower fuel costs.	Y			
Environmental Services	Domestic Bin Replacements	-53	Revenue saving achieved by moving replacement of bins to capital.	Y			
Environmental Services	Trade Bin Replacements	-10	Revenue saving achieved by moving replacement of bins to capital.	Y			
Environmental Services	Garden Waste Bin Replacements	-3	Revenue saving achieved by moving replacement of bins to capital.	Y			
Leisure & Cultural Services	Efficiency Saving	-5	Review of budget efficiencies	Y			
Leisure & Cultural Services	Savings on accomodation costs	-8	Review of budget efficiencies	Y			
Leisure & Cultural Services	NNDR on George House	-18	Savings following demolition of building	Y			
Leisure & Cultural Services	R & M for Parkside Building	-25	This saving relates to the repairs and maintenance of the building that are less than initially. This will be used to offset the income pressure against Parkside Hall which has been difficult to achieve but additional marketing will aim to mitigate the shortfall	Y			
Planning & Regeneration	Additional cross boundary partnership working	-2	Additional income generated following marketing of service.	Y			
Planning & Regeneration	Reduction in car mileage costs	-8	Review of budget efficiencies	Y			
		-580			0		0

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Please note figures have been rounded.

Keep my place safe and looking good.

	3	4	5	6		
Department	2018-19 Annual budget £'000	2018-19 Budget to date £'000	2018-19 Actuals to date £'000	2018-19 Variance to date £'000	percentage variance	Financial Commentary
Bereavement Services	22	5	11	5	98%	Slight shortfall in income due to the low number of burials in the first quarter. It is expected that this will be achieved by the end of the year.
Building Control	-70	-18	-19	-2	0%	
Community Safety	427	238	233	-5	0%	
Core Environmental Operations	145	36	37	0	0%	
Core Waste	944	-560	-646	-86	15%	Core Waste have received additional income £86k due to new trade recycling service. The income budget will be reviewed for 2019/20 once service is established and resources implications have been fully reviewed
Depot	223	56	43	-12	-22%	
Development Control	114	29	58	29	102%	Underachieved income - there have been a low number of applications approved in the first quarter of 2018/19.
Engineering	291	73	58	-15	-20%	
Env Services Mgmt & Support	369	92	88	-4	0%	
Environmental Health / Protection / Enforcement	-2	-5	-6	-2	0%	
Pest & Dog control	-3	-1	-0	1	0%	
Place Teams	821	205	223	17	8%	
Public Conveniences	99	25	23	-2	0%	
Regulatory Services client	384	96	94	-2	0%	
Strategic Planning	486	122	78	-43	-36%	Salary savings from Maternity Leave and Professional fees underspend - Budget increased by £50k for Mott Macdonald spend - order not raised yet
Town Centre Development	76	19	15	-4	0%	
Transport	-17	-4	-3	1	0%	
Trees & Woodland Management	204	51	42	-9	-19%	
Totals:	4,515	460	329	-131		

Help me run a successful business

	2018-19 Annual budget £'000	2018-19 Budget to date £'000	2018-19 Actuals to date £'000	2018-19 Variance to date £'000	percentage variance	
Department						Financial Commentary
Business Development - Business	-33	-8	-6	3	0%	
Car Parks / Civil Enforcement	-545	-136	-125	11	-8%	
Economic & Tourism Development	200	50	50	-0	0%	
Licenses (all)	-182	-45	-44	2	0%	
Totals:	-559	-140	-125	15		

Help me to be financially independent (including education & skills)

	2018-19 Annual budget £'000	2018-19 Budget to date £'000	2018-19 Actuals to date £'000	2018-19 Variance to date £'000	percentage variance	
Department						Financial Commentary
Benefits Subsidy	-420	-100	-99	1	0%	
Revenues & Benefits	536	141	152	11	8%	
Totals:	115	42	54	12		

Help me to live my life independently (including health & activity)

	2018-19 Annual budget £'000	2018-19 Budget to date £'000	2018-19 Actuals to date £'000	2018-19 Variance to date £'000	percentage variance	
Department						Financial Commentary
Community Safety - Lifeline	-42	-193	-204	-12	6%	
Community Transport	34	9	9	0	0%	
Totals:	-8	-184	-196	-11		

Help me to find somewhere to live in my locality

	2018-19 Annual budget £'000	2018-19 Budget to date £'000	2018-19 Actuals to date £'000	2018-19 Variance to date £'000	percentage variance	
Department						Financial Commentary
Housing Strategy & Enabling	868	237	233	-4	0%	
Land Charges	-23	-6	-17	-11	186%	Additional land charge income received for the first quarter it is assumed this will be on profile at the end of the financial year.
Totals:	845	232	217	-15		

Provide good things for me to do, see and visit

	2018-19 Annual budget £'000	2018-19 Budget to date £'000	2018-19 Actuals to date £'000	2018-19 Variance to date £'000	percentage variance	
Department						Financial Commentary
Business Development - Cultural	8	8	7	-1	0%	
Cultural Services	141	6	6	0	0%	
Grants & Donations	88	22	21	-1	0%	
Parks & Green Space	212	53	52	-1	0%	
Sports Services	230	71	67	-4	0%	
Totals:	679	160	154	-6		

Enable others to work/do what they need to do (to meet purpose)

Department	2018-19 Annual budget £'000	2018-19 Budget to date £'000	2018-19 Actuals to date £'000	2018-19 Variance to date £'000	percentage variance	Financial Commentary
Accounts & Financial Management	449	105	89	-16	-15%	
Business Development	493	86	82	-5	0%	
Central Overheads	1,140	285	285	-0	0%	
Central Post Opening	70	18	19	1	0%	
CMT	313	78	75	-3	0%	
Communications	68	18	16	-1	0%	
Corporate	-225	-68	55	122	-181%	
Customer service centre	304	76	80	3	0%	
Democratic Services & Member Support	351	92	88	-5	0%	
Election & Electoral Services	188	18	13	-5	0%	
Emergency Planning / Business Continuity	14	3	2	-1	0%	
Equalities	27	7	9	3	0%	
Financial Support	79	17	17	0	0%	
Human Resources	365	91	89	-2	0%	
ICT	956	239	221	-18	-7%	
Leisure & Cultural Mgt	53	13	13	-1	0%	
LSP/P'ships	55	14	17	4	0%	
P A & Directorate Support	120	30	30	0	0%	
Policy	61	15	-2	-17	-111%	Budget allocation under review as not spent.
Printing & Reprographics	94	23	25	1	0%	
Professional Legal Advice & Services	329	72	34	-38	-52%	there is an under spend in legal services in the first quarter as a result of staff vacancies.
SMT	221	55	55	-0	0%	
Transformation	68	17	15	-2	0%	
Valuation Services	15	0	0	-0	0%	
Totals:	5,609	1,306	1,327	21		

11,195	1,876	1,760	-116
11,195	1,876	1,760	-116
0	-0	-0	0

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