



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY 1ST APRIL 2009 AT 6.00 P.M.

THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

MEMBERS: Councillors R. Hollingworth (Leader), Mrs. J. M. L. A. Griffiths (Deputy Leader), Dr. D. W. P. Booth JP, G. N. Denaro, Mrs. J. Dyer M.B.E., Mrs. M. A. Sherrey JP, R. D. Smith, M. J. A. Webb and P. J. Whittaker

AGENDA

1. To receive apologies for absence
2. Declarations of Interest
3. To confirm the accuracy of the minutes of the meeting of the Cabinet held on 4th March 2009 (Pages 1 - 10)
4. Minutes of the meetings of the Overview Board held on 3rd March 2009 and 12th March 2009 (Pages 11 - 20)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes
5. Minutes of the meeting of the Audit Board held on 16th March 2009 (Pages 21 - 24)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes
6. Minutes of the meeting of the Local Development Framework Working Group held on 16th March 2009 (Pages 25 - 28)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes

7. Minutes of the meeting of the Performance Management Board held on 17th March 2009 (Pages 29 - 34)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes
8. Minutes of the meeting of the Equality and Diversity Forum held on 12th February 2009 (Pages 35 - 62)
9. Bromsgrove Museum (Pages 63 - 76)
10. Homelessness Grants Outturn Expenditure 2008/09 and Bids for 2009/10 and 2010/11 (Pages 77 - 90)
11. Capital Programme Increase - Sanders Park Twin Multi Use Games Areas (Pages 91 - 96)
12. Capital Programme Increase - Play Area Enhancements, Swanslength, Alvechurch (Pages 97 - 102)
13. West Midlands Biodiversity Pledge and Revised Biodiversity Action Plan (Pages 103 - 118)
14. Improvement Plan Exception Report (January 2009) (Pages 119 - 130)
15. 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
16. 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 items of business on the grounds that they involve 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>
17	5
18	3"

17. Bromsgrove Rovers Football Club Lease (Pages 131 - 138)

18. Minutes of the meeting of the Shared Services Board held on 3rd March 2009
(Pages 139 - 140)

K DICKS
Chief Executive

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

23rd March 2009

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY, 4TH MARCH 2009, AT 6.00 P.M.

PRESENT: Councillors R. Hollingworth (Leader), Mrs. J. M. L. A. Griffiths (Deputy Leader), Dr. D. W. P. Booth JP, G. N. Denaro, Mrs. M. A. Sherrey JP, R. D. Smith and M. J. A. Webb

Invitee: Councillor C. B. Taylor

Observers: Councillor P. M. McDonald and Councillor D. L. Pardoe

Officers: Mr. T. Beirne (during Minute No's 158/08 to 168/08), Mr. P. Street, Mr. H. Bennett, Mr. M. Bell, Mrs. C. Felton, Mr. J. Godwin, Mr. D. Hammond, Ms. J. Pickering, Ms. J. Pitman, Ms. D. Poole and Ms. P. Ross

158/08 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs. J. Dyer M.B.E and P. J. Whittaker.

159/08 DECLARATIONS OF INTEREST

Councillor Mrs. J. M. L. A. Griffiths declared a personal interest during the discussion on Agenda Item 9 (Labour Group Report on Anti-Social Behaviour and Alcohol Free Zones) as a member of the Bromsgrove Arts Centre Operating Trust.

160/08 MINUTES

The minutes of the meeting of the Cabinet held on 4th February 2009 were submitted.

RESOLVED that the minutes be approved as a correct record.

161/08 SCRUTINY BOARD

The minutes of the Scrutiny Board held on 27th January 2009 were submitted. During consideration of Minute No. 14/08 it was noted that a review on the charge and cost of the green waste service had been included in the Forward Plan and that the Portfolio Holder would present the review report to the Cabinet in October 2009. During consideration of Minute No. 15/08 on the use of a text messaging service, it was noted that officers had made enquiries and had found that the Environment Agency already offered a flood alert service free of charge.

RESOLVED:

- (a) that the minutes of the meeting be noted;
- (b) that the recommendations contained within the Joint Countywide Scrutiny Report on Flooding be approved; and in addition:
 - (i) that approval be given to the recommendation that when updating any appropriate publication relating to advice on flooding (e.g. 'flooding matters' leaflet or website), the public be informed of the various ways to receive updates on flooding should utility supplies need to be switched off and be made aware of the Environment Agency flood alert service offered free of charge;
 - (ii) that, although the importance of involving the Parish Councils was understood, having considered the requirement for a single point of contact for non-parished areas, it be agreed that Ward Members act as the single point of contact for those areas. Furthermore, the Head of Legal, Equalities and Democratic Services be tasked to ensure that Emergency Planning Packs be issued with the induction information provided as part of the Modern Councillor Programme;
 - (iii) that approval be given to the recommendation that the Modern Councillor Programme Steering Group be requested to discuss including emergency planning briefings within the Modern Councillor Programme to ensure all Members had a full understanding of the emergency planning process;
 - (iv) that, with regard to the recommendation relating to an inventory of local equipment held by local farmers which could be used in alleviating flooding and drainage problems, approval be given to the recommendation of the Scrutiny Board that this be widened to include local plant hire stores;
 - (v) that approval be given to the recommendation that officers who form the current watercourses officer group be tasked to revise its terms of reference and composition in order to address the implications for the District of any Cabinet approved recommendations contained within the Joint Countywide Scrutiny Flooding Report; and
 - (vi) that the Scrutiny Board be requested to undertake a scrutiny exercise into the problems, issues, actions taken and any issues still unresolved within Wards affected by flooding.

162/08 **OVERVIEW BOARD**

The minutes of the Overview Board held on 3rd February 2009 were submitted. The recommendations contained in Minute No.s 22/08 (Anti-Social Behaviour and Alcohol Free Zones Report) and 23/08 (CCTV Code of Practice and CCTV Funding) were considered later in the meeting as part of separate reports on these items. It was noted that a response had been received from West Mercia Constabulary regarding the Council's request for possible funding for CCTV equipment; they had informed the Council that no funding was available.

RESOLVED:

- (a) that the minutes of the meeting be noted;
- (b) that the recommendation contained in Minute No. 24/08 relating to the Draft Joint Municipal Waste Management Strategy be noted;
- (c) that recommendations contained within the Joint Countywide Scrutiny Report on Flooding be approved; and
- (d) that approval be given to the recommendation that officers who form the current watercourses officer group be tasked to revise its terms of reference and composition in order to address the implications for the District of any Cabinet approved recommendations contained within the Joint Countywide Scrutiny Flooding Report.

163/08 **PERFORMANCE MANAGEMENT BOARD**

The minutes of the Performance Management Board held on 17th February 2009 were submitted. Members were asked to note that the figure shown in recommendation (a) to Minute No. 94/08 should read £150,000.

RESOLVED:

- (a) that the minutes of the meeting be noted;
- (b) that the recommendation contained at Minute No. 94/08(a) - (Integrated Finance and Performance Report (Quarter 3)) be considered later in the meeting, with the exact figure to be formally requested as part of the final outturn report;
- (c) that approval be given to the recommendation that officers be requested to investigate the possibility of hiring out the Burcot Room in order to generate additional income; and
- (d) that approval be given to the recommendation that further procedures be introduced for the 2008/2009 closedown, in particular the use of spot checks on high risk indicators, prior to external audit and during the year.

164/08 **EQUALITY AND DIVERSITY FORUM**

The minutes of the Equality and Diversity Forum held on 18th December were submitted.

RESOLVED that the minutes be noted.

165/08 **TASK GROUP REPORT ON ANTI-SOCIAL BEHAVIOUR AND ALCOHOL FREE ZONES**

The Cabinet considered a report on the findings and recommendations from the investigation undertaken by the Anti-Social Behaviour and Alcohol Free Zones Task Group. The Portfolio Holder briefly introduced the report, stating disappointment with some of the content of the report and in particular the general misconception of Alcohol Free Zones.

The Leader welcomed the Chairman of the Task Group, Councillor C. B. Taylor to the meeting. Councillor Taylor referred to the approach the Task Group had taken and thanked those Members and officers who had supported the Task Group.

During the discussion, with regard to Recommendation 4 (CCTV), the Executive Director – Partnerships and Projects informed the Cabinet that he had received a response from West Mercia Constabulary and unfortunately no funding would be available for additional lighting / CCTV cameras.

The Leader also expressed his thanks to all Members and officers who had contributed to the Overview and Scrutiny process. In addition, the Leader urged Members to make every effort to attend Task Group meetings that they volunteered for as their contribution and input was crucial for their success. He also requested that Task Groups were supported by the appropriate officers.

RESOLVED:

- (a) that approval be given to Recommendation 1, that the District Council work with its partner agencies to enhance lines of communication to inform the local media of events and good news stories with a view to encouraging more good publicity about young people, and thereby reduce the negative judgements placed on younger people in general;
- (b) that approval be given to Recommendation 2, that whilst both the increased number of Police Community Support Officers and the enhanced powers granted of the District Council's Neighbourhood Wardens are to be welcomed, the North Worcestershire Division of the West Mercia Constabulary be urged to present a more visible presence in both the local community and at public events in order to maintain a low level of anti-social behaviour within the District;
- (c) that Recommendation 3 be not approved due to the fact that since the recommendation had been agreed by the Task Group, the Council had agreed that Fixed Penalty Notices be ranked as a medium term priority and therefore funding was not included as part of the Medium Term Financial plan;
- (d) that in relation to Recommendation 4, officers be tasked to carry out a review of the lighting around CCTV to identify if there are any issues and report back to Cabinet; and
- (e) that Democratic Services be tasked to provide details of attendance at Scrutiny and Overview Board meetings and Task Group meetings.

166/08 **LABOUR GROUP REPORT ON ANTI-SOCIAL BEHAVIOUR AND ALCOHOL FREE ZONES**

The Cabinet considered a report of the Bromsgrove District Labour Group on Anti-Social Behaviour and Alcohol Free Zones. The Leader welcomed Councillor P. M. McDonald to the meeting who then introduced the report and responded to questions from Members. This was followed by a detailed discussion on the recommendations contained within the report.

During the discussions Members were informed that West Mercia Constabulary were currently addressing the issues raised in recommendation 2 in relation to crime figures. With regard to recommendation 3 (MUGAs/Skateboard), the Deputy Head of Street Scene and Community Safety confirmed that this was already in place, with one 3 hour session per week being offered at all sites throughout the district. With regard to

recommendation 6 (Fixed Penalty Notices), the Deputy Head of Street Scene and Community Safety explained that the idea of Neighbourhood Wardens issuing Fixed Penalty Notices had been discussed and it had been agreed that their role was not seen as an enforcement role.

The Leader emphasised that whilst he had agreed to the report being presented to the Cabinet, Members were aware of the overview and scrutiny process that existed and that this process should be adhered to for the submission of such reports to Cabinet. Future reports would only be accepted by the Cabinet which had followed the correct overview and scrutiny procedures.

RESOLVED:

- (1) that the recommendations set out in the report be noted;
- (2) that with regard to recommendation 5 (policy regarding Alcohol Free Zones), the Head of Legal, Equalities and Democratic Services be tasked to investigate the policy and process of Alcohol Free Zones within the Council.

167/08 **COUNTYWIDE OVERVIEW AND SCRUTINY REPORT ON FLOODING**

The Cabinet considered a report on the findings and recommendations made by the Joint Countywide Flooding Scrutiny Task Group. Members were asked to consider the implications to the Council as set out in Appendix 2 of the report, as well as the views of Overview and Scrutiny Members. Having considered the recommendations contained within the Joint Countywide Flooding Scrutiny Report as set out in Appendix 1 of the report; the implications for this Council as set out in Appendix 2 of the report and the views of the Overview Board and Scrutiny Board as outlined in paragraphs 2.6 to 3.13 of the report, it was

RESOLVED:

- (a) that the Joint Countywide Flooding Report be approved;
- (b) that the recommendations from the Scrutiny Board as detailed in paragraphs 3.14 and 3.15 of the report, taking into account the text messaging service available from the Council and linking it to the flood alert service offered by the Environment Agency be approved; and
- (c) that approval be given to the recommendation that officers who form the current watercourses officer group be requested to revise its terms of reference and composition in order to address the implications for the District of any approved recommendations contained within the Joint Countywide Scrutiny Flooding Report.

168/08 **NEW AUDIO/VISUAL SYSTEM FOR THE COUNCIL CHAMBER**

The Cabinet considered a report detailing the procurement exercise currently being undertaken by officers to determine the best solution available on the market and the costs associated with the replacement of the audio/visual system in the Council Chamber. The current audio system had been in place for approximately 10 years. Following discussion it was

RESOLVED that officers be tasked to procure an additional wall mounted speaker system and an additional screen facility.

169/08 **REVIEW OF THE CCTV CODE OF PRACTICE**

The Cabinet considered a report on an updated CCTV Code of Practice, as set out in Appendix 1 of the report. In the process of developing the new Code of Practice, relevant officers and members of the Overview Board had been consulted and an additional recommendation from the Overview Board was set out in the report. The Council had a responsibility to produce a CCTV Code of Practice to ensure that the CCTV Scheme operated fairly and within the law; the images captured were usable and reassurance was given to those whose images were being captured.

RESOLVED:

- (a) that the CCTV Code of Practice as set out in Appendix 1 to the report be approved and adopted; and
- (b) that officers be tasked to investigate the possibility of the Council charging insurance companies for CCTV footage to be provided for insurance claim purposes.

170/08 **CAPITAL STRATEGY 2009/2012**

The Cabinet considered a report on the Capital Strategy for Bromsgrove District Council for 2009-2012. The Strategy brought together the work undertaken by the Council in recent years on the Sustainable Community Strategy and Council Plan, which together set out a vision for Bromsgrove for 2009 and beyond.

RECOMMENDED that the Council approve the Capital Strategy for Bromsgrove District Council for 2009-2012 as set out in Appendix 1 to the report.

171/08 **INTEGRATED FINANCE AND PERFORMANCE MONITORING REPORT - QUARTER 3 - 2008/09**

The Cabinet considered a report on the Council's performance and financial position at 31st December 2008 (period 9, quarter 3). Following discussion it was agreed that the responsible Portfolio Holder, the Assistant Chief Executive and the Head of Financial Services be tasked to look at the timescale of performance reports to the Leader's Group and the Cabinet.

RESOLVED:

- (a) that it be noted that 62% of Performance Indicators for which data was available were improving or stable;
- (b) that it be noted that 79% of Performance Indicators for which data was available were achieving their Year to Date target;
- (c) that it be noted that 87% of Performance Indicators for which was available were predicted to meet their target at year end;
- (d) that the successes and areas for potential concern as set out in 4.1.1 of the report be noted;

- (e) that in future Appendix 4 (detailed sickness information) be not included with the Performance report; and that instead a separate, detailed, report on sickness absence be submitted to the same meetings as the performance report so as to raise and maintain the profile of sickness absence that the topic deserves, given the current levels of absence;
- (f) that the estimated requirement of £150,000 from balances to fund the projected overspend in relation to the Museum (£46,000) and Haybridge (£104,000), be noted with the exact figure to be formally requested as part of the final outturn report.

RECOMMENDED:

- (a) that the Council approve the additions to the Capital Programme in 2008/09 of £135,000 as set out in the report; and
- (b) that the Council approve the following budget virement as listed in Appendix 5 to the report:
Virement From F31 – Housing Benefit Rent Allowances £2,330,396
Virement To J03 – Income other Government grants **-£2,330,396**

172/08 **TREASURY MANAGEMENT STRATEGY STATEMENT & INVESTMENT STRATEGY 2009/10 TO 2011/12**

The Cabinet considered a report on the strategy statement for the treasury management and investments in relation to Bromsgrove District Council so as to comply with the Local Government Act 2003 and to ensure the Council demonstrated accountability and effectiveness in the management of its funds.

RESOLVED that the strategy and prudential indicators as set out in Appendix A and B to the report be approved.

RECOMMENDED:

- (a) that the Council approve the Authorised Limit for borrowing at £6,000,000 as required by CIPFA (this is the same as the Affordable Borrowing Limit as required by Section 3(1) of the Local Government Act 2003);
- (b) that the Council approve the maximum level of investment to be held within each organisation (i.e. bank or building society) as detailed at £3m subject to market conditions; and
- (c) that the Council approve an unlimited level for investment in Debt Management Account Deposit Facility (DMADF).

173/08 **PERFORMANCE MANAGEMENT STRATEGY**

Consideration was given to a report on the Performance Management Strategy which had been developed in order to steer the Council's further progress on its performance improvement journey. The Strategy had been developed by taking into account recognised best practice in other authorities rated good or excellent that also scored highly on performance management in their CPA assessments, as well as anticipating future implications and expectations of the new Corporate Area Assessment regime due to be implemented by the Audit Commission in 2009.

RESOLVED that the Performance Management Strategy and the Implementation Action plan as set out in Appendix 1 to the report be approved.

174/08 **COUNCIL PLAN 2009/2012 - PART 2**

The Cabinet considered a report on the Council Plan 2009-2012, which included a high level action plan for the Council's new priorities as set out in Appendix 1 to the report. The Cabinet and Full Council had re-confirmed the Council vision and objectives and reduced the number of priorities from five to four in September 2008. The four priorities being:

- Town Centre
- Housing
- Sense of Community
- Clean Streets and Climate Change

The Council's balanced scorecard within the Council Plan had been updated to reflect these changes.

RECOMMENDED that the Council approve the draft Council Plan 2009-2012 as set out in Appendix 1 to the report, paying particular attention to the new balanced scorecard for the Council and the strategic action plan 2009-2012.

175/08 **IMPROVEMENT PLAN EXCEPTION REPORT - DECEMBER 2008**

Consideration was given to the Improvement Plan Exception Report for December 2008, together with the corrective action being taken. The responsible Portfolio Holder asked that it be noted that the December 2008 RED figure (shown on page 5 of Appendix 1) be amended from 13 to 11. Following discussion it was

RESOLVED:

- (a) that the revisions to the Improvement Plan Exception Report as set out in Appendix 1 to the report and the corrective action being taken be noted and approved; and
- (b) that it be noted that for the 131 actions highlighted for December within the plan, 76.3 percent of the plan was on target [green], 3.9 percent was one month behind [amber] and 9.9 percent was over one month behind [red]. 9.9 percent of actions had been reprogrammed with approval.

176/08 **FEES AND CHARGES 2009/10**

(The Leader agreed to the consideration of this item as a matter of urgency as a decision was required prior to the next meeting of the Cabinet).

The Cabinet considered a report setting out the proposed fees and charges 2009/10 to be levied on services provided by the Council as used as the basis for income targets in the approved Medium Term Financial Plan for 2009/10-2011/12. It was noted that there was no requirement to recommend the fees

and charges 2009/10 to the Council for approval as the matter could be dealt with by the Cabinet under its delegated powers. The Scrutiny Board Chairman had agreed to the proposal to waive the call-in process with regard to the report.

RESOLVED:

- (a) that the fees and charges 2009/10 as set out in Appendix A to the report be approved;
- (b) that in view of the urgency of the matter and to enable the proposals to be brought into effect, the Cabinet's decision be not subject to the Council's call-in procedure as set out in the Scrutiny Procedure Rules.

177/08 **LOCAL GOVERNMENT ACT 1972**

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 item of business the subject of the following minute on the grounds that it involves the likely disclosure of exempt information as defined in part 1 of Schedule 12A to the Act, as amended, the relevant paragraph of that part being as set out below and that it is in the public interest to do so:-

Minute No
178/08

Paragraph
4

178/08 **FUTURE OF THE TOURIST INFORMATION CENTRE**

Consideration was given to a report on the five options for addressing the closure of the Tourist Information Centre and the provision of a tourist information sign posting service through the Customer Service Centre and enhancements to the Council's website. Officers had explored options utilising facilities at the local Library and the Customer Service Centre. Following further discussions on the implications and costs associated with creating a customised web site, it was

RESOLVED:

- (a) that the Tourist Information Centre be closed as of 31st May 2009 and the current staff be made redundant; and
- (b) that officers be tasked to initiate a tender process for a customised website either on or linked to the Council's existing website which would establish a requirement for a sign posting service to the enhanced web site to be created and to support the economic development aspects of tourism.

RECOMMENDED that the Council approve the redundancy costs associated with the closure of the Tourist Information Centre being met from balances as set out in 4.2 of the report.

The meeting closed at 8.35 p.m.

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW BOARD

TUESDAY, 3RD MARCH 2009 AT 6.00 P.M.

PRESENT: Councillors P. M. McDonald (Chairman), L. J. Turner (Vice-Chairman), Mrs. M. Bunker, Miss D. H. Campbell JP and S. R. Colella

Officers: Mr. P. Street, Mrs. C. Felton, Mrs. S. Sellers and Ms. D. McCarthy

31/08 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A. N. Blagg and Dr. G. H. Lord.

32/08 DECLARATIONS OF INTEREST

No declarations of interest or whipping arrangements were received.

33/08 MINUTES

The minutes of the meeting of the Overview Board held on 3rd February 2009 were submitted.

RESOLVED that the minutes be approved as a correct record.

34/08 SPONSORSHIP FUNDING

Consideration was given to the report relating to Council sponsorship (policy and activities) which had been requested by the Board in order for it to undertake an overview and scrutiny exercise.

With regard to the Sponsorship and Advertising on Roundabouts Policy which had been approved and adopted by the Cabinet in July 2008, questions were raised regarding sponsorship price. It was noted that within section 9 of the policy, it stated that the sponsorship price was £12,000 per annum. However, it was clarified that in relation to road traffic islands, sponsorship price was no less than £4,000 per annum for each location and £12,000 referred to three locations. Officers accepted that the policy was unclear on this point and suggested that this was amended accordingly.

It had been reported to the Cabinet in July 2008 that it was intended that £80,000 in sponsorship would be generated in 2008/09, however, Mr. Street, the Executive Director – Partnerships and Projects, stated that £80,000 had perhaps been over ambitious for the timeframe and in-house resources. Details of sponsorship activity since July 2008 were referred to as outlined in appendix 2 of the report.

It was believed that Bromsgrove District Council was amongst the few local authorities to obtain commercial sponsorship funding on recycling vehicles and it had negotiated very competitive packages in the hope it would attract other businesses. Other sponsorship activities included four road traffic islands, the bandstand programme, Christmas lights switch-on event and donation of Christmas trees.

Mr. Street explained to Members that previously, a systematic approach had not been taken. However, it was reported that the Council was in the process of producing a sponsorship prospectus that would detail sponsorship opportunities in the District. It was anticipated that this would be circulated to a targeted selection of larger local businesses.

The flexibility of sponsorship duration was raised. It stated within section 6 of the policy that each agreement would be for a minimum of one year with an option to extend. However, it was questioned whether in some circumstances a period of 6 months could be offered.

Discussions with the West Midlands Regional Improvement and Efficiency Partnership (WMRIEP) were referred to during the meeting. It was reported that WMRIEP provided the Council with contact details of a company which dealt with sponsorship for other local authorities. Officers had investigated this option, however, due to the significant financial implications, it was believed that sponsorship should be dealt with in-house and this would also enable the Council to offer a more competitively priced service to local businesses.

In relation to the road traffic island located near to the Artrix and David Lloyd, Members were informed that it had not yet been adopted due to highways issues and therefore could not be used for sponsorship purposes. It was confirmed that the District Council had entered into an agreement with the County Council that five road traffic islands could be used for sponsorship purposes with the understanding that the Council would look to expand on this in the future (e.g. the roundabout in Wythall close to Becketts Farm). It was also noted that road safety considerations needed to be taken into account and that some road traffic islands belonged to the Highways Agency.

It was suggested that the Council could seek funding through sponsorship for high profile events (e.g. Older People Day national event). Officers agreed that this would be explored and could be added to the prospectus where viable. However, it was explained that officers were currently focusing on existing Council events and facilities. Other suggestions included play areas (e.g. planters and litter bins) and car park banners. However, it was noted that the Council would need to take any planning issues into consideration where necessary.

It was pointed out that there had been no impact assessment undertaken and although the ethicality of adverts was included within a legal agreement for sponsorship, the ethicality of advertisers had not been covered.

Attention was drawn to unacceptable sponsorship types referred to within the sample legal agreement at appendix 3, which included offering or promoting the sale of tobacco or tobacco relating products, however, it was noted that these did not include alcohol. Therefore, it was questioned whether there were other types of unacceptable sponsorship which should also be included.

The Head of Legal, Equalities and Democratic Services, Mrs. Felton, agreed with Members' suggestions and pointed out that an equalities impact assessment should have been undertaken before the policy was adopted.

It was also suggested that sponsorship for good causes could be included to try and support charities by donating a proportion of the funding raised. Mr. Street agreed and informed Members that officers were exploring the possibility.

RESOLVED:

- (a) that the Executive Director – Partnerships and Projects and the Head of Legal, Equalities and Democratic Services report the results of the Equalities Impact Assessment back to the Board at its next ordinary meeting; and
- (b) that the Overview Board discuss this item further at its next ordinary meeting and agree recommendations it would like to put forward to the Cabinet.

35/08 **BIODIVERSITY PLEDGE AND ACTION PLAN**

The Board considered the report relating to the West Midlands Biodiversity Pledge and revised Biodiversity Action Plan which summarised the Natural Environment and Rural Communities Act 2006 and the Guidance for local authorities on implementing the Biodiversity Duty produced by the Department for Environment Food and Rural Affairs (Defra).

Members believed that education and training were crucial, however, it was questioned whether the new shared Climate Change Officer post to deal with biodiversity issues would be sufficient. The Executive Director – Partnerships and Projects, Mr. Street, informed the Board that there was currently an officer undertaking some work related to this area (e.g. promoting Eco School Award Programme) and the Energy Efficiency Group had been re-titled the Climate Change Group. However, he agreed that the issues of climate change and biodiversity were a challenge.

It was noted that themes within the Worcestershire Local Area Agreement (LAA) included the outcome 'To protect and improve Worcestershire's natural environment/biodiversity' and it was questioned how this would be measured. Furthermore, queries regarding benchmarking were also raised. Mr. Street stated there was a Biodiversity Action Plan and guidance from Defra and it was anticipated that Worcestershire County Council would assist in measuring the delivery of outcomes and benchmarking.

RESOLVED:

- (a) that the report be noted; and

- (b) that the Executive Director – Partnerships and Projects report back to the next ordinary meeting of the Board clarifying the following:
- Plans relating to education/training on biodiversity issues
 - Further details on benchmarking and how the delivery of outcomes of the Biodiversity Action Plan would be measured.

36/08 **CCTV FUNDING**

The Executive Director – Partnerships and Projects, Mr. Street, informed Members that since the last meeting of the Board, officers had received a response to the Council's request for a contribution towards CCTV equipment. It was explained that the Police had also been requested by the Council to support the redevelopment of the Multi Agency Resource Centre (MARC). As the Police had limited funding, it was envisaged that the Council would look to use such funding for neighbourhood redevelopment.

RESOLVED that the verbal update be noted.

37/08 **AIR QUALITY**

Recommendation 1 from the Air Quality Task Group

At the last meeting, the Chairman had requested a progress update be provided in relation to the first recommendation contained within the Air Quality Scrutiny Report (approved by the Cabinet) which asked the Council to consider applying to Worcestershire County Council for certain roads to be made low emission zone (LEZ) roads therefore limiting access to certain types of vehicles which reduce air quality.

The Executive Director – Partnerships and Projects, Mr. Street, had contacted Mr. D. Balme from Worcestershire County Council's Highways who was the officer who had attended Air Quality Task Group meetings. Mr. Balme had responded that he had researched the LEZ in London and believed a meeting was required with representatives from the two Councils and West Mercia Police to explore the issues of implementing an LEZ in Bromsgrove District. However, it was noted by the Board that no timeframe had been provided.

Members were reminded that Mr. Street had informed Members at the last Board meeting that he had proposed a high level technical meeting between key interested parties. It was confirmed that such a meeting had since been arranged to explore air quality issues further and specifically the Air Quality Management Area (AQMA) at junction 1 of the M42.

Homeworking and Carbon Emissions

As requested by the Board, the Executive Director – Services, Mr. T. Beirne, provided information relating to the impact homeworking had on the Council's Carbon Footprint.

It was explained that on 3rd February 2009, due to severe weather conditions, 25 members of staff had worked from home. It was estimated that the average round trip was 20 miles which equated to 500 miles (25 staff x 20 miles) or 800 kilometres. It was stated that the measure of CO₂ (Carbon Dioxide) for cars was 180 grammes of CO₂ per kilometre travelled, therefore on the day in question, a total of 144,000 grammes (800km x 180g) or 144 kilograms of CO₂ were not produced due to homeworking. Comparisons were made to a return trip from London to Paris by plane which emitted 244kg of CO₂ per passenger. However, it was pointed out that officers had not been able to do an offset calculation for office heating and lighting against home use of heating and lighting.

In conclusion, the Board was informed that the very basic calculation showed that with an agreed corporate homeworking policy, there could be real opportunity to significantly reduce the Council's carbon emissions. The work of the Asset Management Working Group was also mentioned together with the results of the recent travel plan survey. Members were also reminded of the complexities surrounding homeworking including health and safety home checks and financial allowances.

RESOLVED:

- (a) that the verbal updates provided be noted; and
- (b) that Mr. D. Balme from Worcestershire County Council's Highways be invited to attend the next ordinary meeting of the Board due to be held on 31st March 2009.

38/08 **OLDER PEOPLE TASK GROUP**

At the last meeting, the Overview Board had established a new Task Group to look at the mental and physical wellbeing of the older population. Therefore, the Board considered the report which outlined options on the way forward for the Task Group.

RESOLVED:

- (a) that Councillor Mrs. M. Bunker be appointed as Chairman of the Older People Task Group;
- (b) that the Older People Task Group comprise the following Members: Councillors Mrs. M. Bunker (Chairman), D. McGrath, D. L. Pardoe, C. J. Tidmarsh and L. Turner;
- (c) that Ms. A. Sowton, Chairman of the Older People LSP Theme Group, be formally invited to become a co-opted Member of the Task Group;
- (d) that the Overview and Scrutiny Exercise Scoping Checklist, which included the terms of reference of the Older People Task Group, be approved;
- (e) that the Task Group be given 4 months, from the date of its first meeting, to complete its investigation; and
- (f) that the Task Group commences its investigation as soon as there is the necessary officer support from the Assistant Chief Executive (anticipated to be between mid April and end of May 2009).

39/08 **FORWARD PLAN OF KEY DECISIONS**

Consideration was given to the Forward Plan which included key and non-key decisions due to be taken by the Cabinet over the forthcoming months.

With regard to the Civil Parking Enforcement report due to be considered by the Cabinet in June 2009, it was believed that officers were compiling a business case and project plan.

RESOLVED:

- (a) that the Head of Street Scene and Community be requested to attend the next ordinary meeting of the Overview Board to discuss civil parking enforcement; and
- (b) that all other items on the Forward Plan be noted.

40/08 **ANTICIPATED CABINET REPORTS - JULY 2009 TO APRIL 2010**

Members considered the list of anticipated reports which had been split into service areas and which were due to be considered by the Cabinet between July 2009 and April 2010.

RESOLVED that the anticipated Cabinet Reports for July 2009 to April 2010 be noted.

41/08 **WORK PROGRAMME**

The Board considered all the items included within its Work Programme.

The Chairman stated that he wished to call an extraordinary meeting on 12th March 2009 to discuss a proposal relating to the green belt which he hoped could be added to the Work Programme.

RESOLVED:

- (a) that the Overview Board's Work Programme be noted and updated as necessary;
- (b) that it be noted that an extraordinary meeting would be held on 12th March 2009; and
- (c) that the Head of Planning and Environment Services be invited to attend the extraordinary meeting on 12th March 2009.

The meeting closed at 7.15 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

EXTRAORDINARY MEETING OF THE OVERVIEW BOARD

THURSDAY, 12TH MARCH 2009 AT 6.10 P.M.

PRESENT: Councillors L. J. Turner (Vice-Chairman, in the Chair), A. N. Blagg,
Mrs. M. Bunker and S. R. Colella

Observers: Councillor D. L. Pardoe

Officers: Mr. T. Beirne, Mr. D. Hammond, Mrs. S. Sellers and
Ms. D. McCarthy

42/08 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors P. M. McDonald, Miss D. H. Campbell and Dr. G. H. Lord.

43/08 **DECLARATIONS OF INTEREST**

No declarations of interest or whipping arrangements were received.

44/08 **OVERVIEW INVESTIGATION PROPOSAL**

Consideration was given to the proposal submitted by the Board Chairman, Councillor P. M. McDonald, which related to inappropriate development on Green Belt.

The Vice-Chairman (in the Chair) invited the Board to ask questions of Mr. D. Hammond, Head of Planning and Environment Services, and there was a lengthy discussion on various aspects around policy and Government guidance relating to development in the Green Belt.

It was understood that the aim of the proposal from Councillor McDonald was for an investigation to take place to develop a clear policy on this issue to assist the Planning Committee in making decisions on applications rather than using Government guidelines only.

When questioned, Mr. Hammond referred to PPG2 (appendix 2 to the report) which was the national policy and guidance on Green Belt. It was explained that the aim of the Green Belt policy was to prevent urban sprawl by keeping land permanently open and that under PPG2 there was a general presumption against inappropriate development in the Green Belt.

It was explained that at a local level under the old planning system, Green Belt was also covered within the existing Bromsgrove District Local Plan (adopted in 2004) and this was in accordance with the national planning guidance

PPG2. However, the new planning system was less prescriptive. Members were reminded that the Bromsgrove District Local Plan would be replaced by the Bromsgrove Local Development Framework (LDF) which was made up of a portfolio of documents, including the Core Strategy. It was expected by the Government that Core Strategies would not repeat national policy and therefore, Green Belt would not be covered at a local level under the Core Strategy as it would be covered under PPG2. PPG2 was issued in 1995 and officers were unaware of any plans by the Government to revise national Green Belt policy at the time.

It was stated that there was a presumption against development in the Green Belt unless the proposals fell within a defined list of appropriate development and this was covered under section 3 of PPG2. The Board was referred to paragraphs 3.4 to 3.10 of PPG2 which related to new buildings and re-use of existing buildings that could be deemed as appropriate development in the Green Belt.

The Board was informed that if a development was deemed to be inappropriate in the Green Belt, planning permission could only be granted if the applicant was able to show that there was 'very special circumstances' to justify it. There was a lengthy discussion on this point as Members contemplated what could be considered as very special circumstances rather than merely 'circumstances' or 'special circumstances'. It was explained that the very special circumstances must outweigh the harm caused by the inappropriateness of the development and in considering whether such circumstances applied, the decision would have to be based on the individual circumstances of the application, and was in effect, an opportunity for the decision maker to exercise a discretion it had been given by the planning regime.

Members questioned why a list of what could be classed as very special circumstances could not be compiled in order to assist the decision maker. It was explained that 'very special circumstances' could not be defined as they had to be unique situations that could not be repeated.

It was explained that each application had to be treated on its own merits. For example, all affordable housing could not be deemed as very special circumstances as it would depend on several factors (e.g. the need, location, numbers etc) as to whether there were very special circumstances or merely circumstances or special circumstances. It was pointed out that when considering applications that have gone to appeal, it had been impossible to compare similar applications from one area to another as the situations were different and therefore had been treated differently.

The Board was informed that case law had established that the test of very special circumstances had to be very strictly applied and consequently only genuinely unique and unusual situations should be deemed to be very special circumstances. Mrs. S. Sellers, Senior Solicitor, warned that if it was not strictly applied, the Council might be left in a position where its decision to grant permission might be legally challenged through judicial review in the High Court. Members were also informed that there had been an increasing

trend for the Local Government Ombudsman to investigate complaints about planning decisions under the broader heading of maladministration leading to possible compensation claims against the Council. Furthermore, as these planning issues rested on the individual facts of each case, the legal principle that a local authority must not confine its own discretion when taking a decision needed to be borne in mind. Therefore, from a legal perspective, to avoid pre-determination, if it was Members' intention to introduce any new policies on the Green Belt then careful consideration would need to be given to ensure that any such policies were not based on irrelevant legal consideration and that they were drafted in such a way that they did not require the Planning Committee to adhere to them in every case.

The Board asked what information was submitted to Planning Committee and it was stated that Members received reports presented in a clear and logical format based on policy, with a recommendation and reasons for the recommendation. It was stated that Case Officers compiled such reports and the Area Planning Managers approved them. If it was a large application, the Head of Planning and Environment Services was also involved to sign off such a report prior to consideration by Members. It was then up to the decision maker to decide whether there were very special circumstances and reasons justifying the decisions were recorded. The Board was informed that generally, with regard to Planning Committee overturning decisions, it tended to be overturning recommendations for refusal and allowing the development rather than the reverse.

It was confirmed that there was compulsory planning training for all Planning Committee Members (including substitutes). It was reiterated that the exceptions policy in the Local Plan allowed small scale development to meet the needs of the area and this was the responsibility of the local authority and RSL (Registered Social Landlord) partners. It was pointed out that Bromsgrove District was 91% Green Belt.

The Board enquired about the West Midlands Regional Spatial Strategy (RSS) which would inform the Core Strategy. It was confirmed that the West Midlands RSS would have implications for the Green Belt for Bromsgrove and neighbouring local authorities as it suggested restricted growth within Bromsgrove District and significant growth for Redditch. It was explained that all issues would be discussed through the Examination in Public of the West Midlands RSS between April and June 2009 and this Council would be fighting against the proposals.

Members of the Board went through the proposal form one section at a time and considered the evidence. For example, it stated that it was a key interest to the public and indicated there could be low levels of satisfaction. However, Members present were unaware of any evidence to support this view. Whilst close consideration was given to the completed proposal form, it was noted by all Board Members that as the proposer was not present at the meeting, it made it more difficult for the Board to be clear exactly what outcomes were expected, particularly as there was national policy in place which should not be repeated at a local level.

The Board raised concerns over the lack of understanding Members might have in relation to this topic and the option of training and briefing reports were discussed as a possible way forward. It was suggested that Parish Councils might also benefit from such training and the Board was informed that briefing sessions were already available to Parish Councils via the Parish Council Forum and CALC (County Association of Local Councils).

RESOLVED that the report including the proposal and background information be noted and no further action be taken in terms of an investigation by the Overview Board or a Task Group.

RECOMMENDED that the Modern Councillor Steering Group be requested to include planning training for all Members within the Modern Councillor Programme to cover the Green Belt policy and related issues.

The meeting closed at 7.00 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE AUDIT BOARD

MONDAY, 16TH MARCH 2009 AT 6.00 P.M.

PRESENT: Councillors S. R. Peters (Chairman), D. Hancox, Mrs. C. M. McDonald, Mrs. C. J. Spencer (during Minute No's 41/08 to 46/08) and E. C. Tibby

Observers: Councillor G. N. Denaro (Portfolio Holder for Finance) and Councillor C. J. K. Wilson (Shadow Portfolio Holder for Value for Money)

Officers: Ms. J. Pickering and Ms. P. Ross

41/08 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor C. R. Scurrall.

42/08 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

43/08 **MINUTES**

The minutes of the meeting of the Audit Board held on 15th December 2008 were submitted.

RESOLVED that the minutes be approved as a correct record.

44/08 **ANNUAL AUDIT AND INSPECTION LETTER 2007/2008**

The Chairman welcomed Joan Hill, Audit Manager and Jane Matheson, Performance Specialist with the Audit Commission. Jane Matheson presented the final version of the Annual Audit and Inspection Letter 2007/2008 following the release of the Comprehensive Performance Assessment (CPA) report to the Council from the Audit Commission.

On presenting the report Jane Matheson included an overall summary of the Audit Commission's assessment of the Council, drawing from information contained within the recent CPA, together with the findings from inspections undertaken since the last letter in 2008. The findings of the report included the demonstration of clear improvements in performance, strategic housing service provision, customer service and working with partners.

RESOLVED that the Annual Audit Inspection Letter for 2007/2008 be accepted.

45/08 **EXTERNAL AUDIT OPINION PLAN 2008/2009**

A copy of the Audit Commission's Audit Opinion Plan 2008/2009 was considered. Joan Hill, Audit Manager with the Audit Commission presented the report. The Plan set out work that the Audit Commission proposed to undertake in 2008/2009 in relation to the following specific risks which had been identified:

- Transfer of the payroll system
- Valuations of fixed assets in light of the current economic climate
- Introduction of the electronic ordering and invoicing system
- Methodology for identifying prepayments
- Policy for related parties arrangements

The Head of Financial Services responded to questions from Members and provided some background information on the transfer of the payroll system and the need for the Audit Commission to repeat their triennial review of Internal Audit as a result of the change of personnel within the service area.

The work by the Audit Commission would enable a robust opinion to be made across all the internal control and accounting arrangements that the Council had in place.

RESOLVED that the Audit Commission's 2008/2009 Opinion Plan as set out in Appendix A to the report be noted and agreed.

46/08 **AUDIT FEES LETTER**

Joan Hill, Audit Manager with the Audit Commission presented the Annual audit fee 2009/2010 letter. The letter confirmed the audit work that the Audit Commission proposed to undertake during the 2009/2010 financial year.

RESOLVED that the Annual audit fee 2009/2010 be noted.

47/08 **RISK MANAGEMENT TRACKER - QUARTER 3**

Members considered a report which presented an overview of the current progress in relation to Actions/Improvements as detailed in the Corporate and business area risk registers for the period 1st April to 31st December 2008. The year end prediction in relation to the number of actions/improvements that would be behind target as set out in the report was noted.

RESOLVED that the progress to date against the Corporate and all business area risk registers actions for the period 1st April to 31st December 2008, Quarter 3, be noted.

48/08 **INTERNAL AUDIT PERFORMANCE AND WORKLOAD - QUARTER 3**

Consideration was given to a report that provided a summary of the current performance and workload of the Internal Audit Section. The Head of Financial Services provided a number of updates on the current status to date

and informed Members of the work undertaken by Worcester City Council Audit Services.

RESOLVED:

- (a) that the current status and work completed on the 2008/2009 Audit Plan be noted and approved;
- (b) that the work completed by the Internal Audit Section between April 2008 and February 2009 be noted;
- (c) that it be noted that Internal Audit had not been involved in any allegations or investigations during the first three periods of 2008/2009;
- (d) that it be noted that the 2008/2009 performance figures will be presented to the meeting of the Audit Board in June 2009; and
- (e) that it be noted that there are no new or updated amendments to the Section's standard documentation.

49/08 **INTERNAL AUDIT PLAN 2009/2010**

Consideration was given to the Council's Internal Audit Plan for 2009/2010. The Council was required under Regulation 6 of the Accounts and Audit Regulations 2003, as amended, to "maintain an adequate and effective system on internal audit of its accounting records and of its system of internal control in accordance with the proper practices in relation to internal control".

Members requested that the Head of Financial Services be tasked to present the following completed Audit Reviews to the Board:-

- Quarter 1 ICT Services (including Helpdesk)
- Quarter 2 Travel Concessions
- Quarter 3 Benefits
- Quarter 4 Car Parks

RESOLVED that the Internal Audit Plan for 2009/2010, as set out in the report be noted and approved.

The meeting closed at 7.27 p.m.

Chairman

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LOCAL DEVELOPMENT FRAMEWORK WORKING PARTY

MONDAY, 16TH MARCH 2009 AT 2.00 P.M.

PRESENT: Councillors Mrs. J. Dyer M.B.E. (Chairman), P. J. Whittaker (Vice-Chairman), Mrs. M. Bunker, G. N. Denaro, Mrs. R. L. Dent, R. Hollingworth, S. R. Peters, Mrs. M. A. Sherrey JP, E. C. Tibby and C. J. K. Wilson

Officers: Mr. D. Hammond, Mr. M. Dunphy, Mrs. R. Williams, Mr. A. Fulford, Ms. S. Lai and Ms. R. Cole.

28/08 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors S. R. Colella, Mrs. J. D. Luck and E. J. Murray.

29/08 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

30/08 **MINUTES**

The minutes of the meeting of the Local Development Working Party held on 23rd October 2008 were submitted.

RESOLVED that the minutes be approved as a correct record.

31/08 **LONGBRIDGE AREA ACTION PLAN - ADOPTION**

The Working Party considered a report relating to the Longbridge Area Action Plan (LAAP). The report detailed the procedures which had been followed in order to produce the LAAP which had been prepared in conjunction with Birmingham City Council, Worcestershire County Council and key stakeholders including St. Modwen Properties PLC and Advantage West Midlands. There had been public consultation at all stages and an Examination in Public had taken place at the end of 2008. The final report of the Inspector was binding and the minor changes contained in the report had now been incorporated into the final version of the LAAP. The Secretary of State had assessed the LAAP and found it to be sound.

It was recognised that the delivery of the various aspects of the LAAP would be a significant challenge for the Authorities involved. The Leader of the Council stated that although formal decisions had not been made, it was anticipated that a Joint Board would be established consisting of officers and Members from the Authorities involved in order to facilitate the project.

The significant achievement of all those involved in the production of the LAAP was acknowledged and thanks were expressed to officers and Members for their input to the process to date.

RECOMMENDED that the Longbridge Area Action Plan be adopted as the development plan for the former MG Rover Site.

32/08 **DRAFT CORE STRATEGY - CONSULTATION STRATEGY**

Consideration was given to a report on the latest position in relation to the consultation undertaken on the Draft Core Strategy following the approval of the Draft Core Strategy for consultation purposes in October 2008.

It was reported that a variety of methods had been used to consult on the Strategy including letters and e-mails, use of a dedicated website, presentations to Parish Councils, displays in local libraries and the Customer Service Centre and “drop in” days. This had resulted in the receipt of approximately 120 individual responses and these were now being analysed and would be reported to the Working Party in due course. Although the level of response was not high this was not felt to be surprising as specific site allocations were not yet included.

It was also reported that the Government Office for the West Midlands had raised a number of concerns about the document particularly in relation to cross boundary issues with Redditch. Similar issues had been raised in relation to Redditch Borough Council’s Draft Core Strategy and a meeting with both Councils had taken place on 9th March 2009. It had been stressed at the meeting that officers and Members from the two Authorities had worked well together, particularly in view of the difficulties regarding the lack of certainty on housing growth. It was not intended to submit the final Strategy until the outcome of the Examination in Public of the West Midlands Regional Spatial Strategy was available.

It was felt that a peer review of the Core Strategy would be helpful in particular if it was undertaken by the same person who had recently carried out a similar review at Redditch.

RESOLVED that the latest position on the consultation process in relation to the Draft Core Strategy be noted.

33/08 **BROMSGROVE HOUSING MARKET ASSESSMENT SUMMARY**

The Working Party considered a report on the key findings of the Bromsgrove Housing Market Assessment (HMA) and on the implications of these findings for the formulation of policies within the Draft Core Strategy. Members focused on the figures set out in section 4.6 of the report which identified the housing requirements of each type arising from household growth by 2026.

It was reported that the results of the HMA had been utilised to inform a number of Core Policies within the Draft Core Strategy including not only detailed housing policies but also transport and employment policies. The

HMA would also be used by Bromsgrove District Housing Trust to support this Authority's position in relation to housing growth.

RESOLVED that the key findings of the Bromsgrove Housing Market Assessment be noted, together with its role in informing policies within the Draft Core Strategy.

34/08 **DRAFT STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT UPDATE**

Consideration was given to a report on the progress made in the preparation of the Draft Strategic Housing Land Availability Assessment (SHLAA). The SHLAA was a key component of the evidence base to support the delivery of sufficient land for housing. The document itself however would not allocate sites for development and would merely include sites which may be suitable for housing development.

In response to questions from Members, it was reported that the criteria used to assess all submitted sites had been drafted in consultation with Redditch and included a range of factors such as sustainability, flood risk, physical constraints and planning policy. It was stressed that to be potential housing sites, the site must be suitable, available and developable during the plan period. The consultation had focused on major land owners and developers in the District as they had the ability to ensure potential sites could come forward for development.

RESOLVED that the progress made on the preparation of the Draft Strategic Housing Land Availability Assessment be noted.

35/08 **PPG17 OPEN SPACE SPORT AND RECREATION STUDY**

The Working Party considered a report on the findings of the Open Space, Recreation and Sports Needs Study. The study had been undertaken both to inform the Core Strategy and to assist Street Scene and Community Services in the development of long term strategies in relation to open space, sport and recreation within the district.

It was reported that the study had been undertaken in accordance with Planning Policy Guidance 17 and covered ten categories of open space, sport and recreation facilities throughout the district. Section 3.33 of the report set out the recommended quality and accessibility standards in respect of each category. The study would be used to help to ensure there is adequate provision of such open space and facilities.

RESOLVED that the findings of the Open Space, Recreation and Sports Needs Study, together with its influence on the Draft Core Strategy be noted.

36/08 **REGIONAL SPATIAL STRATEGY PHASE 2 REVISION UPDATE**

Consideration was given to a report on the latest position regarding the Regional Spatial Strategy (RSS) phase 2 revision. The report clearly set out

the background to the current position and the key milestones in the process so far, together with the likely next steps.

It was reported that the RSS Examination in Public would take place between 28th April and 26th June 2009. This Authority had been allocated a “seat at the table” for the Worcestershire Sub Regional sessions and would have the ability to “hot seat” at other sessions. This was to be the subject of further discussion with the County Council.

The Strategic Planning Manager also referred to the recent receipt of a document from the West Midlands Regional Assembly which posed a set of questions and invited this Authority to submit further representations (of not more than 2,000 words) on a number of issues particularly relating to housing allocation figures. The additional submission was required by 31st March 2009.

Members were extremely concerned that this Authority should be able to participate in any sessions of the Examination in Public which whilst they were dealing with issues at a regional level, became more detailed and focused on sub regional issues i.e. housing and employment growth related to Bromsgrove and Redditch/Stratford districts and South Birmingham. This was in addition to the sessions which would focus directly on these issues at a sub regional level where full involvement of the County Council and District Councils involved would be essential.

It was felt that the letter dated 16th February 2009 from the Strategic Planning Manager to the Examination in Public Panel clearly set out the difficult position of this Authority and the complexity of the issues faced. It was noted that further meetings involving both officers and Members of the Authorities involved were to take place to address these issues further. The Head of Planning and Environment and the Strategic Planning Manager fully acknowledged the strong desire of Members to protect the interests of the District and to ensure the best outcomes for its future development were achieved, but re-iterated the limits of the influence which could be exerted over the process.

RESOLVED that the latest position in relation to the RSS phase 2 revision including the Examination in Public stage be noted, together with the on-going work being undertaken to achieve the most favourable outcome for the District of Bromsgrove.

The meeting closed at 3.55 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PERFORMANCE MANAGEMENT BOARD

TUESDAY, 17TH MARCH 2009 AT 6.00 P.M.

PRESENT: Councillors J. T. Duddy (Chairman), C. B. Taylor (Vice-Chairman), Mrs. M. Bunker, Miss D. H. Campbell JP, S. R. Colella and Mrs. A. E. Doyle

Invitees: Councillor D. W. P. Booth JP and Chief Inspector A. Bott

Officers: Mr. P. Street, Mr. H. Bennett, Ms. J. Pitman, Mr. A. Coel and Ms. R. Cole

98/08 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor E. J. Murray.

99/08 **DECLARATIONS OF INTEREST**

Councillor Mrs. M. Bunker declared a personal interest in agenda items 6 (Housing Strategy 2006/2011 – Progress report), 7 (Audit Commission Re-Inspection of Strategic Housing Services – Action Plan) and 8 (Bromsgrove District Housing Trust Annual Monitoring Report 2008) as a member of the Board of Bromsgrove District Housing Trust.

100/08 **MINUTES**

The minutes of the meeting of the Performance Management Board held on 17th February 2009 were submitted. Members were asked to note that the figure shown in recommendation (a) to Minute No 94/08 should read £150,000.

RESOLVED that the minutes be approved as a correct record.

101/08 **PERFORMANCE REPORTING (JANUARY 2009) (PERIOD 10)**

The Board considered a report on the Council's Performance at 31st January 2009.

As part of the discussion on this item, the Chairman welcomed Chief Inspector Amanda Bott to the meeting. Members were reminded that at the previous meeting of the Board, concern had been expressed regarding the performance indicator relating to the number of domestic burglaries, which had been showing a worsening position over the last six months.

Chief Inspector Bott responded to Members' questions and gave background information regarding the likely reasons for the increase in domestic burglaries

over the past six months. It was explained that a single persistent offender could have a significant impact on the figures if they were responsible for a number of crimes within the district. This had been the position recently in Bromsgrove with such a person now being returned to custody. In addition there had been a national increase in burglaries which was likely to be linked to the economic situation. There were also particular issues in Bromsgrove district because of its position within the motorway and road network generally which provided easy access from the surrounding conurbations.

The Chief Inspector also informed the Board of a number of initiatives and campaigns which had been introduced by the Police to reduce the numbers of burglaries and other crimes. It was stated that during the past month the indicator was again within target. The Chairman thanked Chief Inspector Bott for her attendance at the meeting.

The Head of Human Resources and Organisational Development answered queries from Members in relation to sickness figures. It was reported that a further performance clinic was to be held and that the figures in respect of long term sickness would be "stripped out" to enable the short term absences to be analysed separately. There was also a focus on ensuring that return to work interviews were being carried out properly and that the Sickness Policy was being uniformly and correctly applied by all managers. It was requested that comparative outturn sickness figures be obtained from the other District Councils in Worcestershire for consideration at the next meeting of the Board.

RESOLVED:

- (a) that it be noted that 59% of performance indicators were stable or improving;
- (b) that it be noted that 80% of performance indicators which have a target were meeting their targets as at the month end and that 76% of performance indicators which have a target were predicted to meet their target at the year end;
- (c) that the performance figures for January 2009 as set out in appendix 2 to the report be noted;
- (d) that the areas of improvement as set out in section 3.4 of the report be noted; and
- (e) that the performance indicators of particular concern as set out in section 3.5 of the report be noted.

102/08 **EMPLOYEE SURVEY 2008**

Consideration was given to a report on the findings of the Employee Survey 2008, together with the next stage in the process in order to follow up issues identified by the survey.

It was reported that the results of the latest Employee Survey were mixed and that whilst there had been an improvement in areas such as Leadership, Working Relationships and Internal Communication, areas such as Motivation and Job Security had declined. This was not felt to be surprising in view of the Job Evaluation process and on-going Shared Services agenda. Members were also concerned that only 33% of staff had completed the survey and this

figure had declined significantly from the previous year. Officers were requested to use all efforts to improve the level of participation in future years.

The Head of Human Resources and Organisational Development confirmed that further Staff Forums had taken place and it was likely that Focus Groups would meet to address the issues identified as red or amber within the survey and to ensure that progress was maintained in areas identified as green. The Head of Human Resources and Organisational Development undertook to send the full results of the survey to all Members for information.

RESOLVED that the results of the Employee Survey 2008 be noted.

103/08 **IMPROVEMENT PLAN EXCEPTION REPORT (JANUARY 2009)**

The Board considered the Improvement Plan Exception report for January 2009. Following a request at the last meeting of the Board, The Executive Director – Partnerships and Projects and the Portfolio Holder for the Town Centre were in attendance and updated the Board on issues relating to the redevelopment of the Town Centre.

The issues discussed included the Market Hall site and relocation of the Market to the High Street, the refurbishment of the Toilet Block, the new Medical Centre, the Sainsbury's proposal, the Parkside Site, the Dolphin Centre and the Area Action Plan for the Town Centre. It was noted that the project plan for the Town Centre was being updated and modified as a result of the changes in circumstances which had occurred particularly in relation to the Parkside site.

It was reported that the next Improvement Plan Exception report would include a schedule of items from the Improvement Plan which had been reprogrammed.

RESOLVED:

- (a) that the revisions to the Improvement Plan Exception Report together with the corrective actions being taken be approved;
- (b) that it be noted that for the 110 actions highlighted for January within the plan 86.4% was on target (green), 3.6% was one month behind (red) and none were over one month behind (red). 10% of actions had been reprogrammed with approval.

104/08 **HOUSING STRATEGY 2006/2011 - PROGRESS REPORT, MID TERM REVIEW AND NEW ACTION PLAN**

The Board considered a report on the progress made against the action plan contained in the Authority's Housing Strategy 2006/2011. The Strategic Housing Manager reported that a Mid Term Review of the strategy had been carried out following consultation with stakeholders and the results of the recent Bromsgrove Housing Market Assessment. The action plan had now been refreshed for the remaining life of the strategy and beyond.

The Head of Strategic Housing responded to Members' queries in relation to areas of the action plan which were indicated as amber or red. It was

RESOLVED that the report be noted.

RECOMMENDED that the Portfolio Holder for Housing and Environment be requested to work with officers on the following issues:

- (a) researching the need for an outreach worker for people with mental health difficulties;
- (b) researching the health needs of homeless households and their ability to access health services (possibly through the Local Strategic Partnership Board); and
- (c) investigating the possibility of promoting the availability of alternative debt advice services in addition to the Citizens' Advice Bureau, as other providers may be able to provide a service outside normal office hours.

105/08 **AUDIT COMMISSION RE-INSPECTION OF STRATEGIC HOUSING SERVICES - ACTION PLAN UPDATE ON PROGRESS**

Consideration was given to a report on progress made in respect of the action plan which addressed the recommendations of the Audit Commission, following the re-inspection of Strategic Housing Services in February 2008. The Strategic Housing Manager responded to questions from Members in relation to the action plan which contained corporate, strategic housing and strategic planning actions. It was

RESOLVED that the progress made in relation to the action plan be noted.

106/08 **BDHT ANNUAL MONITORING REPORT 2008**

The Board considered a report on the progress made over the last twelve months by the Bromsgrove District Housing Trust (BDHT) in three key performance areas. These being progress made on the outstanding promises made to tenants at the time of transfer, BDHT's contribution to meeting the four key priorities in the Council's Housing Strategy and BDHT's contribution performance in managing homelessness and other services for the Council under the Housing Agency Agreement.

Performance in all of the three areas was felt to be good. In response to a request from Members the Strategic Housing Manager undertook to request that the Council be afforded the opportunity to comment on the new "promises" document which was currently being prepared by BDHT.

RESOLVED that the report be noted.

107/08 **COUNCIL PLAN 2009/2012 PART 2**

The Chairman reported that he had requested that additional information be provided to the next meeting on the baseline information relating to the proposed targets for the performance indicators. This would enable the Board

to consider whether the targets were appropriate and indeed were sufficiently stretching.

The Assistant Chief Executive undertook to provide Members with a list of the 64 National Indicators which apply at the District Council Level, including the 17 which are collected by District Councils. It was noted that in future the quarterly integrated finance and performance report would contain a section on complaints received.

RESOLVED that consideration of the report on the Council Plan 2009/2012 Part 2 be deferred until the next meeting of the Board.

108/08 **WORK PROGRAMME 2009/2010**

Consideration was given to a report on the Board's proposed work programme for 2009/2010.

It was requested that regular brief progress reports be produced on a monthly basis in relation to Shared Services/Value for Money as had been undertaken in respect of the Spatial Project. Members also requested that quarterly progress reports be produced on the Town Centre redevelopment and the Customer First programme.

RESOLVED that the work programme 2009/2010 be approved subject to the comments referred to above.

The meeting closed at 8.20 p.m.

Chairman

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Bromsgrove
District Council
www.bromsgrove.gov.uk

Equality and Diversity Forum

Meeting held on Thursday 12th February 2009

In attendance	
Sat Aggarwal	Bromsgrove Indian Community Forum
Stuart Bray	Pinke.biz
Rebecca Dunne	Equality and Diversity Officer, Wyre Forest District Council
Claire Felton	Head of Legal, Equalities and Democratic Services, Bromsgrove District Council
Patricia Hackett	Mencap
Joan King	The Gender Trust
Eileen Mulhall	Worcestershire Association of Service Users
Councillor Stephen Peters	Diversity Champion for elected Members, Bromsgrove District Council
Kathleen Roche-Nagi	Approachable Coaching
Trevor Rigg	Bromsgrove Resident and Forum Chair
Fiona Scott	Equality Officer, Bromsgrove District Council
Rauf Shah	Oakley Residents Association
Keith Sherman	Chief Officer, Bromsgrove and District Age Concern
Phil Street	Executive Director of Services, Bromsgrove District Council
John Tempest	Worcestershire Mental Health Network
Carol Tipping	Secretary, Bromsgrove Older People's Forum
Julie Wright	Community Support Officer, West Mercia Police
P C Mark Townsend	West Mercia Police
Jo Wright	Bromsgrove Resident

Apologies	
Hugh Bennett	Assistant Chief Executive, Bromsgrove District Council
Tony Beirne	Executive Director, Bromsgrove District Council
Mr B K Chaudhari	Bromsgrove Indian Community Forum
Mary Collett	Worcestershire Association of Service Users
Kevin Dicks	Chief Executive, Bromsgrove District Council and Acting Chief Executive Redditch Borough Council
Jeff Edwards	Bromsgrove Older People's Forum, Bromsgrove and District NHS Retirement Fellowship
Stephen Haskey	Stephen Haskey Design and Construction Ltd
Tracey Hodges	Day Services Manager, Padstone Day Centre, Worcestershire County Council
Balbinder Kular-Taylor	Senior Positive Action Adviser, West Mercia Constabulary Head Quarters
Elaine Mortimore	Bromsgrove Youth Homelessness Forum
Jim Smith	North Worcestershire Disability Information and Advice Line
Councillor Roger Smith	Executive Cabinet, Bromsgrove District Council
Julie Wright	West Mercia Constabulary

1. Introductions and apologies

As Chair, **Trevor** welcomed everyone to the meeting and thanked them for their attendance in the poor weather conditions. He asked everyone to introduce themselves and for those members who were attending for the first time, to say a bit about themselves.

Apologies as above.

2. Minutes of meeting held on 18th December 2008

The minutes were proposed for acceptance by as a true and accurate record by **Jo Wright** and seconded by **Eileen Mulhall**. Agreed.

3. Matters arising if not included on main agenda

Page 3 – item 6 6.1 to 6.9

A question had been raised in relation to the policy on gritting at the meeting at the December meeting. **Phil Street** advised that he had established that Councils are obliged to grit around their own buildings when the weather is bad.

The County Highways team grit the roads in accordance with weather reports through an emergency planning process called Silver Command. **Keith Sherman** asked that the legal position to be obtained in relation to people gritting the pavements themselves.

PC Mark Townsend reported that the police lawyers have advised that if people gritted outside their own houses and someone falls as a result then potentially, the householder would be liable.

Keith asked if the answer given was actually the law? **PC Townsend** reported that he was not aware that it was so but reiterated that it was the legal position that someone gritting could be liable if an accident occurred as a result of it.

Rauf Shah expressed his surprise that Council only had a responsibility to grit around their own buildings

Phil expressed his opinion that he did not feel that there is a definitive answer to the question. He felt that the legal advice was in relation to civil claims that may arise. The test of reasonableness would be applied but that a definitive answer was unlikely.

Referring to item 6.10, **Fiona** reported that she had tried to follow this up with **Jackie Treshie** and **Emma Barton** without success so far. This was in relation to both statistical information about the number of falls and the Level One falls assessment that the Primary Care Trust has recently introduced.

The Health and Well Being theme group of the Bromsgrove Local Strategic Partnership had discussed falls as an agenda item at a recent meeting. **Keith** and **Trevor** proposed that a letter be sent to Mr. Bates at the Primary Care Trust. **Fiona** agreed to draft a letter on behalf of the Forum and report back to the next meeting.

Eileen Mulhall reported that a relative of hers had had a fall and as a result had had a miscarriage.

Page 4 – items 6.11 and 6.12

Trevor requested an item on the next agenda in relation to the Town Centre and the Market Hall. **Trevor** also asked for an item on Bromsgrove being a safe place to live – **PC Townsend** agreed to arrange this for the next meeting.

Patricia Hackett asked whether temporary toilet facilities are going to be available whilst the Town Centre toilet block is being refurbished. **Phil** confirmed that arrangements are being made and agreed to report back to the next meeting.

Patricia added that 22nd to 28th June is Learning Disability Week and this year the theme will be the Mencap's national campaign, "Changing Places" which aims to increase the number of public facilities. This campaign could promote the new facilities in Bromsgrove.

Fiona confirmed that this information has been passed **Richard Savoury** who agrees that the timing is appropriate.

Fiona to make enquiries as to whether a link can be made between the opening of the refurbished toilet block, the Mencap campaign and the Countess of Wessex as she is the patron of Mencap.

Page 5 – item 6.15

Re the Multi Agency Resource Centre in Charford – **Phil** confirmed that the youth work provided by the Centre recommenced on Monday 9th February 2009.

Page 5 – item 7

7.1 Community Transport

There is a consultation event on Thursday 19th February to make key decisions about what vehicle to buy, what routes to be arranged and at what level the fares should be set.

Key partners and service users have been invited to this event and about 50 people are expected to attend. The service should be in operation sometime in July or August this year.

The drivers will be trained in the needs of the safety of all passengers using the vehicles including the need to safely secure wheelchair users.

7.3 Community bids

Trevor stated that the Equality and Diversity Forum should be involved in the progress of the activities undertaken through the bidding process and regular reports should come to the Forum. The bidding process itself should have this built in as a requirement and **Hugh Bennett** has agreed to ensure that the process for this year's bids will reflect this requirement.

Bids have been approved by the Full Council meeting and it has been agreed that the money will be paid over to the individuals or groups concerned in due course.

Keith stated that since those bids came from the Forum, it would be an appropriate part of the monitoring process for those groups to feed back to the forum to create a more sophisticated audit of the process. **Trevor** confirmed that this would be built into the programme of Forum meetings this year.

Jo Wright asked that groups be advised on when they will need to report back.

Page 6 - item 9

Jo had asked for items relevant to the LGBT (Lesbian, Gay, Bisexual and Trans-sexual) community to be put on the agenda for the February meeting as February is LGBT History Month. **Fiona** confirmed that she had asked the police to attend to discuss the perception of safety and the issue of hate crime from the LGBT perspective but had been unable to achieve this.

Jo is looking for more positive items and proposed that a sub committee be set up to could work towards the organising of celebratory events for next year and to help find out more about the needs of the community in Bromsgrove. Administrative support for meetings and to produce publicity information will be provided by the Council.

Trevor apologised for misinterpreting the request made at the previous meeting.

Jo invited anyone from other groups to attend and participate and she was grateful for the support.

Stuart Bray said there are about 6,000 LGBT people living in Bromsgrove so there is a wider need for understanding of these issues.

Jo emphasised that LGBT History Month is all about positively identifying these issues.

The Gender Trust website (www.gender.org.uk) has a link the LGBT History Month website (www.lgbthistorymonth.org.uk).

Joan agreed to do a presentation about trans-gender issues to a future meeting.

John Tempest suggested that the Gender Equality Working Group that already meets be used to take these issues forward.

4. Items from the Forum Chairman

Trevor reminded everyone why we are here, and of the need for mutual respect. The meetings of the Forum must set the standard to the rest of Bromsgrove in relation to being able to learn from each other.

An event to celebrate Chinese New Year took place at Guild Hall in Worcester on 8th February 2009 but nothing specific took place in Bromsgrove. **Trevor** suggested that we should look to develop something for next year.

5. Equality Highlight Report - Fiona Scott

5.1 LGBT History Month

The Corporate Calender for Bromsgrove District Council now shows February as the LGBT History Month. Details of the Worcestershire Police LGBT Forum have been displayed on the equalities notice board and the minutes of their meetings are available for staff on the Council's intranet.

5.2 The Gender Equality Working Group

The revised Draft Gender Equality Scheme has been issued to the members of the Gender Equality Working Group for urgent last comments.

For the International Women's Day event in the Spadesbourne Suite on 6th March, **Fiona** is preparing some case studies of a diverse range of women, one of which will be Worcester born Vesta Tilley. There is to be an exhibition about her life at the Worcestershire County Museum, Hartlebury from 22nd March to 31st August.

Joan has provided information about trans-people for this purpose.

Jo suggested that the Citizens Advice Bureau be asked if they could provide someone for the event as there has been an increase of 8% in the level of reports of domestic violence apparently due to the current recession.

Jo asked how many of the businesses exhibiting on the 6th March are owned and/or managed by women? The event is being organised in partnership with Women In Rural Enterprise and all the businesses participating in the exhibition are owned by women.

5.3 The Equality and Diversity Forum

It was agreed that the next Consultation Conference will be in September 2009. **Fiona** will identify a suitable date. Partners to be invited will include the Primary Care Trust.

5.4 The Disabled Users Group

The February meeting had to be cancelled due to bad weather conditions. **Eileen** did not receive notification of the cancellation in time although fortunately she had checked with another group member. **Fiona** apologised for this.

The meeting has been re-arranged to Monday 9th March in order to ensure that the list of highways items is compiled in good time to send to **Jon Fraser** for his attendance at the April meeting. **Keith** requested that gritting actions and policy be one of the items. Agreed.

The minutes of the 12th December 2008 meeting of the Disabled Users Group should have been circulated with the papers for this meeting of the Equality and Diversity Forum. They will go out with the next set of papers.

5.5 The Equality Impact Assessment Working Group

The Group is due to reconvene in April 2009. **Fiona** will arrange a meeting and send out an updated list of completed assessments for the group to choose from.

The involvement of community members in the scrutiny and completion of Equality Impact Assessments has been cited as good practice by the Local Government Association.

5.6 Bromsgrove Black History Society

Most of the individual and partner events have now been written up and the full set will be circulated with the papers for the April meeting of the Forum.

5.7 Diwali

In 2009 Diwali falls on Saturday 17th October. **Mr Aggarwal** confirmed that it is preferred that the event takes place on Sunday 18th October 2009. A meeting will take place with the Indian Community Forum representatives in the near future to discuss the arrangements.

5.8 Equalities e-consultation website

An electronic invitation has been sent out to all those Equality and Diversity Forum members who have internet access. The invitation shows a link to www.bdc-e-equalities.blogspot.com

The instructions to accept the invitation are self explanatory and so far 4 people have accepted. The wording of a new poster for staff has been put on the website for comments. The poster was the circulated to the meeting.

Keith had looked at the website and now, seeing the poster itself said that the website version does not give enough context to the words as it does not explain the layout and the link with arrows to the word “Equality”. More explanation in the introduction would have been helpful. The website itself is not very user friendly in appearance.

The website makes use of free software so therefore is very limited and basic. It will not support attachments or documents so we can only show the wording or text of something. However, it is easier to access than the previous Equality and Diversity Forum website.

It was agreed that those Forum members who have been invited will complete the registration process and report back to the next meeting of the Forum when a live demonstration will be given.

5.9 Being Different Together

Bromsgrove District Council has asked for a Peer Challenge (officers and elected Members from other Councils) to test our claim that we have reached Level 3 of the Local Government Equality Standard. We will be asking for volunteers to attend a focus group meeting in April to discuss your views with the Peer Assessors.

5.10 Diversity Week

This was funded by Advantage West Midlands and hopefully will be repeated in November 2009.

5.11 Highway Code for Mobility Scooter Users

This has been circulated to the Disabled Users Group and the Equality and Forum. It was generally well received but no clear consensus has been established as to whether Bromsgrove District Council should produce a local version.

5.12 Review of the Inclusive Equalities Scheme

Fiona is still working on this review and a summary of some of the evidence is included in the Highlight report – attached at the end of these minutes. The Review will form a main agenda item at a future meeting of the Forum.

6. Items from the Chief Executive – Kevin Dicks

Items from the floor

Phil Street undertook this item in Kevin's absence.

Keith drew the attention of the meeting to the issue of the limited time now available for this item. He felt that there was a lack of respect for the item itself to expect that it could be appropriately discharged in the little time left.

He proposed that from this point onwards, the meeting should be timetabled to finish at 8.30 pm rather than 8.00 pm. This was agreed.

- 6.1** **John Tempest** raised the subject of a letter published in the Bromsgrove Advertiser entitled "concern for your neighbour". **John** suggested that this group (the Forum) publish something in the paper to support the Chief Executive. It was agreed that Anne Marie Darroch would be invited to the next meeting of the Forum to discuss this.
- 6.2** **Phil** gave a brief over view of the recent Corporate Performance Assessment results which has given Bromsgrove District Council a "**Fair**" rating over our previous rating of "**Poor**". The Council was in fact very close to "**Good**".
- 6.3** There was a participatory budgeting event called Udecide on Friday 23rd January aimed at Children and Young people. The event was held at the Dolphin Centre where the participants could choose how to spend £50,000 which has been allocated to them.
- 6.4** Bromsgrove District Council is continuing to explore joint working with our neighbouring district, Redditch Borough Council.
- 6.5** Christmas Lights – A new set of lights were installed in Bromsgrove High Street and in Rubery. The hope is to improve the general appearance of the High Street at Xmas.
- 6.6** The Council Budget has been considered and approved.
- 6.7** There is to be a housing needs assessment of older people.
- 6.8** Youth work continues in Charford
- 6.9** The Longbridge Area Action Plan has been published.
- 6.10** In 2009, the Housman Society will be celebrating the 150th anniversary of the birth of A E Housman.

- 6.11 The Customer Service Centre is offering a “pod” or desk for surgeries to Voluntary Sector and Community groups. **Jo Wright** asked about display facilities and how they could be accessed?

The approach needs to be made to either the manager, Roger Horton or the assistant manager, Val Jarvis who will arrange for display material on the flat screen. Use of notice boards is also possible but this needs to be arranged through Julie Heyes.

- 6.12 The Council has established a Task Force on issues arising from the “credit crunch”.

7. **Future Agenda Items**

Town Centre redevelopment plans

The Market Hall

The provision of public transport in the Bromsgrove District.

Speaker from the Primary Care Trust – Assessing and Recording Falls

The meeting closed at 8.10 pm

Time, date and place of next meeting –

6.30 pm Thursday 9th April 2009

The Committee Room



Signed

Trevor Rigg – Chair

Date



The Equality and Diversity Forum

Equality Highlight Report – 12th February 2009

1. LGBT History Month – February

February has been recognised as **LGBT History Month** since 2005 – **LGBT means Lesbian, Gay, Bisexual and Trans-Sexual.**

LGBT History Month is an event designed to introduce a previously “hidden” history to school children in particular as well as to the wider population. Because this history is overlooked in the national curriculum many people in the LGBT community as well as the wider community are unaware of the events and the people who have come before and have made a contribution to history. This means that the contribution which LGBT people have made to society as whole is generally not known and therefore not recognised. LGBT History Month seeks to remedy this lack of historical information by celebrating this history and recognising the contributions made by members of the LGBT community.

A.E.Housman was born in Fockbury, a hamlet on the outskirts of Bromsgrove in 1859. He met and fell in love with a young man while at Oxford but his feelings were not reciprocated. He later travelled Europe indulging in passions which Britain forbade. His brother, Laurence was an early homosexual rights activist.

2. The Gender Equality Working Group

The revised Draft Gender Equality Scheme will be published in early March 2009 and launched at the International Women’s Day event on 6th March 2009. The event will be held in the Spadesbourne Suite from 10.30 am to 3.30 pm – for further details see advertising flyer. The event is open to women and men.

There will be a display table by the Council with information relevant to gender equality, for example, the Hate Crime Incident reporting procedure, services provided for women (and men) suffering domestic violence), details of support groups etc. We hope to have a TV set up showing DVDs relevant to gender equality and LGBT equality.

We will produce a diverse set of positive case studies of women, famous or otherwise, from different ethnic backgrounds, lesbian and trans.

3. The Equality and Diversity Forum

The 2009 programme of meetings for the Forum and the Disabled Users Group has been circulated.

The next Consultation Conference could be early October. This will replace the meetings of the two groups in that month.

Who should attend the conference?

Bromsgrove District Council – Senior Management Team
and all Heads of Service

Representatives of all the political groups elected to the Council

Parish Councillors

County Council officers for

Highways
Transport
Customer Services
Equality and Diversity

Main partners Bromsgrove District Housing Trust
Age Concern
West Mercia Police

Should we aim to combine our Conference with a County Community Fair for Bromsgrove? If so, we might need a bigger venue.

Consider establishing a small working group later this year.

4. The Disabled Users Group

The minutes of their meetings are now circulated with the papers for the Equality and Diversity Forum and go to the Corporate Management Team and the Executive Cabinet of the Council.

The Bromsgrove Disabled Access Group has reconvened and the minutes of their meetings and any written replies from the Council will be circulated with the papers to the Disabled Users Group and the Equality and Diversity Forum.

The Council has agreed to print an advertising flyer for the Bromsgrove Disabled Access Group and to distribute it through Council contact points and arrange for it to be distributed in Bromsgrove libraries.

The Disabled Users Group has had presentation on the changed eligibility for Blue Badges and several discussions on changes to sheltered housing provision in Bromsgrove.

The Group will be drawing up a list of issues at the next meeting in February in relation to Highways. Jon Fraser from the Highways Department at Worcestershire County Council has agreed to come to the April meeting of the Group to discuss the list.

5. The Equality Impact Assessment Working Group

Group reconvened on 29th October and examined six selected Equality Impact Assessments. All the managers except one from the service departments attended and had a discussion with the Working Group.

The comments made have now been added to each of the Assessments and the full Assessments have now been posted on the Internet under a new page for the Equality and Diversity Forum.

The involvement of members of the Equality and Diversity Forum in the completion of the Home Choice Plus Equality Impact Assessment has now been identified as best practice by the Improvement and Development Agency for Local Government.

6. Bromsgrove Black History Society

The 2008 programme was a success with events for the public at the Artrix and Bromsgrove Library. Puppet theatre shows for 3-5 year old school children were performed at 5 schools. The puppet show "The Sun Has Got His Hat On" has been recognised as best practice by the Arts Council who have supported a national tour of this show.

Events for staff were held at Bromsgrove District Housing Trust and Bromsgrove District Council and a partnership link was made between the District Council and the North Bromsgrove High School Gambian Link.

An overall write up of each of the events is being co-ordinated by Fiona and this will be provided to the next meeting of the Forum.

7. Diwali

The 2008 event was held on 26th October to which all members of the Forum were cordially invited. It was attended by over 120 people including people from all sections of the Community in Bromsgrove. The Leader of the Council (Councillor Mr R Hollingworth) and the Chairman of the Council (Councillor Mrs C Spencer) both attended and were presented with garlands of Indian flowers during the introductory ceremony. There were art workshops for older age school children making lanterns and hanging decorations during the afternoon and this continued into the evening.

Diwali will fall on Saturday 17th October 2009.

8. Equalities e-consultation website

The new version of this website has now been activated and all Forum members on email will have received a notification.

This website won't support attachments and documents but will allow an online discussion about items posted in the spaces available on the website pages.

9. Being Different Together

The report about Worcestershire was delayed due to contractual difficulties which have been resolved and the report is currently being redrafted by a new consultant and will be ready by end of March 2009.

In accordance with the objectives of the Being Different Together project Bromsgrove District Council has arranged for a "Peer Challenge" to our claim that we have reached Level 3 of the Local Government Equality Standard.

10. Diversity Week – report back

Three members of staff attended events during the week. Two attended the event "Taking the Pulse" about disability and Fiona attended a conference about managing trans-gender employees and customers.

11. Highway Code for Mobility Scooters

The document produced by Herefordshire Council was adopted as a good practice example from Conway County Council. It is not enforceable.

It would need to be adapted for Bromsgrove as the District Council does not have a Road Safety Unit. The reference to this would either need to be removed or an agreement reached with the County Council.

There would be a cost to producing a customised version for Bromsgrove and there would be a need to consult organisations and then publicise it.

12. Review of the Inclusive Equalities Scheme

The review is in draft form and further examples and evidence are being collected from service departments.

The lifetime of the Scheme is to be extended for a further 18 months to June 2011. This allows us more time to complete the actions committed to 2006. It will also allow for the possibility of a change in the legal requirements due to the proposals in the Equality Bill and will bring our 3

year Scheme cycles in line with the County Council's Single Equalities Scheme.

Conducting this review has enabled some of redrafting that is needed to produce a really good policy document. The sections on Sexuality, Religion or Belief and Age were particularly weak as was the Gender Equality Scheme although that has now been redrafted separately and will be published in March 2009.

Some of the main achievements are listed herewith.



Review of the Inclusive Equalities Scheme

1. The Local Government Equality Standard

- Level Two was achieved and independently verified in December 2007
- Level Three - a Peer Challenge Assessment has been arranged for April 2008 in anticipation of the recognition of Level 3 achievement against the Local Government Equality Standard transferring to the appropriate level under the Local Government Equality Framework
- Action on achieving targets has started
 - Training for employees and elected Members in Equality and Diversity, the Statutory Equality Duties, Disability Equality and Equality Impact Assessments has been carried out and there is a continuing programme to improve and update knowledge and skills.
 - The Bromsgrove Hate Incident Partnership and process was launched in July 2007 with 22 Reporting Centres established. Reports of incidents have been received and appropriately dealt with.
 - The Disability Equality project worker was seconded from Scope for six months in 2007 and a detailed report was produced and published "Achieving Disability Equality in the Bromsgrove District".
 - Plans have been finalised for the design and build of a Personal Care Suite in the refurbished Bromsgrove Town Centre toilet block – this project is expected to be completed by June 2009.

- We achieved the √√ (“Disability Two Ticks symbol”) in relation to the employment of disabled people in partnership with Job Centre Plus in January 2008.
- The Disabled Users Group has been set up and is now meaningfully involved in the decisions which affect disabled people – the provision of community transport, the design of the Town Centre, access to buildings, shops.
- Funds were made available for Community based projects promoting equality in 2008 – these included
 - a drama theatre project for adults with learning disability called “Us and Our Education” which enabled them to tell their own story. This has resulted in a partnership with these adults to assist with tasks that support Shopmobility.
 - Bromsgrove Black History Society organised series of puppet theatre events for 3-5 year old school children telling the story of Black History
 - The Bromsgrove Indian Community Forum organised a celebration of Diwali including groups from all sections of the community and arts workshops for children
- Similar and further community projects are planned for 2009 covering
 - Black history
 - Indian cultural activities in recognition of Diwali
 - Advocacy support for older people
 - Community support group for disabled people
 - Allotment project for adults with learning disability
 - Support and social network for lesbian and gay community

2. Race Equality

- Black History month is celebrated in Bromsgrove every year in October. The activities of Bromsgrove Black History Society have been supported by Bromsgrove District Council in partnership with Bromsgrove District Housing Trust and West Mercia Police since 2005 by providing officer time, facilities and funding.
- Events for younger age school children have focused on arts activities explaining Black History through puppet theatre. This has now been recognised as good practice by the Arts Council who have supported a national promotional tour of this event.
- Other activities include film, dance and theatre at the Artrix focusing on black artistes and themes promoting positive images of black people and their contribution to society.
- In 2008 the Council ran activities to promote black history to employees in partnership with Bromsgrove North High School and the Gambian Link. This focused on the historical links that Britain has with the Gambia, an exhibition about the Gambian and the exchange of high school students which take place every year. There were talks and slide shows about the Gambia and a collection of useful items for the Link.
- In 2008 in partnership with the Bromsgrove Indian Community Forum an event was organised to celebrate Diwali involving a wide cross section of the community and arts workshop activities for children.
- The District Council supports and participates in the annual County Council Community Fairs in North Worcestershire which are aimed at Black and Asian Minority communities and promote Council services to residents.
- The Council supports and promotes the Annual Holocaust Memorial Day. A memorial service is held at St.Johns Church which is attended by the Chairman.
- Ethnic Access Link provides an interpreting and translation service for those who need assistance to access services. This is advertised in a multi-language panel on Council publications, an insert sheet is sent with all correspondence, all "Front of House" contact points and on the

Council's website. The service has enabled community members to participate in interviews and community events, to complete forms to claim benefits and enter their details on the Register of Electors.

- Ethnic Access Link provide free “English as a Second Language” training and a range of advisory services to Worcestershire community members including a Polish Clinic and free home tutorial language services.
- The Council's website has an online translation facility which is accessed by clicking on the international flags at the bottom of the main website page.

3. Disability Equality

- The report “Achieving Disability Equality in the Bromsgrove District” was published in November 2007 and provided the evidence of the need for a “Personal Care Suite” which has now been designed with the involvement of community members and the Disabled Users Group.
- The existing town centre toilet block will be completely refurbished to include two separate unisex accessible toilets, the ordinary men's and women's toilets will each include at least one wider cubicle.
- It will also have a separate personal care room large enough for 3 people with a separate toilet for carers to use – this will only be accessed with a Radar key or equivalent.
- The refurbished toilet block is expected to be ready by May/ June 2009.
- The Elections service is carrying out a programme of awareness raising visits to residential homes in the Bromsgrove District to ensure that the Register of Electors is up to date and that the postal voting procedure is understood. Wardens in these residential homes are now including electoral registration information in the induction packs issued to new residents.
- Regular work experience opportunities have been provided to disabled students from Chadsgrove School. Other work experience has been provided to disabled graduates leading to other opportunities or paid

employment elsewhere. These opportunities will continue to be provided whenever possible.

- Bromsgrove Customer Service Centre staff are trained to receive telephone calls through BT Type Talk from hearing impaired service users.
- The look and feel of the Council's website has been changed to make it clearer to read.
- The Council's website can be magnified and a Browse Aloud facility can be downloaded.
- A welfare officer has been appointed who visits people in their homes and assists them with the completion of forms and access to other services through advice and signposting.
- A tactile map of the Town Centre for Braille readers is being developed with the involvement of blind service users.
- A Shopmobility users map for is being developed showing the most convenient routes around town and indicating where the dropped kerbs are.
- In response to the Scope Access Audit we have
 - installed an automatic door for the Members entrance at the Council House
 - widened the access ramp for the Spadesbourne Suite
 - improved the signage and arrangements for Blue Badge allocated spaces in Pay and Display car parks
 - refurbished the main contact point in the Council House and relocated Planning Surgeries from an upstairs contact point to the ground floor of the Council House
 - refurbished Amphlett Hall and improved external and internal access
 - installed a hearing loop in the Spadesbourne Suite
 - at the Dolphin Centre, a full review of the accessible changing and toilet facilities has resulted in extra grab rails, shower seats and alarm pull cords being installed.
 - extra colour contrasting bands added to doorways, pillars/posts, light switches, new colour contrasting manifestations on the entrance door and nosings on all stairs

- purchase of a spare Oxford Dipper pool hoist for swimming pool usage
- doors and access ramp have been refitted to allow easy entrance and egress for all including mobility scooter users
- Disabled people have been involved in wheelchair access audits of the Artrix.
- Annual surveys of Polling Stations are conducted and Polling stations where possible have been moved to more accessible buildings.
- In February 2008 20 taxi drivers signed up for an NVQ in Road Passenger Transport. This NVQ included disability awareness and advice and the need to give assistance to disabled passengers.
- The provision of Disabled Facilities Grants showed that in the first half of 2008
 - there has been a 58% increase in the number of grants completed
 - there has been a 71% increase in the spend
 - this has benefited 137 families with children and other dependants and disabled people
- All our publications explain how to request documents in alternative formats – large print, Braille, audio CD or tape.
- Together Bromsgrove is provided on audio CD on a request.
- Recycling calendars have been provided in Braille and Large Print.
- Letters have been provided on audio CD.
- The Consultation Conference and Achieving Disability Equality reports have been distributed in standard and Large Print versions.
- Braille copies of the above documents have been provided on request.
- An Easy Read Version of the Disability Equality Scheme was published in the summer of 2007.

4. Gender Equality

- The plans for the refurbished town centre toilet block include a separate baby changing facility with a toilet which is available to parents and carers of both sexes.
- A selected group of service users was involved in site visits to agree the refurbishment of the town centre toilet block and the facilities that will be provided which include parent and baby changing facilities and a personal care suite for higher care needs.
- In both the Gents and the Ladies toilets one cubicle will be of an enlarged size to facilitate the needs of people with small children, shopping, mobility aids etc.
- The town centre toilet block will be refurbished to re-open in June 2009 and the facilities for baby changing will be available to men and women.
- The implementation of an access survey of polling stations will assist parents with children when attending to vote.
- The Council operates a salary sacrifice childcare voucher scheme administered by Busy Bees.
- Sports Development offers a full programme of activities and support participation for both genders in all sports. Programmes offered are fully inclusive within National Governing Body Guidelines.
- A range of programmes is targeted specifically at teenage girls and offering a broader spectrum of non-traditional sports such as cheerleading, trampolining, ultimate Frisbee etc.
- Active Angels – holiday scheme run by Sports Development that combines physical activities such as cheerleading and netball with arts activities such as face painting and costume making. Similar scheme now being developed to appeal to boys, though both schemes are offered to both genders.
- The Council participates in a scheme to support employees who are victims of domestic violence.

- With our partner, Bromsgrove District Housing Trust we support the Sanctuary Scheme for victims of domestic violence and provide financial support for women's refuges.
- We work in partnership with the Youth Service to address school bullying with the aim of increasing awareness through education and reducing the risk of domestic violence in later life.

5. Sexuality Equality

- New staff attend an induction process in which the Equal Opportunity Policy, which covers sexuality, is explained to them. New staff are required to sign to say that they have received and understood this policy.
- Equality and Diversity Part One uses video training scenarios which focus on the inappropriateness of the use of certain words in relation to sexuality.
- Evaluation shows that these courses have been well received and as a result of the training, staff understand their responsibilities better than they did before.
- We have consulted on the extension of the collection of equality monitoring data to include sexuality and plan to implement this for service delivery from April 2009.
- This information will enable service departments to monitor the effect of their policies on sexuality and inform the development of new policies.
- Local people are seeking to establish a Bromsgrove support group with the support of the Council.
- The Council liaises with the Worcestershire Police LGBT Forum and circulates their information to staff and members of the Equality and Diversity Forum.

6. Religion or Belief

- New staff go through an induction process in which the Equal Opportunity Policy, which covers religion or belief, is explained to them. New staff are required to sign to say that they have received and understood this policy.
- Equality and Diversity Part One uses video training scenarios which focus on the inappropriateness in the assumptions made about people who observe a particular religion.
- Events and meetings are planned as far as possible to avoid any religious majority or minority holidays or festivals.

- The access questionnaire for attendance at meetings and Conferences asks for dietary requirements including vegetarian, halal or kosher - these foods are provided if required.
- The access questionnaire also asks for the need for a prayer room or quiet room and prayer rooms are provided at Conferences.
- When Conferences or meetings have co-incided with Ramadan, and food is available a pack of food and a drink is provided for those fasting to take away with them.
- All buffets are 50% vegetarian.
- We have consulted on the extension of the collection of equality monitoring data to include religion or belief and plan to implement this for service delivery from April 2009.
- This will assist in the completion of equality impact assessments and the resultant business planning.
- The Employment Equality Regulations were extended to provide legal protection against discrimination on the grounds of religion or belief in the provision of Goods, Facilities and Services.

7. Age Equality

- In the 2008 Democracy Week, electoral services visited 3 schools with the Council Chairman and played democracy games with schoolchildren aged 9-10. This raised awareness of democratic process and encouraged interest in local democracy amongst future voters.
- The Elections service is carrying out a programme of awareness raising visits to residential homes in the Bromsgrove District to ensure that the Register of Electors is up to date and that the postal voting procedure is understood. Wardens in these residential homes are now including electoral registration information in the induction packs issued to new residents.

- The Council has refurbished Amphlett Hall and much improved the external and internal access which helps to support the needs of groups of older people who use the Hall.
- The Equalities Bill proposes to extend legal protection against discrimination on the grounds age in the provision of Goods, Facilities and Services.
- Age is only used as a criterion for the provision of Council services where it is relevant to do so although some services are specifically provided for certain age groups, for example Sports Services to schools and clubs, housing for older residents.
- We have developed and implemented a process enabling employees to continue working after current normal retirement age
- We make job opportunities open to job applicants already over normal retirement age



BROMSGROVE DISTRICT COUNCIL

CABINET

1 APRIL 2009

BROMSGROVE MUSEUM

Responsible Portfolio Holder	Councillor Roger Hollingworth
Responsible Head of Service	Phil Street

1. SUMMARY

- 1.1 This report details the progress made by the museum advisory group on actions to address the future of Bromsgrove Museum.

2. RECOMMENDATION

- 2.1 That Cabinet notes that the museum advisory group has been established and that it has investigated the arrangements and costs associated with the future of Bromsgrove Museum.
- 2.2 That it is recommended to Council that the Friends are requested to produce a development plan for consideration by the Council as trustee within 3 months.
- 2.2 That Cabinet reconsiders its decision made on 1 October 2008 that the land and building which houses the Collection should be sold or utilised for the best price achievable.
- 2.3 That Cabinet considers whether to offer to the Friends a long, full-repairing lease at a commercial rent to be completed within 6 months; and/or
- 2.4 That Cabinet considers whether to offer the Friends a 5 year full-repairing lease to be completed within 6 months at a peppercorn rent with an option to purchase at its expiry at full market value;
- 2.5 That if Cabinet is minded to proceed with a sale to the Friends on the terms proposed by the Friends:
- 2.5.1 authority is delegated to the Corporate Property Officer to negotiate terms for an option in consultation with the Portfolio Holder, subject to any conditions Cabinet considers to be appropriate;
- 2.5.2 that Cabinet recommends to Council that the Friends are given 12 months to April 2010 to generate the funds required to purchase and operate the museum and that progress towards

this is reviewed by Council after 6 months in September 2009, and that during this period consideration of Option 5 (as detailed in the report to Cabinet on 1 October 2008) continues

3. BACKGROUND

- 3.1 At the Council meeting on 12th November 2008 it was resolved that that the Museum be closed permanently, but and that the Executive Director (Partnerships and Projects) set up an advisory group to report to Council in January 2009 on the viability of a proposal received from a new charitable trust known as the Friends of the Norton Collection Charitable Trust (“the Friends that:
- The Council allows the Friends an opportunity to purchase the building which housed the museum at market value under an option to purchase to allow the Friends 9 months in which to raise the relevant capital (a decision for the Cabinet);
 - The Council transfers the Norton Collection to the Friends (a decision for the Council in its capacity as trustee);
 - The Council provide short-term storage facilities for the residual Collection free of charge (a decision for the Cabinet).
- 3.2 It was further agreed by Council at its meeting on 12th November 2008 that information on the costs and implications of Option 5 contained in the report to Cabinet on the Future of Bromsgrove Museum in October 2008 be presented and reported back to Council to request the release of appropriate funding from balances to effect Option 5. Members will recall that Option 5 involved the Council remaining as trustee for the Norton Collection and for the Deed to be varied so as to enable parts of the Collection to be displayed within public areas of the Council House, Customer Service Centre and for “education boxes” to be made available to local schools to support the curriculum. The museum would vacate the premises which could then be sold.
- 3.3 At its meeting on 1st October 2008 the Cabinet agreed that the land and building which houses the Collection should be sold or utilised for the best price achievable.
- 3.4 The advisory group has been established and it included representation from the County Council Museum and Archives Service. The group was unable to report back to Council in January 2009 as a number of the tasks required additional time to complete. However, the tasks it was asked to undertake have now been completed. This has included:
- a valuation of the museum building;
 - obtaining quotes from specialist removal companies for removing and storing the artefacts;
 - investigating the degree to which the collection has been catalogued; and
 - considering the issues relating to proceeding with Option 5.

Option 5

- 3.5 Advice has been received from the County Council Museums and Archives Service officers sitting on the advisory group on the proposed operation of Option 5. This suggests that the system for operating such a scheme would be more time consuming, complicated and expensive than previously believed.
- 3.6 Pursuing Option 5 will entail removal of the artefacts currently housed at the museum building and the engagement of a specialist removal company. The indications are that the removal of artefacts from the museum would involve 4 staff working for a minimum of 2 weeks. The cost of removal is estimated to be approximately £20,000 and this does not include removing any fixtures which would add about a further £10,000 to the cost.
- 3.7 The removal company could offer temporary storage facilities although it is anticipated that the artefacts could be stored at the Council's Depot in the short term. However, the advice received from the Museum and Archives Service is that in the long term the Collection should be professionally stored in acid-free storage boxes with appropriate environmental control equipment. This has not been costed but would be significant.
- 3.8 It has also been suggested that some conservation and repair work should also be undertaken to some items in the Collection but again this has not been costed.
- 3.9 Officer time and resources would be required to select those items from the Collection for inclusion in the various curriculum boxes, in promoting the boxes, issuing the boxes and checking their return. The Council would need to identify a resource to undertake this work and it is unlikely that there is capacity to do this within existing teams.
- 3.10 In summary, the professional advice from the members of the advisory group has revealed that the proposal for furtherance of the trust through Option 5 is more involved and costly than originally anticipated and that in order to pursue this option to be furthered the Council must commit the resources identified as being appropriate which would in due course require a recommendation to Council to revise the Medium Term Financial Plan.

Valuation of the Building

- 3.11 Members are advised that although previous valuations of the building have been undertaken that these have not taken account of the fact that the building is subject to a number of restrictive covenants. The covenants restrict the way in which the land can be used and have a negative effect on the ultimate value that can be realised as a result. These covenants have been attached to the land at various stages in time by various parties, including the Council and the extent to which they can be varied has not yet been investigated. It is fair to say that this

exercise would need to be undertaken before the Council moved to disposal if it were determined to achieve the highest valuation. It is also fair to say that in the current economic climate the optimum value is unlikely to be achieved.

- 3.12 The current valuation of the building with the restrictive covenants that are currently attached to the land, the current planning use and on the basis of vacant possession is £290,000.
- 3.13 A tenant occupies one of the workshops at the rear of the building and has been given notice to vacate the premises by the end of June. No steps can be taken to dispose of the premises until vacant possession has been obtained.

The Option to Purchase

- 3.14 The Friends have requested that the Council enters into an option agreement whereby it agrees that for a period of 9 months (although informally the Friends have indicated that they would prefer this to be extended to 12 months) the Council will not dispose of the land to any other party, and that the Friends are given the option to acquire the land for a set price.
- 3.15 The Friends have indicated that without this option they are unable to demonstrate the certainty required by potential funders of the future of their investment.
- 3.16 Members may consider that in light of the current slump in property prices and the need to secure Value for Money, this may not be the most appropriate time to consider sale of the building and Cabinet may wish to explore other options.
- 3.17 The Section 151 Officer has advised that assets management policy is currently based on assumptions that the property market will revive within the next 5 years. On that basis members are advised that the proposal from the Friends may not constitute Value for Money. Members may wish to reconsider the decision made on 1 October 2008 to dispose of the building for the best possible consideration. Members are requested to consider 2 alternatives to the proposal made:
- a. offering the Friends a long lease at a commercial rent;
 - b. offering the Friends a lease for 5 years at a peppercorn rent with an option to purchase the land at the expiry of the lease for the then market value.
- 3.18 In either case, any offer of a lease should be on the basis of it being a full repairing lease. The Friends have indicated that they intend to carry out alterations to the building (albeit on the assumption that the land would be sold to them) and if a lease were granted to the Friends but subsequently ended and possession returned to the Council, members

need to be aware this might result a claim from the Friends for compensation for improvements.

- 3.19 If members are minded to proceed with the short lease at a peppercorn rent with an option to purchase upon its expiry, there is a risk that in 5 years' time market values may not have risen and the Council would be bound to sell at that time and on those terms.
- 3.20 These options would enable the Friends to press on with their plans without the need to raise a significant capital sum at the outset and would allow them more time to raise capital should they wish to purchase the freehold at some point in the future.
- 3.21 Neither of these options has yet been put to the Friends and Cabinet is requested to decide whether to open up negotiations with the Friends on either or both of these bases. It is suggested that a longstop date 6 months hence is agreed for finalising the terms of the lease.
- 3.22 If the Cabinet is minded to proceed with a sale to the Friends in accordance with its decision made on 1 October 2008, Cabinet needs to consider the terms of the option requested. The Friends have requested that in the event they decide to exercise the option, the purchase price for the land and building be index linked to reflect any fall (but not any rise) in property values. It is recommended that this should operate both ways, and that any option should be expressly index linked to reflect in the eventual purchase price not only any fall in property values but also any rise in property values. It is normal for the party receiving the benefit of an option agreement to pay a sum of money to the other party on the signing of the option agreement. The Friends have requested that this sum should be minimal. Members are requested to consider this issue and to delegate authority to the Corporate Property Officer to negotiate terms for an option in consultation with the Portfolio Holder, subject to any conditions Cabinet considers to be appropriate.

Transfer to the Friends

- 3.23 The advisory group has also explored the feasibility of transferring the artefacts to the Friends.
- 3.24 The advisory group has assessed the capacity of the Friends to operate a museum housing the Collection. The Council as trustee must satisfy itself that the Friends are capable of furthering the objects of the Trust and preserving the Collection indefinitely for the benefit of the local community.
- 3.25 The Friends are led by a person with well established museum credentials. Although retired he acts as an advisor and consultant to a number of museum and heritage projects. Before taking early retirement he was Head of Development Office for the National Museums and Galleries on Merseyside (now National Museums Liverpool) and was responsible for securing funding for a wide range of projects from small

displays or education initiatives to major new museums developments. This includes the Kidderminster Carpet Museum. He has worked for the European Commission reviewing project applications and acting as project advisor in the heritage and ICT fields. He has also given workshops about funding opportunities and making applications.

- 3.26 The advisory group sought information on the Friends' proposed trustees and its membership base. The information supplied indicated that the trustees reflected a group with proven experience, integrity and professional breadth. Outline details were provided of the membership of the Friends and this appears also to be wide ranging and contains people with a cross section of experience and professional backgrounds.
- 3.27 The advisory group has requested that the Friends produce a development plan for the museum which includes its fundraising strategy. Members will not be in a position to determine whether the proposal by the Friends is a viable one until the advisory group has been able to adequately explore the extent to which the development plan demonstrates a sound and viable and sustainable plan for the operation of the trust. It is recommended that the Friends are requested to produce a development plan for consideration by the Council as trustee within 3 months.
- 3.28 Whilst the development plan has not yet been produced an initial indication in relation to the fundraising aspects is attached to this report as Appendix 1. This is of course based on the assumption that the Friends would purchase the building at the outset and not on the alternative lease suggestions referred to above. If members are minded to proceed with the proposal put forward by the Friends, the fund raising plan would appear to be a realistic and well-formulated plan that indicates the group would require 12 months to generate their target capital and the Friends have confirmed that they would be in a position to indicate whether the fundraising was on target after 6 months.
- 3.29 The advisory group suggested that the Council may wish to keep some future involvement in the event that the Collection is transferred to the Friends, perhaps by requesting an ability to appoint one of the trustees, in order to maintain a link to the Collection. This has not been suggested by the Friends and has not been included as one of the recommendations but members should be aware of the suggestion.
- 3.30 In the event that members were not minded to pursue a sale of the building or an option to purchase at this time then in order for the Friends to complete the development plan members would need to determine on what basis that the building could be utilised by the Friends.

Cataloguing of the Collection

- 3.31 The advisory group has ascertained that virtually all of the items in the Collection have been catalogued or entered into an inventory.

Winding Up

- 3.32 If the transfer to the Friends does not proceed and members were minded not to proceed with with Option 5 the only remaining currently viable option would be to consider the winding-up of the current charity. To do so would require the consent of the Charity Commissioners, and in order to obtain that consent the Council would need to demonstrate that it had taken all reasonable steps to secure the future of the Collection including transfer to any suitable alternative charitable organizations. In other words, it would need to be satisfied that winding-up was a last resort and that all other appropriate options had been explored and exhausted.

4. FINANCIAL IMPLICATIONS

- 4.1 The costs associated with closure of the museum include revaluation of the building which it anticipates will cost some £350.
- 4.2 The building is valued by the Council at some £290,000.
- 4.3 The cost of removal of artefacts is quoted at approximately £20,000. The removal of fixtures is expected to add up £10,000 on that cost. The temporary storage of artefacts with the removals company would be some £250 per month; the cost of long-term storage in proper conditions has not been ascertained.
- 4.4 The operation of a peripatetic curriculum boxes will require their establishment and overseeing of their issuing and return. It is anticipated that will involve a recurring cost of £10,000 per year.
- 4.5 Additional cost of legal action required to amend the Deed of Trust (in the event of proceeding with Option 5 or winding-up) has not yet been calculated.

5. LEGAL IMPLICATIONS

Variation of the Deed to enable Option 5

- 5.1 Permanent closure of the museum or transfer to another trust will require the Deed to be amended as the current conditions placed upon the Trust prohibit the transfer of the Collection to a third party and specifically state the Council as the sole trustee. In addition the conditions set out in the Deed are onerous and would be a significant deterrent to any individual or organisation approached to take on responsibility for the Collection.
- 5.2 The Deed does not contain a power for the Council as trustee to amend the terms of the Trust. However, under the Charities Act 1993 (the "Act") there is a statutory power for trustees of unincorporated charities to amend either their powers and procedures or, in more limited circumstances, their charitable objectives. The power to amend powers and procedures is available to all unincorporated charities whereas the statutory power to amend charitable objects is only available to

unincorporated charities with an income of less than £10,000. There are procedures associated with each power with more extensive requirements attached to the power to alter the objects..

- 5.3 The charitable objects of the Trust – “promoting the education of the citizens of Bromsgrove and the public generally” – are not unduly restrictive and it is not proposed that these need to be amended to pursue closure or transfer. Rather it is the conditions attached to the trust that need to be amended. Standard wording in relation to powers of the trustees should also be added.
- 5.4 Whilst it is not proposed that the objects are amended, it is proposed that the procedure for amending the objects is followed. This is because it is possible that the Charity Commission (“Commission”) or other interested parties may argue that the conditions listed in the Trust Deed are in fact part of the objects as the objects clause states that it is subject to the conditions. This is an argument that often arises in these situations and by following the requirements associated with amending the objects clause the risk of another party successfully challenging the process will be reduced.
- 5.5 The requirements for altering the objects are:
 - 5.5.1 the Council as trustee agrees that it is expedient in the interests of the charity for the purposes in question to be replaced;
 - 5.5.2 the Council as trustee agrees that so far as is reasonably practicable, the new purposes consist of or include purposes that are similar in character to those that are to be replaced;
 - 5.5.3 the passed resolution together with a statement of reasons for amending the objects must be filed with the Commission. The Commission may:
 - (a) direct the Council to publicise the resolution and take into account any representations made; and /or
 - (b) request the Council to provide further information as to why the changes were made.
- 5.6 Subject to these steps being completed the resolution will be effective 60 days after the date it is received by the Commission.
- 5.7 It is recommended that the onerous obligations are removed from the Deed on the basis that they are unduly restrictive and are a prohibitive factor in the trust furthering its objective of advancing education. The conditions should be replaced with standard clauses from the Commission’s model trust deed dealing with issues such as the powers of trustees and the right to appoint new trustees. This will provide for a flexible and workable format for anyone wishing to take on the trusteeship. The spirit of the Trust – i.e. the public display of the

Collection in Bromsgrove – can be left within the Trust Deed to ensure that the requirement stated at 5.5.2 is met.

Role of a Trustee

- 5.8 The Council as trustee is required to comply with the obligations placed on all trustees under charity and trust law. These are summarised in Charity Commission guidance for trustees as follows:
- (1) Trustees have and must accept ultimate responsibility for directing the affairs of a charity, and ensuring that it is solvent, well-run, and delivering the charitable outcomes for the benefit of the public for which it has been set up.
 - (2) Ensure that the charity complies with charity law, and with the requirements of the Charity Commission as regulator; in particular ensure that the charity prepares reports on what it has achieved and Annual Returns and accounts as required by law.
 - (3) Ensure that the charity does not breach any of the requirements or rules set out in its governing document and that it remains true to the charitable purpose and objects set out there.
 - (4) Comply with the requirements of other legislation and other regulators (if any) which govern the activities of the charity.
 - (5) Act with integrity, and avoid any personal conflicts of interest or misuse of charity funds or assets.
 - (6) Ensure that the charity is and will remain solvent.
 - (7) Use charitable funds and assets reasonably, and only in furtherance of the charity's objects.
 - (8) Avoid undertaking activities that might place the charity's endowment, funds, assets or reputation at undue risk.
 - (9) Take special care when investing the funds of the charity, or borrowing funds for the charity to use.
 - (10) Use reasonable care and skill in their work as trustees, using their personal skills and experience as needed to ensure that the charity is wellrun and efficient.
 - (11) Consider getting external professional advice on all matters where there may be material risk to the charity, or where the trustees may be in breach of their duties.

Disposal of Land at an Undervalue

- 5.9 The Local Government Act 1972 section 123(2) states that a Council shall not dispose of land, otherwise than by way of a short tenancy, for less than best market value except with the consent of the Secretary of State. The consent of the Secretary of State is deemed to be given in circumstances set out in the General Disposal Consent (England) 2003 which essentially provides that a Council may dispose of land at an undervalue if the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the following objects:

- the promotion of economic well-being
- the promotion or improvement of social well-being
- the promotion or improvement of environmental well-being

and that the undervalue does not exceed £2,000,000.

6. COUNCIL OBJECTIVES

- 6.1 The museum does not feature in the Council's priorities and the level of attendance at the museum reflected low levels of resident interest and commitment to the museum.

7. RISK MANAGEMENT

- 7.1 The main risks associated in this report are:

- Action by the Charity Commission

It is possible that the Charity Commission could take action against the Council by intervening in circumstances when it considers there to be some grave, serious risk to the charity's interests in order to protect the charity and its assets. in the event of it receiving a complaint about the Council in its capacity as trustee .

- Affect reputation

It is possible that the Council's reputation may be adversely affected by the closure of the museum. Although the number of visitors has been extremely limited the closure of an institution or organisation can sometimes be met with disproportionate opposition.

- Deprive community of its historical records

The museum does contain some valuable and important artefacts associated with Bromsgrove's history.

- 7.2 These risks are being managed as follows:

- Action by the Charity Commission

Specialist legal advice is being sought in this respect. Any risk of action arises from the current situation whereby the trustees are not positively acting in the interests of the Trust.

- Affect reputation

To mitigate this it may be necessary to demonstrate that action to address the current situation is being taken and have a clear communications plan as to inform the public as to why the decision has had to be taken.

- Deprive community of its historical records

It is possible to make the case that the approach taken to the management of the museum has meant that the most has not been made of the collection and the current trust deed imposes unreasonable constraints on the development of the museum. In adopting a more proactive approach and through varying the trust deed it could be that the items in the museum could be used to better affect and promote understanding regarding the history of Bromsgrove. These risks will be added to the Street Scene and Community Services risk register.

- 7.3 Currently the risks identified above in 7.1 is not addressed by any risk

register and will be added to the Street Scene and Community Services Risk Register.

8. CUSTOMER IMPLICATIONS

8.1 The closure of the museum will have a negative impact on the customers who could potentially have visited it however this is felt to be negligible given the low visitor numbers.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 The museum is currently inaccessible to those with mobility difficulties and those who use a wheel chair.

10. VALUE FOR MONEY IMPLICATIONS

10.1 The closure of the museum will save the Council £70,000 in a full year and the sale of the building is likely to realise a sum of £330,000.. However, there will be a payment of over £25,000 to carry out the actions associated with museum closure.

10.2 This may be greater if the Council faces legal costs should the Council be challenged over closure.

10.3 If members agree to transfer the the 'Friends of' organisation the savings will be realised, but it will not incur costs associated with closure and storage.

11. OTHER IMPLICATIONS

Procurement Issues - None
Personnel Implications - None
Governance/Performance Management - None
Community Safety including Section 17 of Crime and Disorder Act 1998 - None
Policy - None
Environmental - None

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	Yes
Executive Director (Partnerships and Projects)	Yes

Executive Director (Services)	Yes
Assistant Chief Executive	Yes
Head of Service	Yes
Head of Financial Services	Yes
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	Yes
Corporate Procurement Team	No

13. WARDS AFFECTED

All Wards, but St John's Ward due to the location of the museum building

14. APPENDICES

Appendix1 – Contains the section of the development plan addressing fund raising.

15. BACKGROUND PAPERS

Not applicable

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THE FRIENDS OF THE NORTON COLLECTION CHARITABLE TRUST

Organisation of Fundraising Campaign

Elements of Campaign

The Trust has agreed an approach whereby one fundraising campaign will be mounted that includes several different elements. The elements will include purchase of the building, provision of access for disabled visitors, conversion of two of the rear workshops into an education suite, a café facility and some enhancement to the display interpretation.

The purchase of the building will be the substantial element; the other elements are not likely to add significantly to the fundraising total although the cost of the access for disabled visitors is currently being investigated. By including these elements the campaign will reflect a more rounded project with a strong emphasis on education that is more likely to attract funding and provide the Trust with the resources to manage and open to the public an appropriately functioning museum.

When the secured funding reaches the purchase price for the building then the Trust would want to commence the legal side of the purchase of the building with Bromsgrove District Council. Meanwhile the campaign would continue and as further funding is secured then the other elements will be completed until the overall campaign total is achieved and all the elements are completed.

The Trust feels this is a more effective way of fundraising than mounting a series of campaigns for the individual elements.

Potential Funders

The Trust will be approaching a wide range of different funders. These are likely to include the Heritage Lottery Fund (HLF), trusts and foundations (both national and regional) Landfill Tax, community funding agencies, local businesses and the public. In the main, the campaign will involve making grant application and in the light of the current financial situation these applications will have to be well crafted and focused on appropriate funding bodies. Local businesses at this stage are going to find it difficult to support the project but as the museum develops there may be opportunities in the future. At a later stage in the campaign when perhaps there is a modest gap between what has been raised and the campaign target, a public appeal will be mounted to directly involve the local community.

Fundraising at any time is a challenge and in the current financial situation it will be particularly challenging but the Trust is determined to do everything it can to raise the funding to secure the future of the museum in Bromsgrove for the local community and for visitors to the town.

Lead Trustees

The fundraising campaign will be led by three of the Trustees – Peter Reed, Jenny Edginton and Dennis Norton.

Peter Reed although retired acts as an advisor and consultant to a number of museum and heritage projects. Before taking early retirement he was Head of Development Office for the National Museums and Galleries on Merseyside (now National Museums Liverpool) and was responsible for securing funding for a wide range of projects from small displays or education initiatives to major new museums developments. He has worked for the European Commission reviewing project applications and acting as project advisor in the heritage and ICT fields. He has also given workshops about funding opportunities and making applications.

Jenny Edginton has wide experience in the education field (including a schools museum service), both securing funding for projects and also acting as an advisor on funding applications. She is an advisor to the Royal Society of London for their grant awards and has secured funding and awards from Partnership Grants and Quality Mark. She has also secured funding for the Broadway Tower project.

Dennis Norton has long experience of successfully securing both funding and support-in-kind for a wide range of projects in Bromsgrove. He was instrumental in building up the Norton Collection and also in creating the displays that currently comprise Bromsgrove Museum. He has very good local connections that will be important for the overall campaign.

Timescale

The Trust is very keen to secure an accommodation with Bromsgrove District Council over the purchase of the existing museum building and the transfer of the Norton Collection. A period of 12 months for securing the necessary funding would provide the Trust with a reasonable period. The Trust would keep the District Council informed on progress and would agree to a milestone after 9 months with an open and transparent review of the likely success of the campaign.

BROMSGROVE DISTRICT COUNCIL

CABINET

APRIL 1ST 2009

OUTURN EXPENDITURE OF CLG HOMELESSNESS GRANT FUNDING FOR 2008/09, UPDATE ON PERFORMANCE AND PROPOSED USE OF GRANT FOR HOMELESSNESS PREVENTATIVE SCHEMES FOR 2009/10 – 2010/11.

Responsible Portfolio Holder	Councillor P. Whittaker
Responsible Head of Service	Head of Planning and Environment
Key Decision	

1. SUMMARY

- 1.1 Since the Homelessness Act 2002, the Government has allocated grant funding to local authorities to prevent and tackle homelessness and to help achieve the Government target set for each LA of halving the number of homeless people living in temporary accommodation by 2010.
- 1.2 The annual grant to BDC, allocated through Communities and Local Government (CLG) has been used to fund a range of homelessness support services and schemes that focus upon the prevention of homelessness and repeat homelessness in the District and has assisted the Council in meeting the Government's target of halving the use of temporary accommodation ahead of schedule.
- 1.3 This report provides members with information relating to:
 - The schemes in place in this District funded by CLG Grant during 2008/09 which provide support to the homeless or help to prevent homelessness.
 - The impact the preventative services have had on reducing homeless presentations and acceptances and the authorities performance against the Government target of reducing the use of temporary accommodation by 2010.
 - The award of additional CLG homelessness grant in recognition of the Council becoming a Regional Centre of Excellence for Youth Homelessness.

and seeks Members approval of the recommendations for the award of grant to specific schemes in 2009/10 and 2010/11 that have been made by the Homelessness Strategy Steering Group.

2. RECOMMENDATION

- 2.1 That the update on the homelessness preventative and support schemes funded through CLG Homelessness Grant during 2008/09 be noted.
- 2.2 That the Council's continued performance in halving the use of temporary accommodation in advance of the Government's 2010 target date be noted.
- 2.3 That the submissions for the funding of schemes recommended by the Bromsgrove Homelessness Strategy Steering Group as set out at Sect 7 of the report be approved to receive funding from the Council's CLG Homelessness Grant for 2009/10.
- 2.4 That funding of £12,000 be forward allocated from the Council's CLG Homelessness Grant for 2010/11 to support the second year of the new CAB Mortgage Rescue Money Advisor service a detailed at 8.1 of the report.
- 2.5 That the Head of Planning & Environment Services in consultation with the Portfolio Holder for Strategic Housing be granted delegated authority to allocate any under spend or make further adjustments necessary to ensure full utilisation of the grant allocation for 2009/10 in support of existing or new schemes.

3. BACKGROUND

- 3.1 Since the Homelessness Act 2002, the Government has allocated grant funding to local authorities to prevent and tackle homelessness and repeat homelessness and to help achieve the Government target set for all local housing authorities to halve the number of homeless people living in temporary accommodation by 2010. Since its inception, the annual grant to BDC, allocated through Communities and Local Government (CLG) has been used to fund a range of homelessness support services provided in the District by a range of partner organisations.
- 3.2 The Government requires the following outcomes to be delivered by the grant:
 - Reduced and sustained reduction in the level of rough sleeping by at least two thirds below the level in 1998.

- Avoidance of long-term use of bed and breakfast accommodation for homeless families with households with children or a pregnant woman.
- By 2010 end the use of bed and breakfast accommodation for young people between 16 and 17 years of age.
- Reduction in the use of temporary accommodation by 50% by 2010.

3.3 As the Council experiences minimal or no rough sleeping and has very low usage of B&B (using hostel and self contained dispersed units to house homeless families), the first three requirements (above) are currently being controlled.

In terms of the final outcome, sound preventative services have helped us to achieve, and continue to achieve, the reduction in the use of temporary accommodation by 50% by 2010 and will continue to support the Council's aim to phase out the use of hostel accommodation.

4. SCHEMES FUNDED BY CLG GRANT DURING 2008/09 WHICH PROVIDE SUPPORT TO THE HOMELESS AND/OR HELP TO PREVENT HOMELESSNESS.

4.1 Members may recall that as the Strategic Housing Authority, BDC coordinates and leads the Bromsgrove Homelessness Strategy Steering Group which in partnership with a range of organisations has helped us to develop the Homelessness section of the Housing Strategy and action plan to address the support needs of the homeless and have developed schemes aimed at the prevention of homelessness.

4.2 Last year, for the first time, the Council was awarded Homelessness Grant totalling £80,000 for a three year period from 08/09 – 10/11. On the 6th February 2008 the Executive Cabinet gave approval to the grant funding for 2008/09 – 2010/11 being used in accordance with the recommendations made by the Bromsgrove Homelessness Strategy Steering Group. The Executive Cabinet also gave delegated authority to the Portfolio Holder to re-allocate any under spend.

The grant funding for 2008/09 has therefore been allocated and utilised as follows:

Allocation of CLG Homeless Grant 2008/09		
	Bids	Actual
	£	£
Amount C/f from 07/08	27,122	
Homelessness Grant	80,000	
Total available	107,122	
Homeless focus group	500	500
Newstart	5,000	5,000
Baseline Rent Deposit Scheme	18,000	18,000
Centrepont	3,500	0

Nightstop	8,000	0
Floating Homelessness Prevention Officers	24,000	24,000
Home Visiting Role	15,000	15,000
Consultation	1,000	200
Spend to save	3,000	3,000
Under occupation	24,000	0
Temporary Accommodation Reduction	939	939
Sanctuary	1,308	0
Homelessness Module	875	875
Total	105,122	67,514
CAB Mortgage Rescue Money Adviser (approved under spend to cover year 1 in 2009/10)		12,000
Total		79,514

An additional award of £10,000 homelessness grant (see table below) was made in July 2008 when the Council in partnership with Bromsgrove Youth Homelessness Forum and Bromsgrove District Housing Trust was recognised as a Regional Centre of Excellence for Youth Homelessness. This funding is primarily to enable BDC and BYHF to host and assist other authorities in sharing our good practice.

Additional £10,000 Homelessness Grant Award for 2008/09	Awarded for specific scheme	Spend up to March 09
Bromsgrove Youth Homelessness Forum	5,000	5,000
RCE Event 7 th May 2009	4000	4000
Education Initiative	1,000	1,000
	10,000	10,000

4.3 The new initiatives funded during **2008/09** are progressing as follows:

Baseline Rent Deposit Scheme (Private Tenancy Scheme) for under 25's

Through the provision of additional funding for a full time officer to deliver the Private Tenancy Scheme 22 young people and 6 children were successfully prevented from becoming homeless through 10 private tenancies between April and December 2008. During 2008 funding was secured from Supporting People to provide a floating support officer for those placed in private rented accommodation through the scheme.

NewStart Re-Use and Resettlement Project

Funding for the development of the New Start's furniture and resettlement project by New Song Church resulted in 78 deliveries within the District, including a total of 383 items of

furniture between April and December 2008. 64% of deliveries were to high priority homeless households.

Under occupation

There is evidence that there are significant numbers of people under occupying their homes and the Council had identified funding for a research project to understand the full scale of under occupation and what opportunities might exist or be put in place to encourage people to downsize. This piece of research was put on hold awaiting the implementation of Home Choice Plus Choice Based Lettings. However, the Council has supported a bid from Rooftop Housing for Supporting People to fund two Countywide officers to support those that have indicated a willingness to downsize. The Council has committed £10,000 of the £24,000 above towards the provision of incentives for the scheme; this could include help with removals or provision of carpets etc.

Mortgage Rescue Money Adviser

Following the launch of Central Government's Mortgage Rescue Scheme the Head of Planning and Environment and the Portfolio Holder, who have delegated authority for the re-allocation of under spend, approved £12k homelessness grant for the provision of a Mortgage Rescue Money Adviser with CAB. The officer will provide a rapid response to enquiries from anxious home owners who are struggling to pay their mortgage. Recruitment is now underway and an officer is expected to be in post by the 6th April 2009. Whilst approval has been given for the first year's funding the CAB would like to be able to offer the position for a 2 year period to compliment the national Mortgage Rescue Scheme.

5.0 THE IMPACT THAT PREVENTATIVE SERVICES HAVE HAD ON REDUCING HOMELESS PRESENTATIONS AND ACCEPTANCES AND THE AUTHORITIES PERFORMANCE AGAINST THE GOVERNMENT TARGET OF REDUCING THE USE OF TEMPORARY ACCOMMODATION BY 2010.

- 5.1 The number of people presenting as homeless, those accepted and the outcome of homelessness prevention services are monitored by the Strategic Housing Team on a quarterly basis. The table below indicates a trend of reducing homeless presentations and acceptances and a growing number of cases that are being prevented from becoming homeless.
- 5.2 In 2004, the Government set all housing authorities a target of reducing the number of homeless clients living in temporary accommodation by

2010. For Bromsgrove, this meant reducing our numbers from 68 to 34, which whilst aiming to phase out the use of hostels and retain minimal use of B&B would be a difficult task to achieve without sound preventative services.

- 5.3 At the 31st December 2007, we achieved the target figure of 34 when we recorded only 33 clients occupying temporary accommodation. This means that the Council, with the support of BDHT, CAB, Baseline and partner support services achieved the government's target two years ahead of the deadline. Over the last year the numbers in temporary accommodation have continued to reduce to 10 households at the end of Dec 2008. It must be recognised that changing circumstances such as any increase in mortgage repossessions under the current economic climate may significantly alter our performance in the future.

	2004/5	2005/6	2006/7	2007/8	Up to Dec 08
Homeless Presentations	320	341	249	141	92
Homeless Acceptances	141	175	122	90	57
Cases prevented from being homeless	Not recorded	52	76	157	118
Numbers in temp accom	75	97	63	16	10

6.0 THE CLG HOMELESSNESS GRANT FUNDING THAT HAS BEEN ALLOCATED FOR 2009/10.

- 6.1 Last year CLG allocated Homelessness Grant of £80,000pa for three financial years, 2008/09, 2009/10, 2010/11. This has enabled more security and forward planning of services. The following schemes were approved last year for a 3 year period.

Name of Project	Grant Approved £	Period of grant	Outcomes Other Considerations
BYHF – Private Tenancy Scheme for under 25's	18,000	3 years	Continuation of scheme offering rent deposit, rent in advance and support to assist under 25's to access private

			rented accommodation
BDHT – Floating Support Service	24,000	3 years	Continuation of the floating support service for homeless or potentially homeless. This scheme is jointly funded by Supporting People and BDHT.
New Start Re-use and Resettlement Project	5,000	3 years	To provide furniture and support to homeless people.
	47,000	3 years	

7.0 DETAILS OF THE SCHEMES RECOMMENDED BY THE HOMELESSNESS STRATEGY STEERING GROUP TO RECEIVE GRANT FUNDING FOR 2009/10.

7.1 At the last meeting of the Homelessness Steering Group on 29th January 2009, bids for funding of preventative schemes during 2009/10 were considered.

The Steering Group considered bids against the available amount of £60,608 (which is made up of £27,608 c/f from 08/09 + £80,000 CLG grant for 09/10 less £47,000 3 year approvals, approved by the Executive Cabinet last year as itemised at in 6.1 above).

The Homelessness Strategy Steering Group recommended the following schemes for approval by the Executive Cabinet.

Name of Project	Initial Bid £	Grant Recommended £	Period of grant	Outcomes Other Considerations
Home Visiting Service – BDHT	15,000	15,000	1 year	Service provided by BDHT in accordance with the recommendations of the CLG Homelessness Advisor following their assessment visit to BDC in 2007.
NewStarts – Part time van driver	£5,000	£5,000	1yr	To meet the growing expectations and demand for doorstep furniture collections

				and deliveries.
The Basement Service Manager	£5,200	£5,200	1yr	To provide more management hours for the running of the Basement 'Drop in' service.
The Basement Service Team Leader	£2,000	£2,000	1yr	To appoint a team leader to develop a peer mentoring project.
Consultation Fund	£500	£500	1yr	To provide financial incentives to encourage the completion of satisfaction surveys and engagement in other consultative work.
Spend to Save	£4,000	£4,000	1yr	Additional funding to resolve homeless and potentially homeless situations and avert use of temporary accommodation.
County Homelessness Strategy Co-ordinator	£2,500	£2,500	2yrs	To be responsible for the co-ordination, implementation, monitoring and review of the Worcestershire Homelessness Strategy. (All districts being asked to contribute)
Education Initiative	£2,000	£2,000	1 yr	To work with local schools to disseminate preventative information about Housing and Homelessness.
Training Flat	£2,728	£2,728	2 yrs	To provide young people an opportunity to experience independent living on a trial period of up to 4 weeks following which they return home. The Training Flat is intended to help young people understand their responsibilities and find out whether they are

				ready for independent living thus increasing their chances of future tenancy sustainment.
Under occupation	£18,000	£18,000	1 yr	To commission research into the level of under occupation across social housing in the District and identify support/incentives to encourage downsizing and thus free up accommodation to house the homeless.
		56,928		

7.2 The recommendations from the Homelessness Strategy Steering Group to support additional schemes during 2009/10 therefore total £56,928 leaving a surplus of £3,680 for allocation under delegated authority within the year if required.

8.0 REQUEST FOR FORWARD APPROVAL OF GRANT FOR YEAR 2 OF CAB MORTGAGE RESCUE MONEY ADVISER SERVICE FROM 2010/11 CLG GRANT.

8.1 Funding to support Year 1 of new service at CAB to assist home owners under threat of mortgage repossession has been approved from the 2008/9 CLG Grant under delegated authority. This will support the service from April 2009 – March 2010. To ensure the longer term continuity of this scheme during the current and projected economic downturn, Members are asked to approve in advance, funding for the second year of the service to cover the period April 2010 – March 2011 from the Council's CLG Homelessness Grant for 2010/11.

Name of Project	Initial Bid £	Grant Recommended £	Period of grant	Outcomes Other Considerations
CAB Mortgage Rescue Money Adviser	12,000	12,000	2 years	This specialist adviser will be able to advise and support owner occupiers experiencing difficulties in meeting their mortgage repayments thereby

				preventing homelessness. Information will be collected to help the Council influence changes to the national Mortgage Rescue Scheme.
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9.0 CONCLUDING COMMENTS

- 9.1 Members are therefore asked to approve from 2009/10 CLG Homelessness Grant, the funding of schemes recommended by the Bromsgrove Homelessness Steering Group amounting to £56,928 as set out at 7.1 of this report.
- 9.2 In addition, as detailed at 8.1 above, Members are also asked to forward allocate £12,000 from the Council's CLG Homelessness Grant for 2010/11 to support the second year of the new CAB Mortgage Rescue Money Advisor service.
- 9.2 Finally, as in previous years, Members are asked to grant the Head of Planning & Environment Services in consultation with the Portfolio Holder For Strategic Housing delegated authority to approve re-allocation of any under spend or make further adjustments necessary to ensure full utilisation of the grant allocation for 2009/10 in support of existing or new schemes.

10.0 FINANCIAL IMPLICATIONS

- 10.1 In summary the financial implications are as follows:
- 10.1 In summary the financial implications are as follows:

Carry forward from 07/08	£27,608
Grant 09/10	£80,000
	£107,608
Approved 08/09 (per 6.1)	-£47,000
	£60,608
Recommended projects (per 7.1)	-£56,928
Balance remaining	£3,680

- The final recommendation asks members to pre allocate £12,000 of the 2010/11 grant allocation to enable 2 year security to the CAB Mortgage Rescue Money Advisor service.

- 10.2 Grant funding under the Homelessness (In Need of Accommodation) (England) Order 2002 is allocated by the CLG to local authorities in accordance with their expenditure upon schemes up to the allocation limit. Accordingly the expenditure incurred in supporting the schemes does not fall upon this authority.

11.0 LEGAL IMPLICATIONS

Prevention of homelessness through the schemes developed and funded through CLG Grant assist the Council in meeting its statutory duties to homeless applicants under the Homeless provisions of the Housing Act 1996 and the requirements of the Homelessness Act 2002 that prevents local authorities from placing homeless families or expectant mothers in B&B type accommodation.

12.0 CORPORATE OBJECTIVES

- 12.1 **Objective 1 – Regeneration (Town Centre and Housing)**
Improved standard of support and preventative service for homeless people.
- 12.2 **Objective 2 – Improvement**
Improved service to customers by the ability to provide a higher standard of prevention and support service together with more choice in solutions available.
- 12.3 **Objective 3 – Sense of Community and Wellbeing**
Homelessness prevention, reduction and support influences health and wellbeing.
- 12.4 **Priority 4 – Environment – (Clean Streets)**
Reduction of homelessness helps a more planned allocation of housing thus supporting better neighbourhood integration and therefore reduces any negative impact upon the environment.

13.0 RISK MANAGEMENT

- 13.1 If the recommended schemes are not approved there is a risk that more households who are threatened with homelessness or who are in housing need will have limited alternative options. There is the risk that they may have to make a homeless approach and this could consequently lead to the following risks:
- Inability by the Council to meet the statutory duty to provide temporary accommodation in the District thus necessitating placement in B&B accommodation outside of the District.
 - Increased B&B costs.

- Inability to maintain the DCLG target of reducing temporary accommodation by 50% by the year 2010, NPI 156 – Number of households living in temporary accommodation

14. CUSTOMER IMPLICATIONS

14.1 This scheme will benefit the Council's customer, by offering household's more options to prevent their homelessness. Where possible to enable them to remain in their own homes, the Council will be encouraging them to be more independent and take responsibility for their housing situation.

The scheme will also benefit the larger community as there will be fewer households making homeless approaches, and in turn less homeless households in the district.

15. OTHER IMPLICATIONS

Procurement Issues
None
Personnel Implications
None
Governance/Performance Management
Ability to improve and maintain performance against BVPI's as detailed in the report.
Community Safety including Section 17 of Crime and Disorder Act 1998
None
Policy
None
Environmental
None
Equalities and Diversity
One of the recommended schemes is to provide Focus Group and consultation opportunities. These will assist the Council and BDHT in

identifying E&D issues relevant to homeless and potentially homeless persons and provide an opportunity to review services provided. It is anticipated that the research into underoccupation may also include an analysis of overcrowding which will assist the Council in identifying E&D issues relevant to households in either of these positions.

16. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive Officer	Yes
Executive Director (Services)	Yes
Executive Director (Partnerships and Projects)	Yes
Head of Service	Yes
Head of Financial Services	Yes
Head of Legal & Democratic Services	Yes
Head of Organisational Development & HR	Yes
Corporate Procurement Team	No

17. WARDS AFFECTED

17.1 The homeless prevention services and issues covered in the report are District wide and are not specific to any particular ward.

18.0 BACKGROUND PAPERS

18.1 None

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BROMSGROVE DISTRICT COUNCIL

CABINET

1ST APRIL 2009

CAPITAL PROGRAMME INCREASE – SANDERS PARK TWIN MULTI USE GAMES AREAS

Responsible Portfolio Holder	Councillor Roger Hollingsworth
Responsible Head of Service	Deputy Head of Street Scene & Community
Non Key Decision	

1. SUMMARY

- 1.1 This report requests members to agree to an increase in the Council's capital programme in relation to the above Park improvements and ball courts refurbishment/enhancements.

2. RECOMMENDATION

- 2.1 The Cabinet is recommended to:

- 2.1.1 Request Full Council to approve a £80,000 increase to the 2009/10 Capital Programme to be funded from the County Youth Capital (Dabid) Fund in respect of two teenage ball court refurbishment/enhancement and Youth Shelter at the above site, as highlighted in section 4.1 of this report.

3. BACKGROUND

- 3.1 As elected members will be aware Bromsgrove District Council were instrumental in establishing the Worcestershire Play Partnership along with the County Council and the other five district authorities across Worcestershire. As part of the work of the partnership a County wide Play Strategy was produced along with a district level action plan to govern the development & delivery of the play services to ensure that they meet the partnerships priorities based on local need.
- 3.2 The structure, strategy and work of the group have been used by Play England as an example of best practice when working in a two tier authority setting. One of the benefits of the approach that has been adopted is that the partnership was invited to apply to the County Youth Capital Fund for play based activities across Worcestershire. The Partnership has been successful in linking the Youth Capital Fund and Playbuilder Fund in 2008/09 to offer improved positive activities for young people across the

County. The YCF was launched in March 2006 and the money aims to increase the number and range of places to go and things to do for young people.

- 3.4 The funding stream will run from April 2009 to March 2010. However in order to qualify for the grant funding each member of the Partnership had to demonstrate on-going full engagement of local young people in the planning process. The young people were then required to deliver a presentation, with appropriate support, to a selected, trained panel of young people from across the County who played an active role in deciding how this money is spent locally. The presentation had to cover key elements including sustainability, innovation and how the scheme would fit with the Every Child Matters Agenda.
- 3.5 Officers are now in the final stages of producing a details project plan outlining projected timescales to demonstrate completion by March 2010.
- 3.6 Members should also be aware that the Council submission was the only directly made local authority bid that was successful in this year bidding round.

4. FINANCIAL IMPLICATIONS

- 4.1 The Total cost of the project will be £80,000, which is based upon Twin MUGA proposal/improvements to the existing hard pad area, a Youth Shelter and also includes access link footpaths for DDA inclusion.
- 4.2 The cost of the project will be met from the County Youth Capital (Dabid) Fund for £80,000 to undertake the Twin MUGA's, Youth Shelter and access improvements.
- 4.3 All consultation, design and project management costs for this project will be met from existing resources.
- 4.4 All ongoing maintenance implications will be met from existing resources, with the on site replacement requirements being addressed as part of the Council forward capital plan. The life expectancy of the equipment on site is 10 to 15 years.

5. LEGAL IMPLICATIONS

- 5.1 There are no legal implications contained within this report as the installation will be covered by the Play Framework Contract which has vetted the contractors previously.

- 5.2 The funding agreement has been reviewed and does not give any cause for concern.

6. COUNCIL OBJECTIVES

- 6.1 The overall site improvements and the play area refurbishment will contribute to the Sense of Community and Well Being objective by enhancing the current level of provision provided to residents, increasing access to the site and by promoting additional use of the Recreation Ground.
- 6.2 The site improvements will also allow additional activities be undertaken at the venue to promote the Sense of Community priority for example increased sports & arts development delivery on site to bring different generation together. This was again featured in the initial bid and was viewed as a strong area of the bid as there were direct links to the Council's Priorities but also the Play Strategies Outcomes of "Increased opportunity to access and enjoy play" and Increased Inclusive Play Opportunities.

7. RISK MANAGEMENT

- 7.1 There are no risks associated with this project over and above the normal process for installing a new play area which are based in Health & Safety Legislation. These implications have been reviewed and scrutinised within the play frame work contract and an agreed approach developed in order to protect BDC's interests and to meet the funding criteria.

8. CUSTOMER IMPLICATIONS

- 8.1 Increased quality of provision leading to higher customer satisfaction with the Council and its services.
- 8.2 Members should be aware that whilst the works are undertaken the play facilities and the site will be unavailable in order to complete the works. We will off course endeavour to minimise disruption and notify residents well in advance.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

- 9.1 During the consultation period officers will identify the needs of disabled and where possible the site will provide disabled access and facilities. In addition the site access arrangements will be enhanced to support such usage.

10. VALUE FOR MONEY IMPLICATIONS

- 10.1 The installation will be undertaken within the Council's Play Framework contract and as such has already been reviewed and accepted as promoting VFM and the effective use of resources.

10.2 The enhanced facilities will also contribute to higher resident satisfaction out turns as highlighted in section 8.

11. OTHER IMPLICATIONS

Procurement Issues – This project is covered by the play provision framework contract.
Personnel Implications - None
Governance/Performance Management - None
Community Safety including Section 17 of Crime and Disorder Act 1998 - None
Policy - None
Environmental - None

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	No
Executive Director (Partnerships and Projects)	<u>Yes</u>
Executive Director (Services)	<u>Yes</u>
Assistant Chief Executive	<u>No</u>
Head of Service	<u>Yes</u>
Head of Financial Services	<u>Yes</u>
Head of Legal, Equalities & Democratic Services	<u>Yes</u>
Head of Organisational Development & HR	<u>No</u>
Corporate Procurement Team	<u>No</u>

13. WARDS AFFECTED

St Johns

14. APPENDICES

None

15. BACKGROUND PAPERS

Worcestershire Play Strategy
Bromsgrove Play Action Plan
Youth Capital (Dabid) Fund – DCFS

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BROMSGROVE DISTRICT COUNCIL

CABINET

1ST APRIL 2009

CAPITAL PROGRAMME INCREASE – SWANSLength, ALVECHURCH

Responsible Portfolio Holder	Councillor Roger Hollingsworth
Responsible Head of Service	Deputy Head of Street Scene & Community
Non Key Decision	

1. SUMMARY

- 1.1 This report requests members to agree to an increase in the Council's capital programme in relation to the above Recreation Ground improvements and play area refurbishment.

2. RECOMMENDATION

- 2.1 The Cabinet is recommended to:

- 2.1.1 Request Full Council to approve a £50,000 increase to the 2009/2010 Capital Programme to be funded from the Department for Children, Schools & Families (DCSF) grant in respect of the play area refurbishment/enhancement at the above site, as highlighted in section 4.1 of this report.

3. BACKGROUND

- 3.1 As elected members will be aware Bromsgrove District Council were instrumental in establishing the Worcestershire Play Partnership along with the County Council and the other five district authorities across Worcestershire. As part of the work of the partnership a County wide Play Strategy was produced along with a district level action plan to govern the development & delivery of the play services to ensure that they meet the partnerships priorities based on local need.
- 3.2 The structure, strategy and work of the group have been used by Play England as an example of best practice when working in a two tier authority setting. One of the benefits of the approach that has been adopted is that the partnership was successful in applying to the Department for Children, Schools & Families (DCSF) for Play Pathfinder status, this has meant an investment in Worcestershire of £2.5 million capital and £500,000 revenue funding linked to key projects including a new adventure play facilities.

- 3.3 The year 2 funding stream will run from April 2009 to March 2010, with the year 3 funding stream commencing in April 2010. The Council has been successful in attracting a £50,000 grant to enhance the play facilities at the Swanslength site in Alvechurch. However in order to qualify for the grant funding the Play Partnership had to demonstrate that the proposed were innovative, challenging, accessible, include community involvement in their design, were sustainable and most importantly deliverable on time and with in budget.
- 3.4 Following a vetting process the play partnership sub group supported the Swanslength, Alvechurch project due to the innovation that it had demonstrated with using natural play aimed at the junior age range and to enhance and support the recent teenage facilities funded by the Council at the site. The bid was also recommended to the partnership to go forward due to BDC's recent good record in delivering this type of project, the agreed concept of creating multi age range facilities at one location and the robust local consultation that is built into the design and build process we follow.
- 3.6 Officers are now in the final stages of processing the funding application in order to commit to the projects timescales and commence the on site preparations and delivery (June 09), subject to member approval.

4. FINANCIAL IMPLICATIONS

- 4.1 The Total cost of the project will be £50,000, which is a suitable amount based on other play areas installed in the past 12 months.
- 4.2 The cost of the project will be met from a Capital grant from the DCSF for £50,000 to undertake the play area enhancement.
- 4.3 All consultation, design and project management costs for this project will be met from existing resources.
- 4.4 All ongoing maintenance implications will be met from existing resources, with the on site replacement requirements being addressed as part of the Council forward capital plan. The life expectancy of the equipment on site is 10 to 15 years.

5. LEGAL IMPLICATIONS

- 5.1 There are no legal implications contained with in this report as the installation with be covered by the Play Framework Contract which has vetted the contractors previously.
- 5.2 The funding agreement has been reviewed and does not give any cause for concern.

6. COUNCIL OBJECTIVES

- 6.1 The overall site improvements and the play area refurbishment will contribute to the Sense of Community and Well Being objective by enhancing the current level of provision provided to residents, increasing access to the site and by promoting additional use of the Recreation Ground.
- 6.2 The site improvements will also allow additional activities be undertaken at the venue to promote the Sense of Community priority for example increased sports & arts development delivery on site to bring different generation together. This was again featured in the initial bid and was viewed as a strong area of the bid as there were direct links to the Council's Priorities but also the Play Strategies Outcomes of "Increased opportunity to access and enjoy play" and Increased Inclusive Play Opportunities.

7. RISK MANAGEMENT

- 7.1 There are no risks associated with this project over and above the normal process for installing a new play area which are based in Health & Safety Legislation. These implications have been reviewed and scrutinised within the play framework contract and an agreed approach developed in order to protect BDC's interests and to meet the funding criteria.

8. CUSTOMER IMPLICATIONS

- 8.1 Increased quality of provision leading to higher customer satisfaction with the Council and its services.
- 8.2 Members should be aware that whilst the works are undertaken the play facilities and the site will be unavailable in order to complete the works. We will of course endeavour to minimise disruption and notify residents well in advance.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

- 9.1 During the consultation period officers will identify the needs of disabled and where possible the site will provide disabled play facilities. In addition the site access arrangements will be enhanced to support such usage.

10. VALUE FOR MONEY IMPLICATIONS

- 10.1 The installation will be undertaken within the Council's Play Framework contract and as such has already been reviewed and accepted as promoting VFM and the effective use of resources.
- 10.2 The enhanced facilities will also contribute to higher resident satisfaction outcomes as highlighted in section 8.

11. OTHER IMPLICATIONS

Procurement Issues – This project is covered by the play provision framework contract.
Personnel Implications - None
Governance/Performance Management - None
Community Safety including Section 17 of Crime and Disorder Act 1998 - None
Policy - None
Environmental - None

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	No
Executive Director (Partnerships and Projects)	<u>Yes</u>
Executive Director (Services)	<u>No</u>
Assistant Chief Executive	<u>No</u>
Head of Service	<u>Yes</u>
Head of Financial Services	<u>Yes</u>
Head of Legal, Equalities & Democratic Services	<u>Yes</u>
Head of Organisational Development & HR	<u>No</u>
Corporate Procurement Team	<u>No</u>

13. WARDS AFFECTED

Alvechurch

14. APPENDICES

None

15. BACKGROUND PAPERS

Worcestershire Play Strategy
Bromsgrove Play Action Plan
Play Builder Documentation - DCFS

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BROMSGROVE DISTRICT COUNCIL

CABINET

1ST APRIL 2009

WEST MIDLANDS BIODIVERSITY PLEDGE AND REVISED BIODIVERSITY ACTION PLAN

Responsible Portfolio Holder	Councillor P. J. Whittaker
Responsible Head of Service	Executive Director – Partnerships and Projects
Key Decision	

1. SUMMARY

1.1 The report below summaries the Natural Environment and Rural Communities Act 2006 and the Guidance for Local Authorities on Implementing the Biodiversity Duty produced by Department for Environment Food and Rural Affairs (Defra). It also provides reasons for signing the West Midlands Biodiversity Pledge, the Revised Biodiversity Action Plan and adding Biodiversity Implications to the corporate report template.

2. RECOMMENDATIONS

- 2.1 That Cabinet approves the signing of the West Midlands Biodiversity Pledge and the Revised Biodiversity Action Plan.
- 2.2 That Cabinet notes the implications for Bromsgrove.
- 2.3 That Cabinet approves the adding of Biodiversity Implications to the corporate report template.
- 2.4 That Cabinet note the inclusion of corporate biodiversity issues within the job description of the proposed Climate Change Officer post to be shared with Redditch Borough Council.

3. BACKGROUND

- 3.1 The Natural Environment and Rural Communities (NERC) Act 2006
This Act introduced a new duty on local authorities (and public bodies) to have regard to the conservation of biodiversity in exercising their functions. Section 40(1) of the Act states that “every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of these functions, to the purpose of conserving biodiversity”.

3.2 Guidance for Local Authorities on Implementing the Biodiversity Duty

This guidance, produced by Defra, sets out the key roles that local authorities have in conserving biodiversity through their activities relating to:

- Developing and influencing local policies and strategies
- Planning, infrastructure and development
- Owning and managing their estates; and
- Procurement, education, awareness raising and advisory function

The guidance also states that “biodiversity is hugely important in its own right and we have international responsibilities and national and local systems in place to protect and enhance it. It plays a key role in underpinning local quality of life and giving a “sense of place”. Biodiversity offers opportunities for tourism, economic development, health promotion, sustainable communities and social cohesion.”

3.3 This guidance also indicates Defra’s intention to review progress on implementing the duty in 2009. It is likely that as part of the review, the Council will be asked to demonstrate key activities including the following:-

- Identified and taken opportunities to integrate biodiversity considerations into all relevant service areas and functions, and ensured that biodiversity is protected and enhanced in line with current statutory obligations;
- Raised awareness of staff, managers and elected members with regard to biodiversity issues;
- Demonstrated a commitment and contribution to key local biodiversity initiatives, such as Local Biodiversity Action Plans, Local and/or Regional Records Centres and Local Site systems;
- Demonstrated progress against biodiversity indicators and targets.

The document providing guidance from DEFRA can be found at <http://www.defra.gov.uk/wildlife-countryside/pdf/biodiversity/la-guid-english.pdf>

3.4 The West Midlands Biodiversity Pledge (WMBP)

The West Midlands Biodiversity Partnership and West Midlands Local Government Association are jointly promoting the West Midlands Biodiversity Pledge as a means of raising awareness of the biodiversity duties imposed on local authorities. The intentions stated in the pledge closely reflect the expectations placed on authorities in the Defra guidance. All local authorities in the West Midlands region have been invited to sign the pledge.

3.5 The Council is not currently fulfilling its commitments under the NERC Act and raising awareness of staff, managers and elected members through commitment to the pledge should reduce the risks of contravention of the legal duty to have regard for biodiversity.

3.6 The Revised Local Biodiversity Action Plan (LBAP)

The UK Biodiversity Action Plan was launched in 1994 in response to the Convention of Biological Diversity, the first treaty to provide a legal framework for biodiversity conservation. The UK Biodiversity Action Plan describes the UK's biological resources and commits a detailed plan for the protection of these habitats and species. Each county and unitary authority in the UK has also prepared a Local Biodiversity Action Plan for species and habitats of particular conservation importance in their geographic area. The Worcestershire Biodiversity Action Plan was prepared by the Worcestershire Biodiversity Partnership in 1999 and revised in 2008. The LBAP identifies local priorities and determines the contribution the Partnership can make to the delivery of the national Species and Habitat Action Plan targets. It is therefore important for the Council to both sign and act in accordance with the LBAP as one of the means to meet its biodiversity duties.

3.7 Add Biodiversity Implications to Report Template

Decisions made by the Council are usually supported by officers' report which includes considerations of implications to the Council. If "Biodiversity Implications" are added to the report template, the Council could make a more informed decision and ensured that biodiversity is protected and enhanced in line with current statutory obligations. This is also in line with the expectations placed on authorities in the Defra guidance.

4. FINANCIAL IMPLICATIONS

4.1 The guidance produced by Defra on implementing the Biodiversity Duty states that "the Biodiversity Duty requires local authorities to have regard to biodiversity in carrying out their existing duties and function. It should not represent a significant financial burden."

4.2 Furthermore, Defra's Regulatory Impact Assessment for the NERC Act 2006 states that "there should be no significant net financial cost to public bodies and statutory undertakers as a result of extending the duty. Many local authorities, for example, already carry out the requirements of the duty to a large extent, demonstrating that it will not be onerous. The duty will clarify existing requirements and encourage a culture change so that biodiversity becomes a natural part of policy and decision-making."

5. LEGAL IMPLICATIONS

5.1 The Natural Environment and Rural Communities Act requires all local authorities to pay due regards to biodiversity in exercising its functions. Signing the West Midlands Biodiversity Pledge, the revised Biodiversity Action Plan and adding the 'Biodiversity Implications' to the corporate report template would indicate the council's commitment to fulfilling their responsibilities under NERC. In order for that signing to be meaningful, the

council must also demonstrate its commitment through positive action to help the Worcestershire Biodiversity Partnership deliver the Biodiversity Action Plan.

6. COUNCIL OBJECTIVES

6.1 One of the priorities of Bromsgrove Sustainable Community Strategy is “to protect and improve the natural environment”. To raise staff, members and public awareness of biodiversity is the first step to achieve this aim. Signing the Biodiversity Pledge and the Biodiversity Action Plan will deliver two of the actions within the ‘better environment’ theme of the Sustainable Community Strategy.

7. RISK MANAGEMENT

7.1 Amongst the risks that exist is that there could be an adverse effect on the ecology of the district. In particular Bromsgrove has a water vole population. This is Britain’s rarest mammal and its habitat is under severe risk. The Council’s commitment to bio diversity will provide additional support to the protection of this species.

7.2 The Council is current not fulfilling its commitments under the NERC Act. Therefore, raising awareness of staff, managers and elected members through commitment to the pledge should reduce the risks of contravention of the legal duty to have regard for biodiversity.

8. CUSTOMER IMPLICATIONS

8.1 Internal / external customers will need to consider the implications of decisions on biodiversity. Training can be arranged for members and council staff.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 No equalities and diversity implications are identified.

10. VALUE FOR MONEY IMPLICATIONS

10.1 No direct value for money implications identified.

11. OTHER IMPLICATIONS

Procurement Issues	None
Personnel Implications	A new post may need to be created to take care of the corporate biodiversity issues.

Governance/Performance Management	The Council will need to consider and act in accordance to the pledge and the biodiversity action plan.
Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	None
Environmental	Paying due regards to biodiversity is critical to the protection of the environment and in particular to plant and animal life.

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	Yes
Executive Director - Partnerships and Projects	Yes
Executive Director - Services	Yes
Assistant Chief Executive	Yes
Head of Service	Yes
Head of Financial Services	Yes
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	Yes
Corporate Procurement Team	No

13. WARDS AFFECTED

13.1 All wards.

14. APPENDICES

- 14.1 Appendix 1 West Midlands Biodiversity Pledge
Appendix 2 Revised Biodiversity Action Plan for Bromsgrove

CONTACT OFFICER

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E Mail: s.lai@bromsgrove.gov.uk
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The West Midlands BIODIVERSITY PLEDGE

We acknowledge:

- that biodiversity and the natural environment have a vital role to play in enhancing wellbeing and quality of life
- that biodiversity is under threat from climate change and other human-induced pressures
- our duty under the Natural Environment and Rural Communities Act 2006 to have regard to the purpose of conserving biodiversity in carrying out our functions.

We welcome the:

- Social, health, environmental and economic benefits which come from biodiversity
- Opportunity for local government to lead the drive to conserve and enhance biodiversity at a local level.

We commit our Council to:

- Ensure the conservation of biodiversity is incorporated into all relevant corporate strategies, plans and programmes.
- Champion the benefits of biodiversity within local partnerships including Community Strategies and Local Area Agreements.
- Consider the impacts of climate change on biodiversity and review policies and actions to assist wildlife to adapt.
- Participate actively in Local Biodiversity Partnerships and assist with the delivery of Local Biodiversity Action Plans.
- Protect and enhance biodiversity within the planning system and deliver the key principles for biodiversity set out in national planning guidance.
- Seek to ensure that up-to-date biodiversity data is available and used appropriately and support the maintenance and development of Local Record Centres.
- Work in partnership with others to identify, protect and enhance Local Sites of Importance for Biodiversity, taking them into account within the planning and land management systems.
- Protect and enhance biodiversity within the local authority estate.
- Promote the social benefits of biodiversity in the delivery of public services and support access to nature and understanding of the natural world within formal and informal education and community engagement.
- Raise awareness of all staff, elected members, contractors and the general public with regard to biodiversity issues.

Signature

Name in type
(Local Authority) _____
Chief Executive

Date _____

Keith Austin
WMLGA
Lead Member for Environment



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Declaration of support for the revised Worcestershire Local Biodiversity Action Plan 2007-2017

What Bromsgrove District Council can help to achieve

The UK approach to conserving biodiversity depends on partnership; involving statutory, voluntary, academic and business sectors, nationally and locally, in delivering biodiversity enhancement, for its own intrinsic value, for the vital life-support services it provides, and because it enriches people’s lives.

What we are asking Bromsgrove District Council to give

- Support for the principles of preserving and enhancing our natural environment and its wildlife that underpin the BAP process.
- Commitment to helping achieve the targets and actions written for the habitats and species within the revised Worcestershire LBAP.

On behalf of

Bromsgrove District Council

I pledge my support for the Biodiversity Action Plan process and to working with the Worcestershire Biodiversity Partnership to successfully deliver the targets and actions within the Worcestershire Local Biodiversity Action Plan.

Signed

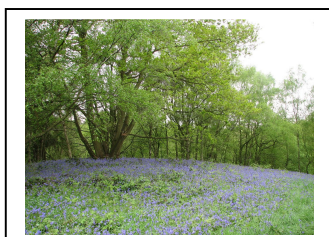
Position within Authority

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Dated

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Local Biodiversity Action Plan species and habitats of particular relevance to Bromsgrove District Council

Water vole

The water vole is critically endangered within Worcestershire with the only known surviving populations centred on the canal, stream and ditch network around Bromsgrove town.

Bats

High-quality roost sites are as important as high-quality foraging habitat. Bats will roost in a range of habitats and structures and these will differ from species to species. Potential roost sites include damaged or veteran trees, barns, churches, bridges, old and new buildings of all types, and in many cases people's homes. Bat species that have in the past relied on natural underground structures, such as caves, have become well adapted to using man-made structures.

Hay meadows

The total England resource of unimproved lowland hay meadows and pastures is estimated to be around 7282ha. Whilst the total extent of the Worcestershire resource remains unknown, to date approximately 1200 hectares have been surveyed and sites continue to be regularly discovered. Based on these figures it has been estimated that the county supports over 20% of England's remaining lowland hay meadows.

Acid grassland

Acid grasslands occur on free-draining and often sandy acidic soils. They are found in the Wyre Forest and Bromsgrove Districts of north Worcestershire and in association with the Malvern Hills.

Veteran Trees

Veteran trees are of particular value for the fungi, lichens and bryophytes and, most importantly, for the huge range of invertebrates (1700+ species) associated with decaying timber. Since veteran trees are usually hollow, they are also important nesting and roosting sites for bats and birds. The rural landscape around Bromsgrove contains remnants of ancient countryside and hidden away in old hedgelines, pockets of ancient woodland and field corners are many veteran trees.

Canals

Canals provide a green corridor into urban areas, with a mixture of freshwater and terrestrial habitats that can be very important for wildlife. Associated wetland habitats are often species-rich, some of which are relicts of formerly widespread habitats such as unimproved grassland, marsh and carr. Canals can help in the re-colonisation of the countryside by otters and canal tunnels can provide roosting, foraging and hibernation sites for bat species. In Bromsgrove the canal system is of particular importance for water voles.

Urban

Areas of urban greenspace such as gardens, school grounds, allotments, parks, churchyards and cemeteries can provide valuable wildlife habitat and allow people the opportunity for contact with nature near to their homes. The value of brownfield sites to wildlife, particularly invertebrates, must also not be underestimated.

Your support for this LBAP will also demonstrate commitment to:

The NERC Biodiversity Duty

The Natural Environment and Rural Communities (NERC) Act came into force on 1 October 2006 and introduced a new biodiversity conservation Duty for public authorities. Section 40 of the Act states that: “*Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*”.

The duty requires public bodies to think more holistically about biodiversity conservation and think laterally about the delivery of services. Consideration of biodiversity conservation can be a catalyst for the implementation of innovative approaches that are beneficial to people as well as wildlife. Defra has issued national guidance setting out how local authorities can fulfill this duty. Within this guidance, one of the means of demonstrating compliance with the Duty is identified as:

Demonstrating a commitment and contribution to key local biodiversity initiatives, such as LBAPS, and contributing to delivery of outcomes for BAP listed priority species and habitats and LBAP listed species and habitats, where appropriate.

Community Strategy priorities

The Bromsgrove Sustainable Community Strategy embraces the LAA vision of ‘*A better environment for today and tomorrow*’, with climate change, the protection of natural habitats and maintaining biodiversity identified as important issues for the District. The public consultation exercise undertaken during production of the Strategy showed that well-kept parks and green belt areas and access to the countryside were things that residents enjoyed about living in Bromsgrove. Within the Sustainable Community Strategy Action Plan, the District Council has identified progress towards achieving BAP targets and actions as a key output.

Worcestershire’s Local Area Agreement

The Local Area Agreement between the county’s major service providers and central Government determines how we will work towards the priorities identified for the county and how they will be funded. Themes within the Worcestershire LAA include ‘*A better environment for today and tomorrow*’ for which outcome B4 is ‘**To protect and improve Worcestershire’s natural environment/biodiversity**’. We must also now measure delivery of these priority outcomes against a selection of the 198 new Performance Framework Indicators for local authorities introduced by Government in 2007. This will require our Local Strategic Partnership to measure and report on progress towards up to 35 of these indicators chosen at local level, plus 17 statutory targets. The LAA is currently being re-negotiated to incorporate the new Performance Framework Indicators.

The Biodiversity Action Plan process

In 1994 the UK became the first country to start working towards a national biodiversity action plan, following the signing of the **Convention on Biological Diversity** in Rio de Janeiro in 1992. The UK Biodiversity Action Plan (UK BAP) drew together existing instruments and programmes to coordinate and drive conservation work at national and local levels through identifying priorities for action and setting biological targets for the recovery of species and habitats.

The Worcestershire Local Biodiversity Action Plan (LBAP) was first published in 1999, one of the first English counties to do so. The revised Worcestershire BAP now consists of 19 habitats and 25 species; some of these are also UK priorities, some of regional or local significance.

LBAP Species		LBAP Habitats	
S1	Otter	H1	Arable Farmland flora and invertebrates
S2	Dormouse	H2	Traditional Orchards
S3	Bats	H3	Ancient and Species-rich Hedgerows
S4	Water Vole	H4	Scrub
S5	Noble Chafer	H5	Woodland
S6	Nightingale	H6	Veteran Trees with Lowland Wood Pasture and Parkland
S7	Allis and Twaite Shad	H7	Wet Woodland
S8	Adder	H8	Reedbeds
S9	Slow worm	H9	Fen and Marsh
S10	Great Crested Newt	H10	Wet Grassland
S11	White-clawed Crayfish	H11	Lowland Dry Acid Grassland
S12	High Brown Fritillary	H12	Lowland Hay Meadows and Neutral Pastures
S13	Brown Hairstreak	H13	Lowland Calcareous Grassland
S14	Common Club-tail	H14	Lowland Heathland
S15	Stag Beetle	H15	Road Verges
S16	Violet Click Beetle	H16	Urban
S17	Hornet Robberfly	H17	Canals
S18	Black Poplar	H18	Ponds and Lakes
S19	True Service Tree	H19	Rivers and Streams
S20	Farmland Birds including skylark, tree sparrow, corn bunting, lapwing, grey partridge, yellowhammer, barn owl, linnet and reed bunting		
S21	Wood White		
S22	Grizzled Skipper		
S23	Pearl-bordered Fritillary		
S24	Common Fan-foot		
S25	Drab Looper		

In 2002 Defra published **Working with the grain of nature – A biodiversity strategy for England** with the aim of embedding biodiversity conservation into plans, policies and programmes across all sectors.

Conserving Biodiversity – The UK Approach was published in 2007 by Defra on behalf of the UK Biodiversity Partnership, who also published a new UK BAP list of 1149 priority species and 65 priority habitats. The four devolved administrations of the UK are working together to translate these priorities into programmes of work delivered by partnerships of statutory, voluntary, academic and business organisations at the level most appropriate to the needs of biodiversity. **Conserving Biodiversity – The UK Approach** sets out the Government’s vision and approach to delivery of biodiversity targets within the devolved government framework.

Key to delivery is the **ecosystem approach**, defined by the Convention on Biological Diversity as *the integrated management of land, air, water and living resources that promotes conservation and sustainable use in an equitable way, and which recognises that people with their cultural and varied social needs, are an integral part of ecosystems*. The regional Landscapes for Living project is embracing this approach and will provide us with a mechanism for targeting projects and resources to best effect at a landscape level.

A refresh of the England biodiversity strategy is currently being prepared by Natural England, which will determine how delivery of BAP targets is approached by LBAP partnerships.

The revision of the Worcestershire Local Biodiversity Action Plan

Over the last 12 months the Worcestershire LBAP has been reviewed and rewritten to take account of recent changes in legislation, policy and guidance. Many of the targets and actions in the original plan had been achieved and these needed updating to reflect the new challenges and opportunities facing us over the next 10 years.

Success stories from the first LBAP include:

- Worcestershire is one of, if not the, most important county in the UK for populations of common club-tail dragonfly. The species is found on the River Severn right through the county and also now on the tributary rivers Teme and Avon.
- English Nature (now Natural England) funded a programme of scrub control and the introduction of grazing across the Malvern Hills to restore the acid grassland habitat. This work has also had a positive impact on the high brown fritillary butterfly population, with survey sightings up to 24 from a low of 2 in 2000.
- Surveys and records received from the public indicate that otters have returned and are present on all of the county’s major watercourses and many smaller waterways. This reflects the overall UK trend and represents a clear success story for the improvement in quality of our rivers and streams.
- The restoration and management of traditional orchards is being carried out by many organisations across the county. The LBAP now includes the orchard-specialist noble chafer beetle, which continues to be discovered at new sites throughout Worcestershire.

The Worcestershire Biodiversity Partnership

The Worcestershire Biodiversity Partnership is steered by a coordination group consisting of representatives from 16 organisations, including Bromsgrove District Council. Outside of this many more organisations, working at county, regional or national level, comprise the wider biodiversity partnership. All of them have responsibilities in protecting and enhancing the biodiversity of the county in various ways: through directly managing our countryside and urban green spaces; by informing and educating the public on green issues; or by ensuring the development of our housing, transport and economic infrastructure adopts the best principles of sustainable development.

Summary of some of the legislative and policy background to nature conservation in the UK

European Legislation	
Water Framework Directive 2000	Requires all inland and coastal waters to reach “good status” by 2015. It will be implemented at a River Basin level and must include ecological targets. It has the potential to drive parts of the spatial planning process as well as having significant impacts on the flood defence and water quality sectors.
EC Council Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna 1992 ('The Habitats Directive')	Introduces Special Areas of Conservation (SACs) and modifies the Birds Directive Special Protection Areas (SPAs). These sites of European importance are given special safeguards in national legislation and member states are expected to designate and protect them where appropriate. It also places duties on member states with respect to a suite of protected species (e.g. dormouse, great crested newt, otter and all species of bat).
EC Council Directive on the Conservation of Wild Birds 1979 ('The Birds Directive')	Gives protection to wild birds and introduces the concept of Special Protection Areas (SPAs), which covers sites of international importance for migratory birds.
UK Legislation	
Natural Environment and Rural Communities Act 2006	Section 40 of the Act places a new legal duty on <u>all</u> public bodies to ‘have regard...to the purpose of conserving biodiversity’. The Act also makes provision for the creation of Natural England and updates the lists of species and habitats generated under Section 74 of the CROW Act 2000.
The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003	Transposes the requirements of the Water Framework Directive into UK law.
Countryside and Rights of Way Act 2000 (CROW)	Updates and strengthens the Wildlife and Countryside Act 1981 with respect to SSSIs, protected species etc. Provides a list of habitats and species of principle importance that the Secretary of State must take into account in planning matters.

APPENDIX 2

The Conservation (Natural Habitats) Regulations 1994 ('the Habitats Regulations')	Transposes the requirements of the EC Habitats Directive into UK law.
Wildlife and Countryside Act (WCA) 1981 (as amended since)	Main legislation for species protection. Provides significantly improved protection for SSSIs.

UK Policy	
Conserving Biodiversity – The UK Approach. DEFRA 2007	Prepared by the UK Biodiversity Standing Committee on behalf of the UK Biodiversity Partnership. It sets out the vision and approach to conserving biodiversity within the UK's devolved framework for anyone with a policy interest in biodiversity conservation.
<p>Planning Policy Statement 1: Delivering Sustainable Development 2005 (PPS1)</p> <p>Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1</p> <p>Planning Policy Statement 9: Biodiversity and Geological Conservation 2005 (PPS9)</p>	<p>The first Planning Policy Statement, PPS1, describes the principles the Government expect planners to consider in delivering Sustainable Development.</p> <p>The Planning and Climate Change supplement sets out how planning should help achieve development with lower carbon emissions and more resilience to climate change.</p> <p>PPS9 gives detailed guidance on dealing with biodiversity in the planning system.</p> <p>Many other Planning Policy Statements will have indirect impacts upon wildlife interests such as PPS25 (Flood Risk), and PPG17 (Sport, Open Space & Recreation).</p>
Working with the Grain of Nature: A Biodiversity Strategy for England. DEFRA 2002	Government strategy aimed at ensuring that biodiversity considerations become embedded in all main sectors of economic activity: public and private.
Biodiversity: The UK Action Plan (1994)	UK response to the Convention on Biological Diversity 1992 from which this plan stems.
Regional and Local Policy	
Restoring the Region's Wildlife – Regional Biodiversity Strategy for the West Midlands	The regional-scale response to the UK BAP process.
Worcestershire Biodiversity Action Plan 2007	Sets out the targets and actions that the Biodiversity Partnership will work towards over the next 10-year period for the conservation of habitats and species of local importance.
District Community Strategies and Local Development Framework documents	All the Districts have protection and enhancement of the natural environment as a core component of community strategies. Several Local Planning Authorities have taken the positive step of producing LDF documents specifically relating to biodiversity.

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BROMSGROVE DISTRICT COUNCIL

01 APRIL 2009

CABINET

IMPROVEMENT PLAN EXCEPTION REPORT [JANUARY 2009]

Responsible Portfolio Holder	Councillor Mike Webb Portfolio Holder for Customer Care and Service
Responsible Officer	Hugh Bennett Assistant Chief Executive

1. SUMMARY

- 1.1 To ask Cabinet to consider the Improvement Plan Exception Report for January 2009 (Appendix 1).

2. RECOMMENDATION

- 2.1 That Cabinet considers and approves the revisions to the Improvement Plan Exception Report attached as Appendix 1, and the corrective action being taken.
- 2.2 That Cabinet notes that for the 110 actions highlighted for January within the plan 86.4 percent of the Improvement Plan is on target [green], 3.6% percent is one month behind [amber] and 0 percent is over one month behind [red]. 10 percent of actions have been reprogrammed with approval. [NB reprogrammed actions are those that have been suspended completely and those that have been moved to a later point in the year. Extended actions are listed separately are actions that are anticipated to take longer than had originally been programmed]. The increase since last month reflects the re-programming of the town centre actions (as a result of Parkside), the re-programming of the train station (as a result of the updated situation regarding its funding) and the customer access strategy.
- 2.3 This month's performance is shown on the first page of Appendix 1.

3 BACKGROUND

- 3.1 July 2008 Cabinet approved the Improvement Plan 2008/09. The Improvement Plan is directly linked to the five corporate priorities and thirteen enablers identified in the Council Plan 2008/2011.
- 3.2 The Improvement Plan is designed to push the Council through to a rating of Fair during 2008.

- 3.3 There were four amber activities this month for the following areas of the Improvement Plan:-

Ref.	Council Plan Balanced Scorecard Reference	Number
CP4	Sense of Community	3
PR5	Planning	1

- 3.4 The 10% of re-programmed actions i.e. those that have been suspended or moved to a much later date in the Plan are:-

	Ref.	Action	Reason
1	1.4.3, 1.4.4, 4.4.5	Market Hall negotiations.	Suspended. Credit Crunch.
2	1.6.7	Xmas Lights budget bid.	Suspended. Sponsorship and other budget priorities.
3	2.1.3, 2.1.4	Affordable housing SPD.	Suspended. RSS2.
4	3.3.1	SPD consultation.	Suspended. RSS2.
5	4.3.11, 4.3.12, 4.3.15	Service specific equalities monitoring.	Suspended. Corporate approach being developed.
6	15.2.4	Review and consult on the "Bromsgrove Way".	Suspended. Existing approach acceptable. Other HR&OD priorities.
7	15.3.1, 15.3.2, 15.3.3	"Bromsgrove Way" and competency framework for non-managers.	See above.
8	18.1.2, 18.1.3	PDR process review.	See above.
9	18.3.1, 18.3.2, 18.3.3, 18.3.4, 18.3.5	Core competencies for all staff.	See above.
10	4.1.5	Consultation for LSP neighbourhoods.	Re-programmed. Different approach agreed for 2009/2010.
11	16.1	Workforce planning.	Re-programmed. Work now started.

4. FINANCIAL IMPLICATIONS

- 4.1 No financial implications.

5. LEGAL IMPLICATIONS

- 5.1 No legal implications.

6. COUNCIL OBJECTIVES

6.1 The Improvement Plan relates to all of the Council's four objectives and five priorities as per the 2008/2011 Council Plan.

7. **RISK MANAGEMENT**

7.1.1 The risks associated with the Improvement Plan are covered in the CCPP departmental risk register. Specific corporate risks are related to the Improvement Plan in the following ways:

Corporate Risk Title	Improvement Plan Reference
KO1: Effective Financial Management and Internal Control	FP2 – Financial Management FP3 – Financial Strategy
KO2: Effective corporate leadership	FP1 – Value for Money FP2 – Financial Management FP3 – Financial Strategy FP4 – Financial and Performance Reporting PR2 –Improved Governance
KO3: Effective Member / Officer relations	PR2 –Improved Governance HROD1 – Learning and Development
KO4: Effective Member / Member relations	PR2 –Improved Governance HROD1 – Learning and Development
KO5*: Full compliance with the Civil Contingencies Act and effective Business Continuity	PR1 – Customer Process
KO6: Maximising the benefits of investment in ICT equipment and training	PR3 – Spatial Business Project
KO7: Effective partnership working	PR4 – Improved Partnership Working
KO8: Effective communications (internal and external)	PR1 – Customer Process FP4 – Financial and Performance Reporting HROD 4– Performance Culture
KO9: Equalities and diversity agenda embedded across the Authority	CP3 – Customer Service CP4 – Sense of Community
KO10: Appropriate investment in employee development and training	HROD1 – Learning and Development HROD2 – Modernisation HROD4 – Performance Culture
KO11: Effective employee recruitment and retention	HROD2 – Modernisation
KO12: Full compliance with all Health and Safety legislation	FP3 – Financial Strategy PR1 – Customer Process HROD2 – Modernisation
KO13: Effective two tier working and Community Engagement	CP4 – Sense of Community PR4 – Improved Partnership Working
KO14: Successful implementation of	HROD2 - Modernisation

Job Evaluation	
KO15: All Council data is accurate and of high quality	FP2 – Financial Management FP4 – Financial and Performance Reporting PR3 – Spatial Business Project HROD4 – Performance culture
KO16: The Council no longer in recovery	FP1 – Value for Money FP4 – Financial and Performance Reporting
KO17: Effective Projects Management	FP1 – Value for Money PR3 – Spatial Business Project
KO19: Effective Business and Performance Management	FP4 – Financial and Performance Reporting
KO20: Effective Customer Focused Authority	CP3 – Customer Service CP4 – Sense of Community PR1 – Customer Process

* KO5 and KO18 have been merged

8. **CUSTOMER IMPLICATIONS**

8.1 The Improvement Plan is concerned with the strategic and operational issues that will affect the customer.

9. **EQUALITIES AND DIVERSITY IMPLICATIONS**

9.1 Please see sections CP3 and CP4 of the Improvement Plan

10. **VALUE FOR MONEY IMPLICATIONS**

10.1 See section FP1 of the Improvement Plan

11. **OTHER IMPLICATIONS**

Procurement Issues: See Section FP1 of the Improvement Plan.
Personnel Implications: See Sections HROD1-HROD4 of the Improvement Plan.
Governance/Performance Management: See Sections FP4 and PR2 of the Improvement Plan.
Community Safety including Section 17 of Crime and Disorder Act 1998: See section CP4 of the Improvement Plan
Policy: All sections of the Improvement Plan relate to this.
Environmental: See sections CP1 and PR5 of the Improvement Plan.

12. **OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	Yes
Chief Executive	At CMT
Executive Director (Partnerships and Projects)	At CMT

Executive Director (Services)	At CMT
Assistant Chief Executive	Yes
Head of Service	Yes
Head of Financial Services	At CMT
Head of Legal & Democratic Services	At CMT
Head of Organisational Development & HR	At CMT
Corporate Procurement Team	No

13. WARDS AFFECTED

13.1 All wards

14. APPENDICES

14.1 Appendix 1 Improvement Plan Exception Report January 2009

15. BACKGROUND PAPERS:

15.1 The full Improvement Plan for January can be found at www.bromsgrove.gov.uk under meetings Minutes and Agendas. A hard copy is also left in the Members' Room each month.

CONTACT OFFICER

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Exception Report for January 2009 Improvement Plan

Appendix 1

PROGRESS IN 2008/09

Overall performance as at the end of January 2009, in comparison with the previous year, is as follows: -

July 2007			August 2007			September 2007			October 2007			November 2007			December 2007		
RED	1	0.6%	RED	1	0.7%	RED	4	2.4%	RED	3	1.8%	RED	5	3.1%	RED	3	2.0%
AMBER	5	3.2%	AMBER	13	9.2%	AMBER	11	6.6%	AMBER	16	9.6%	AMBER	11	7.0%	AMBER	17	11.6%
GREEN	152	95.6%	GREEN	126	88.7%	GREEN	149	89.2%	GREEN	142	85.0%	GREEN	138	86.9%	GREEN	121	82.3%
REPRO	1	0.6%	REPRO	2	1.4%	REPRO	3	1.8%	REPRO	6	3.6%	REPRO	5	3.1%	REPRO	6	4.1%

January 2008			February 2008			March 2008			April 2008			May 2008			June 2008		
RED	2	1.4%	RED	2	1.4%	RED	2	1.5%	RED	3	2.7%	RED	8	7.55%	RED	6	6.3%
AMBER	16	11.4%	AMBER	10	7.3%	AMBER	10	7.4%	AMBER	11	9.9%	AMBER	4	3.8%	AMBER	4	4.2%
GREEN	118	84.3%	GREEN	122	88.4%	GREEN	117	86.7%	GREEN	92	82.9%	GREEN	86	81.1%	GREEN	74	77.0%
REPRO	4	2.9%	REPRO	4	2.9%	REPRO	6	4.4%	REPRO	5	4.5%	REPRO	8	7.55%	REPRO	12	12.5%

July 2008			August 2008			September 2008			October 2008			November 2008			December 2008		
RED	11	8.6%	RED	17	14.4%	RED	16	11.9%	RED	15	10.6%	RED	12	8.7%	RED	13	9.9%
AMBER	3	2.3%	AMBER	4	3.4%	AMBER	8	6.0%	AMBER	7	5.0%	AMBER	8	5.8%	AMBER	5	3.9%
GREEN	114	89.1%	GREEN	96	81.4%	GREEN	99	73.9%	GREEN	104	73.8%	GREEN	106	76.8%	GREEN	100	76.3%
REPRO	0	0%	REPRO	1	0.8%	REPRO*	11	8.2%	REPRO	15	10.6%	REPRO	12	8.7%	REPRO	13	9.9%

January 2009			February 2009			March 2009			April 2009			May 2009			June 2009		
RED	0	0%	RED			RED			RED			RED			RED		
AMBER	4	3.6%	AMBER			AMBER			AMBER			AMBER			AMBER		
GREEN	95	86.4%	GREEN			GREEN			GREEN			GREEN			GREEN		
REPRO	11	10.0%	REPRO			REPRO			REPRO			REPRO			REPRO		

Exception Report for January 2009 Improvement Plan

Appendix 1

Where: -

	On Target or completed		One month behind target or less		Over one month behind target		Original date of planned action		Re-programmed date.*
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* NB. Reprogrammed actions are both those that have been suspended completely and those that have been moved to a later point in the year. They are not actions that have been extended and they do not appear on the exception report.

Out of the total of 112 actions for January 2009, 4 actions have been extended with approval. This amounts to 3.6 percent of the original actions scheduled for this month. Extended actions are shown with hatched marking and extend the timescale of a current or ongoing action on the Improvement Plan.

An Exception Report detailing corrective actions follows:

CP4: Sense of Community																	
Ref	December 2008 Action		Colour		Corrective Action										Who	Original Date	Revised Date
Ref.	Action	Lead	July	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	Corrective Action		
4.3.13	Establish monitoring & meeting arrangements set out in the SLA with the Artrix.	JG														Work in this area is ongoing due to concern raised by the Operating Trust of the Artrix over some of the phrasing in the agreement document. Extended to December.	
4.3	Popularity of events programme																
4.3.13	Establish monitoring & meeting arrangements set out in the SLA with the Artrix.	JG														Work in this area is ongoing due to concern raised by the Operating Trust of the Artrix over some of the phrasing in the agreement document. Officers have forwarded the revised SLA to the Operating Trust and are awaiting feedback before commencing formal discussions. Officers have yet to receive feedback and are at present chasing this issue up and requesting completion pre Christmas. A meeting is being held on the 17 th Dec and it is envisaged that the formal document will be signed by both parties in Feb 09.	

CP4: Sense of Community																		
Ref	December 2008 Action	Colour	Corrective Action													Who	Original Date	Revised Date
Ref.	Action	Lead	July	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	Corrective Action			
4.3.1 4	Agree service improvement plan and targets based on SLA, previous year's performance and BDC user feedback out turns.		Work in this area is ongoing due to concern raised by the Operating Trust of the Artrix over some of the phrasing in the agreement document. Extended to December.													JG	Jul-08	Feb-09
4.3	Popularity of events programme																	
4.3.14	Agree service improvement plan and targets based on SLA, previous year's performance and BDC user feedback out turns.	JG														As above. Work in this area is ongoing due to concern raised by the Operating Trust of the Artrix over some of the phrasing in the agreement document. Officers have forwarded the revised SLA to the Operating Trust and are awaiting feedback before commencing formal discussions. A meeting is being held on the 17 th Dec and it is envisaged that the formal document will be signed by both parties in Feb 09.		

CP4: Sense of Community																			
Ref	December 2008 Action	Colour	Corrective Action												Who	Original Date	Revised Date		
Ref.	Action	Lead	July	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	Corrective Action				
4.3.15	Agree service improvement plan and targets based on SLA, previous years performance and BDC user feedback out turns.	JG														Suspended as per 4.3.1.1			
4.3	Popularity of events programme																		
4.3.1	Agree service improvement plan and targets based on SLA, previous years performance and BDC user feedback out turns.															Due to delays in the acceptance of the SLA work in this area has not yet been progressed.	JG	Sep-08	Jan-09

Exception Report for January 2009 Improvement Plan

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PR5: Planning																	
Ref	December 2008 Action		Colour		Corrective Action										Who	Original Date	Revised Date
															DH	Dec 08	Jan 09
Ref.	Action	Lead	July	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	Corrective Action		
14.5	Maintain Greenbelt through enforcement and upheld appeals																
14.5.1	Maintain training programme every 12 weeks															Next training event to include enforcement. Department attended Parish Council Forum at end of January.	

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